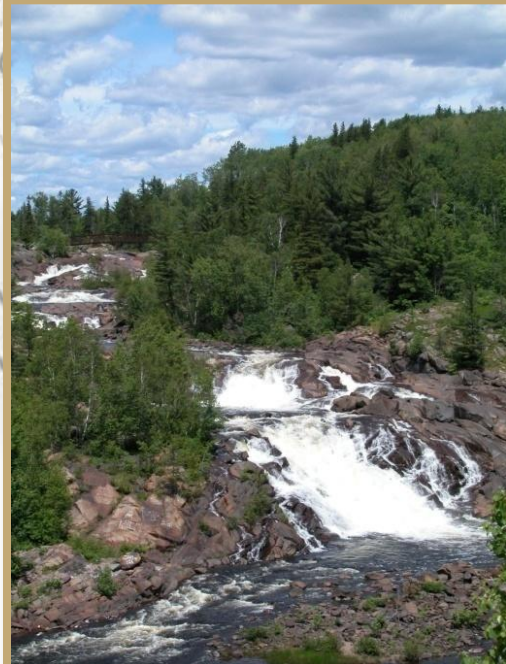
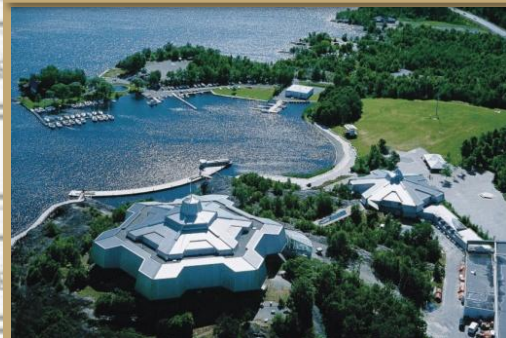


Draft
City of Greater Sudbury
Zoning By-Law 2010-XX

May 2010



DRAFT

CITY OF GREATER SUDBURY

ZONING BY-LAW 2010-XX

Please note that the text of the draft zoning by-law has no legal status, is only for the purpose of consultation and is subject to change. The draft text should not be used or relied upon as conveying any authority for the use of any lands, buildings or structures in the City of Greater Sudbury.

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PREAMBLE

These pages explain the purpose of this Zoning By-law and how it should be used. **These pages do not form part of the Zoning By-law passed by Council** and are intended only to make the Zoning By-law more understandable and easier to reference.

PURPOSE OF THIS ZONING BY-LAW

The purpose of this Zoning By-law is to implement the policies of the City of Greater Sudbury Official Plan. The Official Plan contains general policies that affect the use of land throughout the Municipality. These policies specify where certain land uses are permitted and, in some instances, specify what regulations should apply to the development of certain lands.

The Official Plan is a general document that is not intended to regulate every aspect of the built-form on a *private* lot. In the Province of Ontario, this is the role of the Zoning By-law. Once an Official Plan is in effect, any Zoning By-law passed by Council must conform to the Official Plan. For example, if the Official Plan stated that lands in the vicinity of a significant natural feature are to remain in their natural state, the Zoning By-law would prohibit the erection of buildings or structures on those lands.

The statutory authority to zone land is granted by the Planning Act, R.S.O. 1990, c.P.13, as amended. The Planning Act specifies what a By-law can regulate. A Zoning By-law can:

- Prohibit the use of land or buildings for any use that is not specifically permitted by the By-law;
- Prohibit the erection or siting of buildings and structures on a lot except in locations permitted by the By-law;
- Regulate the type of construction and the height, bulk, location, size, floor area, spacing, and use of buildings or structures;
- Regulate the minimum frontage and depth of a parcel of land;
- Regulate the proportion of a lot that any building or structure may occupy;
- Regulate the minimum elevation of doors, windows or other openings in buildings or structures;
- Require parking and loading facilities be provided and maintained for a purpose permitted by the By-law; and,
- Prohibit the use of lands and the erection of buildings or structures on land that is:

- Subject to flooding;
- The site of steep slopes;
- Rocky, low-lying, marshy or unstable;
- Contaminated;
- A sensitive groundwater recharge area or head water area;
- The location of a sensitive aquifer;
- A significant wildlife habitat area, wetland, woodland, ravine, valley or area of natural and scientific interest;
- A significant corridor or *shoreline* of a lake, river or stream; or,
- The site of a significant archaeological resource.

HOW TO USE THIS BY-LAW

In order to reference this By-law easily, a property owner should follow each of the steps listed below to determine what permissions apply to their particular property.

1. Locate the Property on a Map

Maps in a Zoning By-law are called 'Schedules'. The first step to using this By-law is to refer to the zone schedules that are contained at the back of the By-law to determine in which zone category your property is located. Schedule 'A' is the main Zoning Map. It is comprised as a series of smaller maps. The key maps show the lands covered by the individual maps. The zone category will be indicated on the schedules by a symbol or abbreviation. For example, you may see the symbol "R1-5" beside your property. This would indicate that your property is within the "Low Density Residential One" Zone. The zone symbols or abbreviations are explained on the first page of Part 2 of the By-law.

In any circumstance, you should confirm your findings with a Planner or Zoning Officer in the Planning Services or Building Services Divisions.

Part 2 also provides assistance to help you identify the zone boundaries on the Schedules. For example, if your property appears close to a zone boundary and you are not sure how to determine exactly where that boundary is located, refer to Section 2.4 of the By-law.

2. Zone Provisions

The next step to using this By-law is to determine what uses are permitted on your property. Each Zone Section in the By-law has two primary parts: Permitted Uses and Zone Regulations. Parts 6 through 10 of the By-law identify the permitted uses and zone requirements for each zone in the Municipality. Zone Standards include minimum lot area, minimum frontage requirements, minimum yard requirements, maximum lot coverage for buildings, maximum permitted height of buildings and, in some cases, the minimum required landscaped open space on the lot. Special Provisions that may affect the use of the property or the standards applicable to uses, buildings and

structures are shown at the bottom of the respective use and standards tables in Parts 6 through 10.

3. Definitions

The definitions in Part 3 can assist you if you are not sure of the nature of a permitted use or how it has been defined for the purposes of this By-law. Uses that are not identified as permitted uses within a particular zone are not allowed to be established that zone. The Planning Act requires that zoning by-laws prohibit all uses except as may be specifically permitted. If a use is not listed as a permitted use it is not permitted.

4. General Provisions

Now that you are aware of the uses permitted on your property and the specific zone requirements that apply to those uses, reference should be made to Part 4 of this By-law. Part 4 contains a more general set of standards known as 'General Provisions' that apply to all properties in all zones throughout the City. For example, the general provisions contain standards that regulate the location of accessory structures on a lot, height exceptions, and non-conforming or non-complying uses that apply to all properties regardless of what zone the property is located.

5. Parking and Loading

Part 5 provides the parking and loading requirements for all uses permitted in the Municipality. If you are considering changing the use of your property or adding a new use to your property, you should review Part 5 to ensure that you are aware of the parking requirements for the proposed use.

6. Exceptions, Holding Zones and Temporary Uses

By-laws are not static documents and lands may be subject to a zone exception, a holding zone, or a temporary use. If a zone symbol on the maps is followed by a number enclosed by brackets, such as C1(5), the lands are subject to a site-specific exception. These can be found in Part 11.

If the zone symbol is preceded by a "T" and a number or by an "H" and a number, the lands are subject to a Temporary Use By-law or a Holding Provision, the provisions of which can be found in Parts 12 and 13. Note that both processes are subject to separate Planning Act processes and do not require Zoning By-law Amendments to alter: Section 39 for Temporary Use By-laws, and Section 36 for Holding Provisions.

7. What are Legal Non-Conforming and Legal Non-Complying For The Purposes Of This By-law?

A legal non-conforming use is a use of land and/or building that legally existed on the date By-law .2010-XX comes into effect under the Planning Act. To be legal, the use

must have been permitted on the lands in accordance with the previous Zoning By-laws for the Municipality.

A legal non-complying lot, building or structure is a lot, building or structure that was legally created or erected in a location it was in when Zoning By-law .2010-XX comes into effect under the Planning Act. To be legal, the lot or location of the building or structure must have been authorized on the lands in accordance with the Municipality's previous Zoning By-laws. Alternatively, if the lot, building or structure existed on the lands for a considerable number of years, the building or structure may be legal if it was legally created or erected before the first By-law for the City of Sudbury or the By-law for the former municipality was passed.

8. By-law Amendments

A Zoning By-law is not a static document; it is amended over time as demands and policies governing land use change. Before proceeding any further, you should verify that your property is not the subject of an earlier Zoning By-law amendment. While the City strives to keep this By-law up-to-date, more recent amendments may not be included in the version of the By-law you are using. Staff in the Planning Services Division will be able to assist you to confirm if your property has been subject to a more recent By-law amendment.

**PART 1:
INTERPRETATION AND ADMINISTRATION**

1.1 TITLE

This By-law may be referred to as the “City of Greater Sudbury Zoning By-law” (“this By-law”) and applies to all lands within the City of Greater Sudbury.

1.2 ADMINISTRATION

This By-law shall be administered by the *Chief Building Official*.

1.3 CONFORMITY AND COMPLIANCE WITH BY-LAW

No *person* shall change the *use* of any *building*, *structure* or land or *erect* or *use* any *building* or *structure* or occupy any land or *building* except in accordance with the provisions of this By-law.

Any *use* not specifically permitted by this By-law shall not be permitted in the City of Greater Sudbury.

1.4 BUILDING PERMITS, CERTIFICATES OF OCCUPANCY AND MUNICIPAL LICENSES

The requirements of this By-law must be met before a *building permit* is issued for the erection, addition to or *alteration* of any *building* or *structure*.

1.5 COMPLIANCE WITH OTHER RESTRICTIONS

Nothing in this By-law shall serve to relieve any *person* from any obligation to comply with the requirements of any other By-law of the City of Greater Sudbury or any other requirement of the City of Greater Sudbury, the Province of Ontario or the Government of Canada that may affect the *use* of lands, *buildings* or *structures* in the *municipality*.

1.6 ENFORCEMENT

This By-law shall be enforced by the *By-law Enforcement Officer*.

Every *person* convicted of a violation of this By-law is liable, on first conviction to a fine of not more than \$25,000 and on the 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.

Every director or officer of any Corporation convicted of a violation of this By-law is liable, on first conviction to a fine of not more than \$50,000 and 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.

1.7 SEVERABILITY

A decision of a court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this By-law.

1.8 EFFECTIVE DATE

This By-law shall come into force the day it was passed if no appeals are received. If an appeal(s) is received, this By-law, or portions thereof, shall come into force upon the approval of the Ontario Municipal Board and in accordance with the provisions of the Planning Act, R.S.O. 1990, c.P.13, as amended.

1.9 REPEAL OF FORMER BY-LAWS

By-laws 83-300 (Valley East/Onaping Falls), 83-301 (Capreol), 83-302 (Rayside-Balfour), 83-303 (Walden), 83-304 (Nickel Centre), 95-500Z (City of Sudbury), 2001-24Z (Cleland et al.) and 2001-25Z (Parkin et al.) and all amendments thereto are hereby repealed.

1.10 MINOR VARIANCES TO FORMER BY-LAWS, AS AMENDED

Where the *Committee of Adjustment* of the City of Greater Sudbury or the Ontario Municipal Board has authorized a minor variance from the provisions of By-laws 83-300, 83-301, 83-302, 83-303, 83-304, 95-500Z, 2001-24Z and 2001-25Z, in respect of any land, *building* or *structure* and the decision of the *Committee of Adjustment* of the City of Greater Sudbury or the Ontario Municipal Board authorizing such minor variance has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, *building* or *structure*, shall be deemed to be modified to the extent necessary to give effect to such minor variance.

1.11 SITE PLAN CONTROL AGREEMENTS

Where a *Site Plan Control Agreement* has been entered into prior to the effective date of this by-law, the provisions of this by-law, as they apply to

such land, *building* or *structure*, shall be deemed to be modified to the extent necessary to give effect to such *Site Plan Control Agreement*.

1.12 LOTS CREATED BY A WILL

A *lot* created by a Will after July 26, 1990 does not qualify for a *building permit*. If a *lot* created by a Will was created on or before July 26, 1990, a *building permit* may be available provided all other applicable provisions in this By-law are met.

1.13 RESERVES

Where the *lot line* of a *lot abuts* a *reserve* established by a *public agency* to restrict or control access to an *abutting public road* from such *lot*, the said *lot* shall be deemed to abut the said road and such *reserve* shall be deemed to constitute part of the said *lot* for the purpose of determining compliance with this By-law, except that this provision shall not be construed as permitting access from such *lot* to the said road across such *reserve*.

Where the *lot line* of a *lot abuts* a Crown Reserve adjacent to a *waterbody*, such *reserve* shall be deemed to constitute part of the said *lot* for the purpose of determining compliance with this By-law except that no *building permit* shall be issued for any part of such *reserve* where the Ministry of Natural Resources has not approved such construction.

1.14 LOTS ABUTTING LAKES

No part of any *lot* lying below the elevations on the lakes noted below shall be used in determining compliance with this By-law:

Ramsey Lake:	249.36 metres C.G.D.
Robinson Lake	246.92 metres C.G.D.
Vermilion Lake:	256.49 metres C.G.D.
Wanapitei Lake:	267.95 metres C.G.D.
Whitewater Lake	265.47 metres C.G.D.
Whitson Lake	290.56 metres C.G.D.

1.15

REFERENCES TO OTHER LEGISLATION AND AGENCIES

Where this By-law makes reference to legislation of the Government of Ontario or the Government of Canada, such reference shall be deemed to include any and all amendments or successors thereto or regulations thereunder.

Where this By-law makes reference to the jurisdiction of a *public agency*, and where the name or responsibilities of such *public agency* are changed hereafter, the said reference shall be deemed to include any and all successors to such *public agency* having jurisdiction over the matters to which the said reference applies.

1.16

ROUNDING OF MEASUREMENTS FOR YARDS

For the purposes of determining compliance with this By-law all numerical figures for front, interior side, exterior side and rear yards shall be rounded to the same number of decimal places as on the Tables in Parts 6 to 10 of this By-law for the stated By-law requirement. For example, where the By-law requirement for a yard is given to one decimal place (example 7.5 m), the required distance shall be rounded to one decimal place (example: 7.45 m through 7.49 m rounded equals 7.5 m).

PART 2: ESTABLISHMENT OF ZONES

2.1 ZONES

The Provisions of this By-law apply to all lands within the limits of the City of Greater Sudbury. All lands subject to this By-law are contained within one or more of the following *Zones*:

ZONE	SYMBOL
Residential Zones (See Part 6)	
Low Density Residential One	R1-1, R1-2, R1-3, R1-4, R1-5, R1-6
Low Density Residential Two	R2-1, R2-2, R2-3
Medium Density Residential	R3, R3-1
High Density Residential	R4
Residential Mobile Home	RMH
Commercial Zones (See Part 7)	
Local <i>Commercial</i>	C1
General <i>Commercial</i>	C2
Limited General <i>Commercial</i>	C3
Office <i>Commercial</i>	C4
Shopping Centre <i>Commercial</i>	C5
Downtown <i>Commercial</i>	C6
Resort <i>Commercial</i>	C7
Industrial Zones (See Part 8)	
Business industrial	M1-1
Mixed Light Industrial/ <i>Service Commercial</i>	M1
Light Industrial	M2
Heavy Industrial	M3
Mining Industrial	M4
Extractive Industrial	M5
Disposal Industrial	M6
Rural Zones (See Part 9)	
Agricultural	A
Rural	RU
Rural Shoreline	RS
Seasonal Limited Service	SLS

Other Zones (See Part 10)

Institutional	I
Park	P
Open Space – Conservation	OSC
Open Space – Private	OSP
Open Space – Recreation	OSR
Open Space – Waterbody	OSW
Environmental Protection	EP
Future Development	FD

Overlay Zones

Airport Height Restriction Overlays	AHR1, AHR2
Flood Fringe Overlay	FF
Flood Plain Overlay	FP
Wellhead Protection Area Overlay	WPA

2.2 ZONE SYMBOLS

- i) The *Zone* symbols used in this By-law and on the Schedules to this By-law refer to *lots*, *buildings* and *structures* and other parcels of land and to the *use* of *lots*, *buildings* and *structures* and other parcels of land permitted by this By-law.
- ii) Wherever a *Zone* symbol on the Schedules to this By-law is followed by a period, a letter “D” and a number, the maximum number of *dwelling units* permitted on a *lot* with such a symbol shall be the *residential density* represented by such number in *dwelling units* per hectare.

2.3 ZONE SCHEDULES

The *Zones* and *Zone* boundaries are shown on Schedule ‘A’ to this By-law.

2.4 DETERMINING ZONE BOUNDARIES

2.4.1 General Application

When determining the boundary of any *Zone* as shown on any Schedule forming part of this By-law, the following provisions shall apply:

- a) A boundary indicated as following a highway, *street*, lane, railway right-of-way, utility corridor or watercourse shall be

the centre-line of such highway, *street*, lane, railway right-of-way, utility corridor or watercourse;

- b) A boundary indicated as substantially following *lot lines* shown on a Registered Plan of Subdivision, property boundaries or the municipal boundaries of the City of Greater Sudbury shall follow such *lot lines* or boundaries;
- c) Where a boundary is indicated as running substantially parallel to a *street line* and the distance from the *street line* is not indicated, the boundary shall be deemed to be parallel to such a *street line* and the distance from the *street line* shall be determined according to the scale shown on the Schedule(s);
- d) Boundaries of *flood plain* and flood fringe overlays are shown in general only. The actual boundaries shall be as determined from time to time by the Nickel District Conservation Authority;
- e) A boundary indicated as following a *lot line abutting* an unopened road allowance shall follow the *centre-line* of such road allowance;
- f) A *zone* boundary indicated as following a *shoreline* shall follow such *shoreline*, and in the event of a change in the *shoreline*, the boundary shall be construed as moving with the actual *shoreline*; and,
- g) Where a *lot* falls into two or more *zones*, each portion of the *lot* shall be used in accordance with the provisions of this By-law for the applicable *zone*; and,
- h) Where none of the above provisions apply the *zone* boundary shall be scaled from the Schedule(s).

In no case is a *Zone* boundary dividing a *lot* into two or more *Zone* categories intended to function as a property boundary.

2.4.2 Lands Under Water

Notwithstanding Section 2.4.1(a) above, all lands under water of the lakes and rivers within the *City* are subject to this By-law in addition to the requirements of both federal and provincial legislation. All lands under a navigable waterway not otherwise zoned Environmental Protection (EP) on the Schedules to this By-law shall be zoned Open Space – Waterbody (OSW), and may be

used in accordance with the zoning of *abutting* and appertaining lands and the regulations of Section 4.41 and Part 10 of this By-law.

2.5 EXCEPTION ZONES

Where a *Zone* symbol on the attached schedule(s) is followed by a number enclosed within a set of brackets, the symbol refers to a site-specific exception that applies to the lands noted. Site-specific exceptions are listed in Part 11 of this By-law. Unless specifically amended by the *Zone* Exception, all other provisions of the Parent *Zone* apply.

2.6 HOLDING ZONES

Notwithstanding any other provision in this By-law, where a *Zone* symbol is preceded by, a letter “H” and a number– for example H1M1 – the symbol refers to a Holding provision that applies to the lands noted. No *person* shall *use* or permit the land to which the Hold applies for any *use* other than the *use* which legally existed on the date the By-law applying the Holding provision came into effect or the *use(s)* permitted in the By-law enacting the Hold, or expand or replace an *existing building* or *structure* as the case may be, until the Hold (H) is removed in accordance with the policies of the Official Plan and Section 36 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

2.7 DEFINITIONS

For the convenience of the reader, all words that are italicized are defined in Part 3 of this By-law.

2.8 LAND OWNERSHIP

No representation or implication is made by the *City* nor should any inference be drawn from the Schedules attached to this By-law as to the ownership of *private* land and/or rights of access to such land. Ownership and access rights are legal matters that fall solely within the purview of a court of competent jurisdiction.

**PART 3:
DEFINITIONS**

	Term	Definition
1.	Abattoir	A slaughter house designed for the purpose of killing animals, skinning, dressing and cutting up of carcass, wrapping for sale for human consumption with cooler and freezer storage and includes <i>indoor</i> confinement of animals while awaiting slaughter but shall not include any cooking or process related to processing plants such as smoking, curing or the manufacturing of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer or any other inedible product.
2.	Abut or Abutting	Directly and immediately contiguous, physically touching, or sharing a common wall or <i>lot line</i> and does not include parcels of land that touch at a point.
3.	Accessible	That which can be approached, entered and used by <i>persons</i> with disabilities.
4.	Accessory	A <i>use</i> , separate <i>building</i> or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same <i>lot</i> as the <i>principal use, building or structure</i> and, in the case of a <i>building</i> or structure, may or may not be <i>attached</i> to the <i>main building</i> on the same <i>lot</i> .
5.	Adult Entertainment Parlour	Any <i>premises</i> 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, and for purposes of this definition, the following terms and phrases shall be interpreted as follows: (a) "To provide", when used in relation to services includes to furnish, perform, solicit, or give such services and "providing" and "provision" have corresponding meanings; (b) "Services" includes activities, facilities, performances, exhibitions, viewings and encounters, but does not include "goods" including books, clothing, magazines, pictures, slides, films, phonograph records, prerecorded magnetic tape and any other reading, viewing or listening matter; (c) "Services designed to appeal to erotic or sexual appetites or inclinations" includes: 1. Services of which a principal feature or characteristic is the nudity or partial nudity of any <i>person</i>, or 2. Services in respect of which the word "nude", "naked",

	Term	Definition
		"topless", "bottomless", "sexy" or any other word or picture, symbol or representation having like meaning or implication is used in any advertisement.
6.	Aggregate Transfer Site	Any <i>premises</i> used for the sorting, storing and distribution of aggregate materials including topsoil and peat.
7.	Agricultural Uses	An area of land used for: a) The cultivation or tillage of soil; b) The growing and harvesting of vegetables, fruits, grains, seed crops, mushrooms, berries, trees, sod, flowers or landscaping materials; c) The erection and <i>use</i> of greenhouses; d) The grazing, breeding, raising, boarding or training of <i>livestock</i> of all kinds, including, without limiting the generality of the foregoing, cattle, swine, sheep, goats, rabbits, poultry, fish, horses, ponies, donkeys, mules and fur-bearing animals; e) Dairying; f) Syrup collecting; g) Beekeeping; or, h) Any other operation normally associated with farming, with or without <i>accessory buildings</i>, structures or uses including, without limiting the generality of the foregoing, a <i>farm sales outlet</i>.
8.	Airport	The <i>use</i> of lands, <i>buildings</i> or structures for the purposes of air transportation services and regulated by Transport Canada.
9.		
10.	Amenity Area	An area of <i>landscaped open space</i> , floor space or any other area which is located within or on the same <i>lot</i> as a <i>multiple dwelling</i> or <i>row dwelling</i> and which is available for use by the residents of the said <i>dwellings</i> for active or passive recreational purposes, and may include such areas as play areas, <i>patios</i> , balconies, roof top terraces and <i>recreational amenities</i> , but does not include any <i>indoor</i> part of a <i>dwelling unit</i> , any part of a <i>required planting strip</i> , any part of a <i>required privacy yard</i> , any part of a <i>parking area</i> , any part of a <i>driveway</i> , nor any part of a <i>required front yard</i> .
11.	Amusement Park	An area of land used primarily for the <i>commercial</i> operation of a recreation, entertainment and amusement complex wherein rides, exhibits and displays, games of skill or chance and the sale of food, beverages, toys and souvenirs constitute the <i>main</i> uses.

	Term	Definition
12.	Animal Shelter	Lands and <i>buildings</i> used for the keeping of domestic animals, birds or household pets for temporary <i>indoor</i> shelter or treatment and accommodation and includes, without limiting the generality of the foregoing, a <i>public</i> pound, and may include the <i>premises</i> of a veterinarian, an accessory <i>pet grooming establishment</i> but does not include any establishment engaged primarily in the retail sale of animals or in breeding or training animals for gain or profit.
13.	Aquifer Vulnerability	An aquifer's intrinsic susceptibility, as a function of the thickness and permeability of overlying layers, to contamination from both human and natural impact on water quality.
14.	Arena	A <i>building</i> housing ice making equipment and infrastructure capable of enclosing an artificial ice surface intended for year round recreational use and may include uses such as special events and competitions, circuses, concerts, conventions, weddings/banquets/anniversaries, auctions, <i>restaurants</i> , flea markets and trade shows or exhibits with a retail component.
15.	Art Gallery	A <i>building</i> used for the preservation of collections of paintings or other works of art and devoted primarily to the recreation and/or education of the public, and may include the exhibition and sale of paintings and other works of art, whether by the proprietor or others.
16.	Assembly Hall	A <i>building</i> or structure, or part thereof, where facilities are provided for civic, educational, musical, recreational, theatrical, political, religious or social events, including, without limiting the generality of the foregoing, a <i>recreation and community centre</i> , auditorium, cinema, <i>theatre</i> , playhouse, opera house, concert hall, <i>public museum</i> , exhibition hall, convention centre and community social centre, but does not include any <i>place of amusement</i> , <i>commercial recreation centre</i> , <i>place of worship</i> , <i>stadium</i> or <i>drive-in theatre</i> as defined herein, or any <i>retail store</i> or <i>restaurant</i> except as an <i>accessory use</i> .
17.	Attached	A <i>building</i> otherwise complete in itself, which depends, for structural support or complete enclosure, upon a division wall or walls shared in common with adjacent <i>building</i> or <i>buildings</i> .
18.	Attic	The top most <i>storey</i> of a <i>building</i> , situated within a roof, where 50% or more of the horizontal space within such roof has less than 2.0 metres vertical clearance from the base of such <i>storey</i> .
19.	Auctioneer's Establishment	A <i>building</i> or <i>structure</i> or lands used for the storage of goods and materials which are to be sold on the <i>premises</i> by public auction, and for the sale of the said goods and materials by public auction on an occasional basis.

	Term	Definition
20.	Audio/Visual Studio	A <i>commercial</i> establishment engaged in recording, producing or broadcasting audio or visual materials, or both, with or without a <i>business office</i> , auditorium or antenna as <i>accessory</i> uses, and includes, without limiting the generality of the foregoing, radio or television broadcasting stations, cable television studios, sound recording studios, video recording studios and motion picture studios.
21.	Automotive Accessories Store	A <i>retail store</i> where <i>vehicle</i> parts, <i>vehicle</i> accessories and <i>vehicle</i> tools are offered for sale with or without <i>accessory automotive repair shop</i> .
22.	Automotive Body Shop	A <i>building</i> or <i>structure</i> used for the painting or repairing of <i>motor vehicle</i> bodies, exterior and undercarriage, and in conjunction with which there may be towing service and <i>motor vehicle</i> rentals for customers while the <i>motor vehicle</i> is under repair, but does not include any other <i>automotive use</i> defined herein.
23.	Automotive Leasing Establishment	A <i>building</i> and <i>lot</i> used for the leasing, servicing, repairing, cleaning, polishing and greasing of <i>motor vehicles</i> for hire, and without limiting the generality of the foregoing, including automobiles, trucks, boats, utility <i>trailers</i> , <i>recreation vehicles</i> , and <i>accessory</i> automotive sales.
24.	Automotive Lube Shop	An <i>automotive use</i> engaged in the servicing of motor vehicles with fluids and lubricants but does not include any other <i>automotive use</i> defined herein.
25.	Automotive Repair Shop	An <i>automotive use</i> which contains facilities for the repair and maintenance of <i>non-commercial vehicles</i> on the <i>premises</i> and where <i>vehicle</i> accessories are sold and <i>vehicle</i> maintenance and repair operations are performed in return for remuneration, but does not include any establishment where the repairing or painting of <i>vehicle</i> bodies constitutes a <i>main</i> use, except where specifically permitted, or any other <i>automotive use</i> defined in this By-law.
26.	Automotive Sales Establishment	A <i>building</i> and <i>lot</i> , or either in singular, used for the display and sale of new and used <i>motor vehicles</i> and may include the sale, servicing, repairing, cleaning, polishing, greasing, the sale of automotive accessories and related products and the leasing or renting of <i>motor vehicles</i> , utility or boat <i>trailers</i> , and may include an <i>automotive body shop</i> where the repair and repainting of <i>motor vehicles</i> can take place as an <i>accessory use</i> within the same <i>building</i> , but does not include any other <i>automotive use</i> defined herein.

	Term	Definition
27.	Automotive Service Station	An <i>automotive use</i> where <i>vehicle</i> fuels, lubricants and accessories are offered for retail sale and may include an <i>accessory convenience store</i> , and which contains facilities for the minor repair, maintenance or cleaning of vehicles <i>indoors</i> , other than the repairing or painting of <i>vehicle</i> bodies, but does not include any other <i>automotive use</i> defined herein.
28.	Automotive Use	A <i>building, structure</i> or <i>lot</i> , or part thereof, where vehicles are sold, rented, serviced, fuelled, maintained, repaired or cleaned for compensation and/or remuneration and includes, without limiting the generality of the foregoing, any <i>use</i> defined herein as a form of " <i>automotive use</i> ".
29.	Bake Shop	A <i>retail store</i> operated in conjunction with and on the same <i>premises</i> as a <i>bakery</i> , where all prepared food products of such <i>bakery</i> are sold on the <i>premises</i> .
30.	Bakery	A <i>food processing plant</i> where food products of which flour, grains, meal or sugar are the principal ingredients are produced, mixed, compounded, baked or otherwise prepared, but does not include a <i>restaurant</i> or other <i>premises</i> where such products are made only for consumption on the <i>premises</i> .
31.	Balcony	A raised platform or <i>structure</i> projecting above <i>finished grade</i> from the <i>main building</i> , not supported by the ground, with or without steps to provide access to the ground.
32.	Banquet Hall	A <i>building</i> or part thereof, used for the gathering of groups of people for a specific function including the consumption of food and drink and shall include kitchen facilities.
33.	Basement	One or more <i>storeys</i> of a <i>building</i> located below the <i>first storey</i> .
34.	Bed And Breakfast Establishment	An establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public within a <i>single detached dwelling</i> that is the principal residence of the proprietor of the establishment.
35.	Bedroom	A habitable room located within a <i>dwelling unit</i> and used primarily for sleeping.
36.	Berm	A landscaped mound of earth.
37.	Biosolid Disposal	The spreading or placement of biological waste that has been partially treated in a sewage treatment facility or waste vegetable materials including food waste or by products of food production on lands.
38.	Blank Wall	An exterior wall of a <i>building</i> where such wall does not contain any windows.

	Term	Definition
39.	Boathouse	A <i>building</i> or <i>structure</i> used for the storage of boats and equipment <i>accessory</i> thereto including a <i>boatport</i> , but shall not include <i>habitable living space</i> , the <i>commercial</i> storage of boats, the sale of fuel or marine products, or a <i>marina</i> .
40.	Boatport	An <i>accessory structure</i> which is not enclosed by more than one wall that is designed and used only for the sheltering of boats or other forms of water transportation.
41.	Body Rub Parlour	Any <i>premises</i> or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business, or occupation, but does not include any <i>premises</i> or part thereof where the body-rubs performed are for the purpose of medical or therapeutics treatment and are performed or offered by <i>persons</i> otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.
42.	Building	A <i>structure</i> consisting of walls, roof and floor or a structural system serving the same purpose as defined in The Building Code Act, S.O. 1992, Chapter 23.
43.	Building By-law	Any by-law of the <i>City</i> passed pursuant to the <u>Building Code Act</u> , S.O. 1992, Chapter 23, as amended.
44.	Building Inspector	The officer or employee of the City of Greater Sudbury who has the duty of administering the <u>Building Code Act</u> , S.O. 1992, Chapter 23, as amended.
45.	Building Line	A line lying in the interior of a <i>lot</i> drawn parallel to a <i>lot line</i> for the purpose of establishing the minimum distance that must exist between a <i>building</i> or <i>structure</i> erected upon the <i>lot</i> and a <i>lot line</i> of that <i>lot</i> .
46.	Building, Main	A <i>building</i> in which is carried on the principal purpose for which the <i>lot</i> is used.
47.	Building Official, Chief	The <i>person</i> duly appointed by <i>Council</i> as the <i>Chief Building Official</i> and charged with the duty of enforcing the provisions of the <u>Building Code Act</u> , S.O. 1992, Chapter 23, as amended, together with any regulations thereunder, and of the <i>Building By-law</i> .
48.	Building Permit	A permit <i>required</i> by the <i>Building By-law</i> .
49.	Building Separation	The shortest horizontal dimension between the closest parts of any two detached <i>buildings</i> on the same <i>lot</i> .

	Term	Definition
50.	Building Supply and Lumber Outlet	An establishment engaged in the wholesale or retail sale of <i>building</i> or construction supplies, or accessories including, without limiting the generality of foregoing, lumber, millwork, cement, siding, roofing, plumbing or electrical supplies and heating, cooling or ventilating systems, and may include the <i>premises</i> of a construction contractor and an outdoor storage area but does not include any <i>retail store</i> engaged primarily in the <i>indoor</i> retail sale of furnishings, appliances, stoves, fireplaces, windows, paints, wall coverings, floor coverings, plumbing supplies or items normally associated with a <i>hardware store</i> .
51.	Bulk Retail Outlet	A <i>retail store</i> where primarily large, bulky or unwieldy items including, but not necessarily restricted to, furniture, appliances, machinery, floor coverings and landscaping and garden supplies or implements, are offered for sale or rental, but does not include a retail lumber yard, <i>garden nursery</i> , <i>automotive use</i> , <i>industrial use</i> , <i>agricultural use</i> or the sale, rental or distribution of shipping or storage containers.
52.	Bulk Storage Tank	A tank or container for the bulk storage of petroleum, gasoline, diesel or other fuels, oil, gas, propane, or flammable liquid or fluid, but does not include a container for flammable liquid, gas or fluid legally and properly kept in a <i>retail store</i> or a tank for storage incidental to some other <i>use</i> of the <i>premises</i> where the such tank or container is located.
53.	Bus Terminal	An establishment where <i>commercial</i> passenger vehicles pick up and discharge fare-paying passengers, with or without <i>accessory business offices</i> , <i>retail stores</i> , <i>restaurants</i> , <i>taverns</i> , bus maintenance or bus storage.
54.	By-law Enforcement Officer	A <i>person</i> duly appointed by <i>Council</i> as a <i>By-law Enforcement Officer</i> and charged with the duty of enforcing the by-laws of the <i>City</i> .
55.	Camping Ground or Establishment	An area of land in which space and facilities are provided specifically for the temporary accommodation of <i>persons</i> in tents or recreation vehicles for vacation or recreational purposes, and <i>accessory</i> uses and facilities such as administrative <i>offices</i> , sanitary facilities, recreational facilities and an <i>accessory convenience store</i> .

	Term	Definition
56.	Carnival	A temporary <i>use</i> of land, <i>buildings</i> or structures for the purpose of providing or locating facilities for <i>commercial</i> entertainment and participatory amusement activities, including games and rides, and includes, without limiting the generality of the foregoing, an itinerant circus or midway, but does not include an <i>amusement park</i> or other <i>use</i> where such facilities are located or made available for <i>use</i> by the general public for more than 14 days per year.
57.	Carport	An <i>accessory private garage</i> , either <i>attached</i> to or detached from the <i>main building</i> , which is partially enclosed with a roof but open at each end and on at least one side except for any necessary structural roof supports.
58.	Car Wash	An <i>automotive use</i> containing manual or automated facilities for washing or cleaning vehicles, but does not include any other <i>automotive use</i> defined herein.
59.	Cellar	A portion of a <i>building</i> below the <i>first storey</i> floor which is partly or wholly <i>underground</i> and which has more than one-half of its <i>height</i> , from finished floor to finished ceiling or to the underside of the floor joints of the first floor, below the average <i>finished grade</i> level adjacent to the exterior walls of the <i>building</i> .
60.	Cemetery	An area of land reserved or used for interring the dead or placing or burying the remains or ashes of human corpses, and includes a crematorium, mausoleum or columbarium, but does not include a <i>funeral home</i> .
61.	Cemetery, Pet	The land that is used as a place for the internment of dead domestic animals with assigned sites for individual animals.
62.	Children's Home	a) An approved agency designated as a "children's aid society" under the <u>Child and Family Services Act</u>, R.S.O. 1990, c.C.11, as amended; b) An "institution" as defined in Part II of the <u>Child and Family Services Act</u>, R.S.O. 1990, c.C.11, as amended; or c) A "children's residence" as defined in Part IX of the <u>Child and Family Services Act</u>, R.S.O. 1990, c.C.11, as amended.
63.	City	The City of Greater Sudbury as defined and constituted by The <u>City of Greater Sudbury Act</u> , 1999, C.14, Schedule A.
64.	Commercial	When used in reference to a <i>building</i> , structure, <i>lot</i> , <i>use</i> or activity, A <i>building</i> , structure, <i>lot</i> , <i>use</i> or activity pertaining to the buying, selling or renting of commodities or the supplying of services for remuneration, gain or profit, but does not include activities associated primarily with an <i>industrial use</i> (processing or manufacturing) or with any construction work.

	Term	Definition
65.	Commercial or Public Garage	An <i>automotive use</i> engaged primarily in the storage, repair and maintenance of <i>commercial</i> or <i>public vehicles</i>
66.	Commercial Riding School	An area of land and <i>buildings</i> that are used as an educational or recreational centre for horse training, handling, care, or for the lodging of horses for hire or gain.
67.	Commercial Self-Storage Facility	Lands and <i>buildings</i> used, rented or leased to <i>persons</i> for the storage of household and personal items, including <i>recreation vehicles</i> and automobiles, within separate units forming part of a wholly enclosed <i>building</i> .
68.	Commercial Tourist Facility	A camp for recreational activities consisting of one of more <i>buildings</i> or other structures and <i>recreational amenities</i> established or maintained as living quarters, with or without charge, for the temporary occupancy of 10 or more <i>persons</i> for five or more days.
69.	Committee of Adjustment	The <i>Comittee of Adjustment</i> of the City of Greater Sudbury, or the <i>Comittee of Adjustment</i> of a former <i>municipality</i> located within the current boundaries of the City of Greater Sudbury, as constituted by <i>Council</i> under the <u>Planning Act</u> , R.S.O. 1990, C.P.13, as amended.
70.	Conforming	" <i>Conforming</i> to all applicable provisions or requirements of this By-law". CONFORMITY has a corresponding meaning.
71.	Conservation Authority	The Nickel District <i>Conservation Authority</i> , as constituted by the <u>Conservation Authorities Act</u> , R.S.O. 1990, c.C.27, as amended.
72.	Conservation Use	An area of land that is generally left in its natural state and which is used to preserve, protect and/or improve components of the natural heritage system of other lands for the benefit of man and the natural environmental and which may include, as an <i>accessory use</i> , hiking trails and/or cross country ski trails, <i>buildings</i> and structures such as nature interpretation centres and public information centres.
73.	Contractor's Yard	An area of land used for the storing of equipment and materials used in the construction, landscaping, restoration and/or renovation industries and may include a <i>premises</i> where a contractor performs shop or assembly work but does not include any other <i>yard</i> or establishment otherwise defined or classified herein.

	Term	Definition
74.	Convenience Store	A <i>retail store</i> not exceeding 150 m ² <i>net floor area</i> wherein various convenience goods and items of day-to-day personal or household <i>use</i> or necessity including, without limiting the generality of the foregoing, food, beverages, pharmaceutical drugs, light hardware products, tobacco products and periodicals, are offered for sale.
75.	Council	The municipal <i>Council</i> of The City of Greater Sudbury as constituted by the <u>City of Greater Sudbury Act</u> , 1999, S.O. 1999, C.14, Schedule A.
76.	Court	An open, uncovered <i>yard</i> bounded on two or more sides by one or more <i>main buildings</i> on the same <i>lot</i> .
77.	Crisis Residence	<i>Crisis residence</i> shall mean a single housekeeping unit licensed or funded by the Province of Ontario for the short term (averaging 30 days or less) accommodation of three to nine <i>persons</i> , exclusive of staff, living under supervision and who, by reason of either emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being.
78.	Cross Country Ski Facility	An area of land with trails used by skiers and which may include, as <i>accessory uses</i> , a <i>restaurant</i> , a clubhouse, a <i>retail store</i> selling ski equipment and accessories, a <i>fitness centre</i> , a <i>dwelling unit</i> for an owner/caretaker, and other <i>buildings</i> or <i>structures</i> devoted to the maintenance, administration and operation of the <i>cross country ski facility</i> .
79.	Crown Land	Land held under the ownership of the Crown in right of the Province of Ontario, but does not include land in the actual <i>use</i> or occupation of the Crown, or of a <i>public</i> department of the Government of Canada or of the Province of Ontario, or of an officer or servant thereof, or under lease or license of occupation from the Crown, or set apart or appropriated by lawful authority for a <i>public</i> purpose or vested in the Ontario Northland Transportation Commission.
80.	Day Care Centre	A <i>building</i> or part thereof duly licensed by the Province of Ontario as a "day nursery" under the <u>Day Nurseries Act</u> , R.S.O. 1990, Chapter D.2.
81.	Deck	A roofless, unenclosed structure, <i>accessory</i> to a <i>dwelling</i> , consisting of a platform raised 0.6 metres or more above <i>finished grade</i> , supported by the ground with or without steps to provide access to the ground.

	Term	Definition
82.	Development	The erection of one or more <i>buildings</i> or structures on land or the making of an addition or <i>alteration</i> to a <i>building</i> or <i>structure</i> that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a <i>commercial parking lot</i> or a <i>mobile home park</i> , or a change in <i>land use</i> , or the construction of <i>buildings</i> and structures, any of which require approval under the <u>Planning Act</u> , R.S.O. 1990, c.P.13, as amended.
83.	Dining Room	That part of a <i>restaurant</i> , <i>tavern</i> , <i>hotel</i> or other non-residential <i>use</i> which is used specifically for the consumption of food or beverages by <i>persons</i> seated at booths, counters or tables, or a combination thereof.
84.	Dock	A <i>structure</i> temporarily or permanently <i>attached</i> to lands under water used to provide access to the water for <i>persons</i> and watercraft.
85.	Drive-In Theatre	An area of land, together with <i>accessory buildings</i> and structures, designed and used specifically for the showing of motion pictures on an outdoor screen for viewing by patrons from within their vehicles.
86.	Drive-Through Service Facility	A <i>building</i> or <i>structure</i> or part thereof where goods and/or services are offered to the public within a parked or stationery <i>vehicle</i> that is in a designated queuing space by way of a service window, kiosk, or automated machine where goods, money or materials are exchanged. Kiosks within a <i>parking structure</i> or associated with a surface <i>parking area</i> are not considered to be drive-through service uses.
87.	Driveway	A passageway that provides vehicular access to <i>parking areas</i> , <i>loading spaces</i> , <i>buildings</i> or structures, on a <i>lot</i> , from a road or <i>private access road</i> .
88.	Drug Store	A <i>building</i> or part thereof where pharmaceutical drugs are prepared and dispensed in conjunction with a <i>retail store</i> .
89.	Dry Cleaning Depot	A <i>building</i> or part thereof used for receiving, and subsequently returning, articles, goods or fabrics for dry cleaning, dyeing, cleaning, laundering or pressing, in a place other than the <i>premises</i> .
90.	Dry Cleaning Establishment	A <i>building</i> or part thereof used for the purpose of dry cleaning, dyeing, cleaning, laundering or pressing articles, goods or fabrics, with or without a <i>dry cleaning depot</i> as an <i>accessory use</i> .
91.	Dwelling	A <i>building</i> or part of a <i>building</i> containing a <i>dwelling unit</i> occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more <i>persons</i> either continuously, permanently, temporarily or transiently, but does not include a <i>hotel</i> , <i>rooming house</i> or <i>institutional use</i> .

	Term	Definition
92.	Dwelling Unit	A <i>suite</i> of one or more inter-connected habitable rooms which: a) Is used or intended for <i>use</i> in common by one or more <i>persons</i> as a single, distinct and self-contained housekeeping establishment; b) Contains kitchen and bathroom facilities for the exclusive common <i>use</i> of the occupants thereof; and, c) Is not a <i>recreation vehicle</i> or any <i>vehicle</i>.
93.	Dwelling Unit Area	The habitable area contained within the inside walls of a <i>dwelling unit</i> , excluding any <i>private garage</i> , <i>carport</i> , <i>porch</i> , <i>verandah</i> , unfinished <i>attic</i> , <i>cellar</i> or sun room (unless such sun room is habitable in all seasons of the year), public or common walls or area, stairways or elevator shaft.
94.	Dwelling Unit, Accessory	A <i>dwelling unit</i> accessory to and located within or <i>attached</i> to a <i>main building</i> used for a permitted non-residential <i>use</i> on the same <i>lot</i> and occupied either by the owner of such lot or by a <i>person</i> employed thereon.
95.	Dwelling Unit, Bachelor	A <i>dwelling unit</i> containing bathroom facilities and not more than two habitable rooms used for living, dining, sleeping and cooking.
96.	Dwelling, Boarding House	A <i>single detached dwelling</i> in which the owner or his agent resides and in which lodging for more than two <i>persons</i> other than members of the owner's or agent's family, in return for remuneration or for the provision of services or both and in which the <i>guest rooms</i> do not have bathrooms and kitchen facilities for the exclusive <i>use</i> of the individual occupants but shall not include a <i>motel</i> , <i>hotel</i> , bed and breakfast, <i>hospital</i> , <i>children's home</i> , <i>long term care facility</i> , <i>retirement home</i> or other similar establishment.
97.	Dwelling, Duplex	A <i>dwelling</i> containing two <i>dwelling units</i> , but does not include any <i>dwelling</i> erected as, or in the form of, a pair of <i>semi-detached dwellings</i> .
98.	Dwelling, Fourplex	A <i>dwelling unit</i> in a <i>building</i> that is divided horizontally or a combination of vertically and horizontally into four <i>dwelling units</i> , each of which has an independent entrance either directly to the outside or through a common vestibule.
99.	Dwelling, Linked	One of a pair of <i>semi-detached dwellings</i> that are connected along at least 80 percent of the length of the foundation wall between each <i>dwelling</i> below grade.

	Term	Definition
100.	Dwelling, Mobile Home	A single <i>dwelling</i> that is designed to be mobile, and constructed or manufactured to provide a permanent residence for one or more <i>persons</i> in accordance with Canadian Standards Association Standard Z240, but does not include a <i>park/model home dwelling</i> , <i>travel trailer</i> or <i>tent trailer</i> or <i>trailer</i> otherwise designed.
101.	Dwelling, Modular	A pre-fabricated <i>dwelling unit</i> manufactured at one location and delivered and assembled on another <i>lot</i> .
102.	Dwelling, Multiple	A <i>dwelling</i> which contains three or more <i>dwelling units</i> , with or without permitted non-residential uses, and includes any such <i>dwelling</i> wherein furnished <i>dwelling unit</i> accommodation is provided on a weekly or monthly basis, but does not include a <i>row dwelling</i> .
103.	Dwelling, Park Model Home	A <i>trailer</i> designed for temporary human habitation intended to be used on a seasonal basis and meeting Canadian Standard Association Standard Z241.
104.	Dwelling, Row	A <i>dwelling</i> which contains three or more <i>dwelling units</i> divided vertically from each other by common walls, which extend at least one <i>storey</i> above <i>finished grade</i> and having <i>private</i> independent entrances to each <i>dwelling unit</i> directly from a <i>yard</i> .
105.	Dwelling, Seasonal	A <i>single detached dwelling</i> or <i>mobile home dwelling</i> erected and used as a secondary place of residence for seasonal vacations and recreational purposes and not as the principal residence of the owner or occupant thereof.
106.	Dwelling, Semi-Detached	One of a freestanding pair of single <i>dwelling units</i> attached together horizontally in whole or in part above grade and divided vertically from each other by a common wall extending at least one <i>storey</i> above <i>finished grade</i> .
107.	Dwelling, Single Detached	A freestanding <i>dwelling</i> containing not more than one <i>dwelling unit</i> , but does not include a <i>mobile home dwelling</i> .
108.	Dwelling, Townhouse	One of a group of not less than three single <i>dwelling units</i> which are <i>attached</i> together horizontally in whole or in part above grade and divided vertically from each other by common walls extending at least one <i>storey</i> above <i>finished grade</i> with each <i>dwelling</i> having <i>lot frontage</i> .
109.	Easement	An instrument that is registered on title which provides for the use of land subject to the <i>easement</i> for sewer, water, drainage, access or utility purposes and which may include a right-of-way in favour of a <i>public</i> authority.
110.	Electric Power Generating Station	A facility that generates electricity, but does not include a solar farm or wind farm.

	Term	Definition
111.	Emission	Any corrosive or toxic gases, dust, fly ash, soot, vapours, noise, vibrations, electro-magnetic fields, heat, glare, odours, smoke or radiation issuing from a <i>building, structure or lot</i> .
112.	Equestrian Event Facility	An area of land and <i>buildings</i> and structures used primarily for organized activities related to equine events and shows and may include a <i>commercial riding school</i> .
113.	Erect	To build, place, construct, reconstruct, relocate or <i>alter</i> by means of an addition, enlargement or extension, and includes any preliminary physical operation preparatory to such work including, but not so as to limit the generality of the foregoing, excavating, filling or draining, or structurally <i>altering</i> any <i>existing building or structure</i> by an addition, deletion, enlargement or extension.
114.	Established Building Line	When used in reference to a <i>lot</i> , the <i>road setback</i> of a <i>main building existing</i> thereon, exclusive of any <i>stoops, sun decks, porches, balconies, exterior steps, architectural adornments</i> or other projections of the type described in Section 4.2 of this By-law
115.	Existing	<i>Existing</i> as of the date of the enactment of the provision that contains that word. EXIST has a corresponding meaning.
116.	Extractive Use	A <i>mine, a pit, a quarry or a wayside pit or quarry</i> as defined herein.
117.	Farm Implement Sales Outlet	The <i>use</i> of land, <i>buildings</i> or structures for the <i>commercial</i> sale, storage or repair of equipment and machinery directly associated with the farming operations and activities.
118.	Farm Sales Outlet	A <i>building</i> or structure, <i>accessory</i> to an agricultural use, where farm produce originating primarily on the same <i>lot</i> therewith is offered for retail sale in season.
119.	Feed Mill	A <i>building, structure or lot</i> used for the storing, cleaning and sale of grains, fertilizers and related agricultural products.
120.	Fence	A <i>structure</i> which forms a barrier for enclosing, bounding, delineating or protecting land.
121.	Financial Institution	A <i>premises</i> in which financial services are offered to the public and includes a bank, credit union, trust company, savings <i>office</i> , investment advising or any other retail banking or investing operation.

	Term	Definition
122.	Finished Grade	a) When used in reference to a wall of a <i>building</i>, the average elevation of the finished surface of the ground adjoining the base of such wall; b) When used in reference to a <i>building</i> or structure, the average elevation of the finished surface of the ground where it meets the exterior face of such <i>building</i> or structure; exclusive of any wells providing light or ventilation to <i>basement</i> areas and exclusive of any embankments, planters, or any other such <i>structure</i> placed or constructed along the base of any wall, <i>building</i> or structure.
123.	Fitness Centre	A <i>premises</i> in which facilities are provided for recreational or athletic activities such as <i>body-building</i> and exercise classes and may include associated facilities such as a <i>sauna</i> , a <i>swimming pool</i> , a solarium, a cafeteria and <i>accessory</i> retail uses.
124.	Flood Plain	An area of land susceptible to flooding due to an overflow of a <i>waterbody</i> in the event of a Regional Design Storm as defined by the Nickel District <i>Conservation Authority</i> and/or the Province of Ontario.
125.	Floor Area	The space on any <i>storey</i> of a <i>building</i> 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.
126.	Floor Area, Gross	The total area of all <i>storeys</i> of a <i>building</i> , other than an unfinished <i>attic</i> or unfinished <i>basement</i> measured between the outside surfaces of exterior walls.
127.	Floor Area, Maximum Gross	The total <i>gross floor area</i> of all <i>buildings</i> on a <i>lot</i> .
128.	Floor Area, Net	The aggregate of the <i>floor areas</i> of a <i>building</i> above or below established grade, but excluding car <i>parking areas</i> within the <i>building</i> , stairways, elevator shafts, service/mechanical rooms and penthouses, washrooms, garbage/recycling rooms, staff locker and lunch rooms, loading areas, a public concourse or common hallway, any space with a floor to ceiling <i>height</i> of less than 1.8m and any part of a <i>basement</i> that is unfinished, is used solely for storage purposes and is not accessible to the public.
129.	Floor Space Index (FSI)	The <i>gross floor area</i> of all <i>buildings</i> on a <i>lot</i> divided by the <i>lot area</i> .
130.	Florist	A <i>retail store</i> where flowers and plants are sold or offered for sale to the public and such use may include the incidental raising and arranging of flowers and plants for sale in the store.

	Term	Definition
131.	Food Processing Plant	An <i>industrial use</i> where agricultural products are prepared, processed, preserved, graded or stored, and includes, without limiting the generality of the foregoing, a flour mill, dairy, soft drink manufacturing or bottling plant, brewery, <i>bakery</i> , catering establishment, grain elevator or egg grading station, but does not include a <i>restaurant</i> , or <i>abattoir</i> except where such uses are specifically permitted hereby.
132.	Forestry Use	An area of land used for: a) Cultivating or harvesting trees, with or without a <i>sawmill</i> where the sawing, splitting or sale of timber originates solely on the same <i>lot</i> therewith as uses <i>accessory</i> thereto; b) The management of woodlands, including <i>accessory</i> uses such as the construction and maintenance of forest access roads; c) The production of maple syrup; or d) Passive outdoor recreation.
133.	Fuel Depot	An establishment engaged in the bulk storage, bulk sale or bulk delivery of combustible or inflammable solids, liquids or gases, with or without one or more tanks used for the bulk storage of such substances, but not including retail sales except key lock operations.
134.	Funeral Home	A <i>building</i> or part thereof used for furnishing funeral supplies and service to the public and includes facilities wherein human corpses are preserved or otherwise prepared for interment or cremation.
135.	Garage, Mutual	A detached <i>private garage</i> which accommodates at least two <i>parking spaces</i> and which is erected astride a common <i>side lot line</i> between two adjacent <i>lots</i> containing <i>single detached dwellings</i> to which such <i>private garage</i> is <i>accessory</i> .
136.	Garage, Private	A fully enclosed <i>building</i> designed and used for the storage of one or more <i>motor vehicles</i> .
137.	Garden Centre	A retail store comprised of an outdoor or indoor area used primarily for the display and retail sale of plants, gardening and landscaping supplies and equipment but does not include the propagation of plants.
138.	Garden Nursery	An establishment engaged in both the propagation and retail sale of garden and landscaping supplies including, without limiting the generality of the foregoing, trees, shrubs, flowers, plants, seeds and bulbs, and the retail sale of garden and landscaping accessories including, without limiting the generality of the foregoing, fertilizers, weed-killers, <i>pesticides</i> , garden tools and lawn furnishings.

	Term	Definition
139.	Garden Suite	A one unit detached residential <i>structure</i> containing bathroom and kitchen facilities that is ancillary to an <i>existing single detached dwelling</i> and that is designed to be temporary and/or portable.
140.	Gas Bar	A <i>main</i> or <i>accessory automotive use</i> where <i>vehicle</i> fuels and lubricants are offered for retail sale, and may include an <i>accessory convenience store</i> , but does not include any <i>automotive use</i> engaged in the sale, rental, storage or repair of vehicles, except where such <i>use</i> is specifically permitted hereby.
141.	Gazebo	A freestanding roofed <i>building</i> which is not enclosed, except for screening or glass and which is utilized for the purposes of relaxation in conjunction with a residential <i>dwelling</i> but shall not include any other use or activity otherwise defined or classified in this By-law.
142.	Golf Course	A public or <i>private</i> area operated for the purpose of playing golf, club house and recreational facilities, pro shop, <i>accessory dining room</i> , <i>golf driving ranges</i> and miniature <i>golf courses</i> , and similar uses.
143.	Golf Driving Range	An <i>indoor</i> or outdoor public or <i>private</i> facility dedicated to the driving of golf balls from fixed golf tees.
144.	Gross Leasable Area	The total <i>floor area</i> designed for <i>commercial</i> tenant occupancy and exclusive use, including <i>basements</i> , mezzanines, and upper floors, if any; measured from the centre line of joint partitions and from outside wall faces.
145.	Group Home Type 1	A single housekeeping unit in a <i>single detached dwelling</i> in which residents live under responsible supervision consistent with the requirements of its residents and includes a home licensed or approved under the Provincial statute as a Special Care Residential Home, Supportive Housing Program, Adult Community Mental Health Program, <i>Children's home</i> , Accommodation Services for the Developmentally Handicapped, Satellite Residences for Seniors and Homes for Physically Disabled Seniors, and a <i>Crisis residence</i> in compliance with <i>City</i> By-laws.

	Term	Definition
146.	Group Home Type 2	A single housekeeping unit in a <i>single detached dwelling</i> or <i>dwelling unit</i> within a <i>commercial building</i> which shall be maintained and operated primarily for: (a) <i>Persons</i> who have been placed on probation under the provisions of the Probation Act, the Criminal Code of Canada, or any Act passed to replace the forgoing Act, the Criminal Code of Canada, or any Act passed to replace the foregoing Acts; (b) <i>Persons</i> who have been released on parole under the provisions of the Ministry of Correctional Services Act, or Parole Board of Canada or any Act passed to replace the foregoing Acts; (c) <i>Persons</i> who have been charged under the Young Offenders Act but who have been placed in open or secure custody.
147.	Guest Room	A habitable room or <i>suite</i> of habitable rooms wherein accommodation, with or without meals, is provided for gain or profit to one or more <i>persons</i> , but which contains no facilities for cooking except where specifically permitted hereby.
148.	Guest Room, Accessory	A <i>guest room</i> accessory to, and located within, a <i>dwelling</i> .
149.	Habitable Living Space	Any floor space used or capable of being used for human living, sleeping, cooking or eating purposes.
150.	Hardware Store	A <i>retail store</i> engaged primarily in the <i>indoor</i> sale of hardware and home maintenance and improvement supplies.
151.	Hazardous Waste	Has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990.
152.	Health Unit	The Sudbury and District Health Unit as constituted under the <u>Health Protection and Promotion Act</u> , R.S.O. 1990, c.H.7, as amended.
153.	Heavy Equipment Sales And Rental	A <i>building</i> or part of a <i>building</i> or <i>structure</i> in which <i>commercial vehicles</i> , heavy machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.
154.	Height or Building Height	When used in reference to a <i>building</i> or <i>structure</i> , the vertical dimension or, where applicable the total number of <i>storeys</i> between the <i>finished grade</i> of the wall of such <i>building</i> or <i>structure</i> facing the <i>front lot line</i> and the highest point of the <i>building</i> or <i>structure</i> .

	Term	Definition
155.	High Water Mark	The mark made by the action of water under natural conditions on the shore or bank of any <i>waterbody</i> , which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.
156.	Home Improvement Centre	An establishment primarily engaged in the <i>indoor</i> sale of <i>building</i> or construction materials and home maintenance and improvement supplies and may include landscape and garden supplies and the sale of appliances, and includes a home <i>hardware store</i> but does not include the <i>premises</i> of a construction contractor.
157.	Home Industry	A business that, (a) Is carried on as a small-scale <i>use</i> that is <i>accessory</i> to a single <i>dwelling</i> or agricultural operation; (b) Provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the rural community; and, (c) May be carried on in whole or in part in an <i>accessory building</i> .
158.	Home Occupation	An occupation, business, trade or craft conducted for gain or profit as an <i>accessory use</i> to a <i>dwelling unit</i> by one or more <i>persons</i> residing therein.
159.	Hospital	a) A " <i>hospital</i> " as defined in the <u>Community Psychiatric Hospitals Act</u> , R.S.O. 1990, c.C.21, as amended; b) An "institution" or "sanitarium" as established by the provisions of the <u>Ontario Mental Health Foundation Act</u> , R.S.O. 1990, c.D.26, as amended; c) A " <i>private hospital</i> " or "house" as defined in the <u>Private Hospitals Act</u> , R.S.O. 1990, c.P.24, as amended; or, d) A " <i>hospital</i> " or "medical department" as defined in the <u>Public Hospitals Act</u> , R.S.O. 1990, c.P.40, as amended.
160.	Hotel	A <i>building</i> , group of <i>buildings</i> or parts thereof that provide sleeping accommodation for the travelling public or for recreational purposes, with or without <i>accessory restaurants</i> , <i>banquet halls</i> , facilities for the temporary exhibition and sale of goods on an intermittent basis, <i>dining rooms</i> <i>premises</i> licensed under The Liquor License Act, and includes any establishment containing <i>guest rooms</i> which is defined as a " <i>hotel</i> " in the <u>Hotel Registration of Guests Act</u> , R.S.O. 1990, c.H.17, and shall also include a <i>motel</i> but does not include any residential or <i>rooming house use</i> .

	Term	Definition
161.	Hunting or Fishing Camp	A <i>building</i> or <i>structure</i> consisting of one or more rooms and may include facilities for the preparation of food and overnight accommodation on a temporary basis only during hunting or fishing seasons, but shall not include any other establishment or <i>use</i> as may be defined or classified in this By-law.
162.	Impounding Yard	A place to which <i>motor vehicles</i> , or other mobile equipment may be taken or towed and stored temporarily until reclaimed, but does not include any other <i>use</i> defined herein.
163.	Indoor or Indoors	Fully enclosed within a <i>building</i> .
164.	Industrial Use	A <i>building</i>, <i>structure</i>, <i>use</i> or activity pertaining to: a) The manufacturing, assembling, making, producing, blending, roasting, smelting, forging, preparing, milling, refining, inspecting, grading, sorting, classifying, screening, ornamenting, finishing, treating, tanning, cleaning, washing, drying, <i>altering</i>, repairing, restoring, processing, polishing, refinishing, packing, adapting, sawing, warehousing, stockpiling, storing, distributing, shipping, breaking up, crushing, demolishing, reprocessing, repairing, servicing or recycling of goods, substances, or articles and similar uses, including ores, minerals, aggregates and agricultural produce, or any part or parts thereof; or b) The production or storage of <i>building</i> or construction equipment or materials, but does not include an <i>extractive use</i>, a <i>salvage yard</i> or any activity primarily associated with either a <i>commercial use</i> or an <i>automotive use</i> or with the supplying of personal services. For the purposes of this definition, research laboratories and printing establishments are considered to be <i>industrial uses</i>. An <i>automotive repair shop</i> and an <i>automotive service station</i> are not considered to be <i>industrial uses</i>.

	Term	Definition
165.	Industrial Use, Light	An <i>industrial use</i> engaged in, or used for: a) Producing apparel and finished textile products, other than the production of synthetic fibres; b) Warehousing or storing goods or materials <i>indoors</i>; c) Printing, duplicating or bookbinding; d) Manufacturing finished paper and allied products other than processing wood pulp; e) Producing cosmetics, drugs and other pharmaceutical supplies; f) Manufacturing finished lumber products, light metal products, light machinery, computer software, electronic products, finished plastic-ware, porcelain, earthenware, glassware or similar articles including, without limiting the generality of the foregoing, furniture, housewares, monuments, toys, musical instruments, jewellery, watches, precision instruments, filters, radios and electronic components, but does not include a <i>tannery</i> or any <i>industrial use accessory</i> to an <i>extractive use</i>.
166.	Institutional Use	A <i>children's home</i> , a <i>day care centre</i> , a <i>place of worship</i> , a <i>hospital</i> , a <i>private club</i> , a <i>non-profit or charitable institution</i> , a <i>Group Home Type 1</i> , a <i>Group Home Type 2</i> , a <i>special needs facility</i> , a <i>recreation and community centre</i> , an <i>arena</i> , a <i>public museum</i> a <i>public library</i> , a <i>public business</i> , a <i>public fire hall</i> , a <i>public or private school</i> other than a <i>trade school</i> , or any <i>public use other than a public utility</i> .
167.	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 or profit, but does not include a <i>veterinary clinic</i> .
168.	Landscaped Open Space	An area of open land used and maintained for: a) The growth and cultivation of grass, flowers, shrubs, trees and other vegetation; b) The conservation of natural features, including rock formations, waterbodies and woodlots; or, c) The provision of landscaping features including, but not necessarily restricted to, <i>planting strips</i>, <i>retaining walls</i>, outdoor recreation facilities, play areas, permitted outdoor <i>swimming pools</i>, surfaced walks and <i>patios</i>, but does not include any areas used as a <i>parking area</i>, <i>driveway</i>, <i>loading space</i>, outdoor storage area or any space beneath or within any <i>building or structure</i>.

	Term	Definition
169.	Laundromat	A self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment, and laundry receiving depot.
170.	Legal Existing or Legally Existing	a) When used in reference to a <i>use, lot, building or structure</i>, mean: 1. A <i>use, lot, building or structure</i> existing lawfully as of the date of passing of this By-law; or 2. A <i>building or structure</i> the plans for which were approved prior to the passing of this By-law. b) When used in reference to a <i>registered lot</i>, mean a <i>registered lot</i> which: 1. Is or has been held under distinct and separate ownership from <i>abutting registered lots</i> continuously from the date of passing of this By-law; 2. Was subject to consent approved pursuant to The <u>Planning Act</u>, R.S.O. 1990, Chapter P.13 prior to the date of passing of this By-law, and was subsequently severed; or 3. Is located in a plan of subdivision registered prior to the date of passing hereof.
171.	Library	A <i>premises</i> containing printed, electronic and pictorial material for <i>public use</i> for purposes of study, reference and recreation.
172.	Light Equipment Sales And Rental Establishment	A <i>building or structure</i> or part of a <i>building or structure</i> in which light machinery and equipment such as air compressors and related tools and accessories; augers; automotive tools; cleaning equipment; light compaction equipment; concrete and masonry equipment; electric tools and accessories; fastening devices such as staplers and tackers; floor and carpet tools; gasoline generators; jacks and hydraulic equipment; lawn and garden tools; ladders; moving equipment; painting and decorating equipment; pipe tools and accessories; plumbing tools and accessories; pumps; hoses; scaffolding; welding equipment; and, other similar tools and appurtenances are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.
173.	Liquid Industrial Waste	Has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990.
174.	Livestock	Includes dairy, beef, swine, poultry, horses, goats, sheep, ratites, fur-bearing animals, deer and elk, game animals, birds and other animals identified in Table 1 of the Minimum Distance Separation Implementation Guidelines, as developed by the Ontario Ministry of Agriculture and Rural Affairs, as amended from time to time.

	Term	Definition
175.	Loading Space	An off-street space or berth located on the same <i>lot</i> as a permitted <i>use</i> and used for the parking of a <i>vehicle</i> loading or unloading merchandise or materials pertinent to such <i>use</i> .
176.	Long Term Care Facility	A <i>premises</i> licensed as a long-term care home under the Long-Term Care Homes Act, 2007, S.O. 2007, c.8.
177.	Lot	An area of land under one ownership, other than a road, which may be used as the site of one or more <i>main buildings, structures</i> or uses, together with any <i>building, structures</i> or uses <i>accessory</i> thereto, regardless of whether or not such area of land constitutes a <i>registered lot</i> .
178.	Lot, Corner	A <i>lot</i> located directly adjacent either to an intersection of two or more roads, an intersection of a road and an unopened road allowance of the <i>municipality</i> , or to a bend in a road, where the said intersection or bend has an interior angle, measured along the <i>street lines</i> of such <i>lot</i> , of not more than 135 degrees, but does not include any <i>lot</i> having three or more distinct <i>interior lot lines</i> where such <i>lot</i> is so shaped that, if it were deemed to be an <i>interior lot</i> , the <i>lot frontage</i> of such <i>lot</i> would be less than the <i>lot depth</i> thereof.
179.	Lot, Interior	Any <i>lot</i> which <i>abuts</i> an <i>assumed</i> or <i>public road</i> but which is not a <i>corner lot</i> .
180.	Lot, Landlocked	A <i>lot</i> which does not abut a an <i>assumed</i> or <i>public road</i> , other than a <i>waterfront lot</i> .
181.	Lot, Registered	A parcel of land under one ownership which: a) Is shown as a <i>lot</i> or block on a registered plan of subdivision; or, b) Comprises all the land described in a document legally capable of conveying an interest in land by way of deed, transfer, mortgage, charge, agreement of sale and purchase or otherwise. But does not include a parcel of land created as a <i>reserve</i> or a road, or for the purpose of realigning or adjusting a common property boundary between <i>abutting</i> land holdings.
182.	Lot, Serviced	A <i>lot</i> which is serviced by both a <i>public water system</i> and a <i>public sanitary sewer system</i> .
183.	Lot, Through	An <i>interior lot</i> <i>abutting</i> two or more roads.
184.	Lot, Through Waterfront	A <i>waterfront lot</i> having two or more separate <i>shorelines</i> .
185.	Lot, Unserviced	A <i>lot</i> which is not a <i>serviced lot</i> .
186.	Lot, Waterfront	A <i>lot</i> which <i>abuts</i> a <i>shoreline</i> but has no <i>street line</i> .
187.	Lot Area	The total horizontal area within the <i>lot lines</i> of a <i>lot</i> , excluding any part of a <i>navigable waterbody</i> .

	Term	Definition
188.	Lot Coverage	That proportion of the <i>lot area</i> covered by all <i>buildings</i> including <i>accessory buildings</i> which are above ground level and open-sided roofed <i>porches</i> , however, excluding uncovered <i>decks attached</i> to the <i>main building</i> , <i>patios</i> , balconies, landings, steps, <i>swimming pools</i> and hot tubs.
189.	Lot Depth	The horizontal distance between the midpoints of the front and <i>rear lot lines</i> , and where there is no <i>rear lot line</i> , the length of a line within the <i>lot</i> between the midpoint of the <i>front lot line</i> and the apex of a triangle formed by the <i>side lot lines</i> .
190.	Lot Frontage	The horizontal distance between the <i>side lot lines</i> of a <i>lot</i> , such distance being measured: a) Along a line perpendicular to the <i>side lot lines</i> , in the case either of a <i>lot</i> having parallel <i>side lot lines</i> or of a <i>corner lot</i> having bent corner but where the <i>side lot lines</i> are parallel except for such bend; or, b) Along a line which is parallel to, and 6.0 metres distant from, the <i>front lot line</i> , in any other case.
191.	Lot Line	Any boundary of a <i>lot</i> or the vertical projection thereof.
192.	Lot Line, Exterior Side	The <i>side lot line</i> of a <i>corner lot</i> which is also a <i>street line</i> .
193.	Lot Line, Front	a) In the case of an <i>interior lot</i> other than a <i>through lot</i> , the <i>street line</i> of such <i>lot</i> . b) In the case of a <i>corner lot</i> where: 1. The <i>street lines</i> are not of equal length, the shorter <i>street line</i> ; 2. Where the <i>street lines</i> are of equal length, either <i>street line</i> shall be deemed a <i>front lot line</i> provided that the resulting <i>lot frontage</i> of the said <i>lot</i> does not exceed the resulting <i>lot depth</i> thereof. Where the <i>street lines</i> meet in a curve or in a series of straight lines which together form a bend, the <i>street line</i> shall be deemed to include the projection of a straight <i>street line</i> , or in the case of a curve, the projection of the tangent of the curve to their point of intersection. c) In the case of a <i>through lot</i> , any one <i>street line</i> of such <i>lot</i> , other than a <i>street line abutting</i> a reserve established by a <i>public agency</i> to restrict or control access to an <i>abutting road</i> from such <i>lot</i> . d) In the case of a <i>waterfront lot</i> , the <i>shoreline</i> of the <i>lot</i> . e) In the case of a <i>through waterfront lot</i> , the longest <i>shoreline</i> of such <i>lot</i> .
194.	Lot Line, Interior Side	A <i>side lot line</i> which is not a <i>street line</i> .

	Term	Definition
195.	Lot Line, Rear	The <i>lot line</i> farthest from, and opposite to and lying within 45 degrees of parallel to a line joining the two end points of the <i>front lot line</i> ; except that where no <i>lot line</i> lies within 45 degrees of parallel to a line joining the two end points of the <i>front lot line</i> , the meeting point of such lines farthest from the <i>front lot line</i> shall be deemed the <i>rear lot line</i> .
196.	Lot Line, Side	A <i>lot line</i> which is not a <i>front lot line</i> or <i>rear lot line</i> .
197.	Main	When used to describe a <i>use, building</i> or <i>structure</i> : a) A <i>use</i> of <i>structure</i> which constitutes, or a <i>building</i> in which is conducted, a <i>principal use</i> of the <i>lot</i> where such <i>use, building</i> or <i>structure</i> is located. b) When preceded by the word “the”, the <i>use</i> or <i>structure</i> which constitutes, or the <i>building</i> in which is conducted, the foremost <i>use</i> of the <i>lot</i> where such <i>use, building</i> or <i>structure</i> is located.
198.	Main Building Façade	The front wall of the <i>building</i> on the <i>ground floor</i> that contains the front door to the house. In the case of a <i>corner lot</i> where the front door faces the <i>exterior side yard</i> , the <i>main building facade</i> shall mean the <i>ground floor</i> wall of the habitable (non-garage) portion of the <i>dwelling</i> .
199.	Manufacturing, Light	An <i>industrial use</i> engaged in or used for the assembly or repair or fabrication of goods and materials utilizing materials which have been manufactured in another location and which does not produce waste water in excess of 4500 litres per day, chemical by-products or utilize an area for outdoor storage of goods or materials except for equipment or vehicles which are for sale, lease or hire.
200.	Marina	A <i>commercial</i> establishment, located adjacent to a <i>navigable waterbody</i> , which provides services or supplies primarily to boaters and which consists of boat <i>docking</i> , launching or storage facilities or mooring slips together with one or more boat-related <i>commercial</i> uses including, but not necessarily restricted to, a boat sales or rental establishment, a <i>boat house</i> or boat storage shed, a boat service station, a boat repair shop and may include gasoline pump facilities for the fuelling of marine crafts.
201.	Mine	A <i>mine</i> within the meaning of the <u>Mining Act</u> , R.S.O. 1990, c.M.14, as amended.
202.	Mobile Home Dealership	An establishment where <i>mobile home dwellings</i> are offered or displayed for sale to the general public.
203.	Mobile Home Park	A <i>lot</i> containing two or more <i>mobile home dwellings</i> on separate <i>mobile home sites</i> , with or without <i>buildings, structures</i> or uses <i>accessory</i> thereto including, without limiting the generality of the foregoing, a <i>mobile home dealership</i> .

	Term	Definition
204.	Mobile Home Site	An area of land within a <i>mobile home park</i> that is used as the site of, and pertains to, not more than one <i>mobile home dwelling</i> .
205.	Model Home	A <i>dwelling unit</i> that is used on a temporary basis to sell and/or display <i>dwelling units</i> that are for sale.
206.	Modular Home Dealership	A <i>premises</i> where <i>modular dwellings</i> are available for viewing or sale, and may include an accessory outdoor display and sales area.
207.	Motel	A <i>premises</i> that contains rooms with no <i>private</i> cooking facilities that are rented on a temporary basis to the public with each room being accessed from the outside.
208.	Mountain Bike Facility	An area of land with trails used by non-motorized mountain bikes and which may include, as <i>accessory uses</i> , a <i>restaurant</i> , a club house, a <i>retail store</i> selling mountain bike equipment and accessories, <i>fitness centres</i> , a <i>dwelling unit</i> for an owner/caretaker and other <i>buildings</i> or <i>structures</i> devoted to the maintenance, administration and operation of the <i>mountain bike facility</i> .
209.	Municipality	The Corporation of the City of Greater Sudbury.
210.	Museum	<i>Buildings</i> used, or to be used for the preservation of a collection of paintings or other works of art, or of objects of natural history, or of mechanical, scientific or philosophical inventions, instruments, models or designs, and dedicated to the recreation of the public, together with any libraries, reading rooms, laboratories and other <i>offices</i> and <i>premises</i> used or to be used in connection therewith.
211.	Non-Complying	When used in reference to a <i>lot</i> , <i>building</i> or <i>structure</i> , means a <i>lot building</i> or <i>structure</i> which does not comply with, one or more of the provisions of this By-law.
212.	Non-Conforming	When used in reference to a <i>use</i> , <i>lot</i> , <i>building</i> or <i>structure</i> , a <i>use</i> , <i>lot building</i> or <i>structure</i> which does not conform to, or comply with, one or more of the provisions of this By-law, or which is not permitted herein. NON-CONFORMITY has a corresponding meaning.
213.	Non-Profit Charitable Institution or	An institution or organization which is incorporated as a “ <i>non-profit institution</i> ” under the <u>Corporations Act</u> , R.S.O. 1990, c.C.38, as amended, or to which the <u>Charitable Institutions Act</u> , R.S.O. 1990, c.C.9, as amended, applies, or the <i>premises</i> of any such institution.

	Term	Definition
214.	Obnoxious Use	A <i>use</i> which, from its nature or operation, creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the <i>emission</i> of gas, fumes, dust or objectionable odour, or by reason of the matter, waste or other material generated by the <i>use</i> , and without limiting the generality of the foregoing, shall include any uses which may be declared to be a noxious or offensive trade or business.
215.	Off-Street Parking Space	A portion of a <i>building</i> or <i>lot</i> designated by the occupant or owner for use for the parking of a <i>motor vehicle</i> .
216.	Office	Includes a <i>business office medical office</i> , and <i>professional office</i> .
217.	Office, Business	A <i>building</i> or part thereof in which one or more <i>persons</i> is employed in administering, consulting, managing, directing or conducting a public or <i>private</i> agency, a <i>professional office</i> , a business, a brokerage or a labour or fraternal organization, and includes, without limiting the generality of the foregoing, an <i>office accessory</i> to a permitted non-residential use, a bank or other <i>financial institution</i> , a data processing establishment, a non-governmental or not-for-profit organization, the <i>premises</i> of a courier service, a newspaper publisher, or a real estate or insurance agent, but does not include a <i>retail store, medical office</i> or veterinarian's clinic.
218.	Office, Medical	An <i>office</i> used for the medical, dental, surgical and/or therapeutic treatment of human beings including clinics operated by a number and/or variety of medical professionals, but does not include a <i>public</i> or <i>private hospital</i> or <i>office</i> located in the medical professional's residence.
219.	Office, Professional	The business <i>premises</i> of one or more <i>persons</i> duly qualified, licenced or registered under the laws of the Province of Ontario to be members of a self-regulating profession, but does not include a <i>business office, medical office</i> or a <i>veterinary clinic</i> .
220.	Open Space	Unoccupied space open to the sky on the same <i>lot</i> with a <i>building</i> .
221.	Outdoor Display And Sales	Outdoor open space area where produce or merchandise is displayed and/or sold and/or where services are provided in conjunction with a business located within a <i>building</i> or <i>structure</i> on the same <i>lot</i> .
222.	Outdoor, Outdoors or Open	Mean “outside a <i>building</i> ” or “not <i>underground</i> ”.

	Term	Definition
223.	Outdoor Recreation Area	Land used for the <i>commercial</i> or non- <i>commercial</i> purposes of skiing, hiking and other sports activities that rely on the natural landscape but shall not include a <i>golf course</i> , <i>golf driving range</i> or the racing of animals, <i>motor vehicles</i> , motor cycles snowmobiles or the use of any other motorized vehicles.
224.	Outdoor Furnace	An appliance located outside of any <i>building</i> or <i>structure</i> , which it is intended to heat by combustion.
225.	Outdoor Storage	The storage of good and materials including vehicles for hire or sale, outside a <i>building</i> .
226.	Park	An area of <i>public</i> land used primarily for active or passive recreational purposes of any kind or as a conservation area, including any <i>buildings</i> and <i>structures accessory</i> thereto.
227.	Parking Aisle	That part of a <i>parking area</i> which provides on site access to <i>parking spaces</i> , but does not include a <i>driveway</i> .
228.	Parking Area	An outdoor, <i>indoor</i> or <i>underground</i> area which is provided on a <i>lot</i> for the parking of one or more vehicles or bicycles and includes <i>parking aisles</i> , but does not include <i>driveways</i> or any area where <i>vehicles</i> for sale or repair are kept or stored.
229.	Parking Area or Parking Lot, Outer Boundary	The outer limit of any paved or gravel surface where <i>parking spaces</i> and <i>parking aisles</i> are located, but shall not include any <i>loading space</i> , access exclusively to a <i>loading space</i> , ingress or egress lanes, <i>drive-through service facility</i> and <i>planting strip abutting a lot line</i> , or any <i>parking structure</i> .
230.	Parking Lot	A <i>parking area</i> which constitutes a <i>main use</i> on a <i>lot</i> and where vehicles are parked for remuneration.
231.	Parking Space	That portion of a <i>parking area</i> , exclusive of any <i>driveway</i> or <i>parking aisle</i> , which is used for the parking of not more than one <i>vehicle</i> or bicycle.
232.	Parking Structure	A <i>building</i> or <i>structure</i> above or below <i>finished grade</i> which contains a <i>parking area</i> as the <i>main use</i> thereof.
233.	Patio	A platform or surfaced area without a roof, the surface of which is not more than 0.6 metres above <i>finished grade</i> , which is designed and intended for use as an <i>accessory</i> to a <i>dwelling</i> or a <i>commercial use</i> .
234.	Pergola	An open-roofed <i>structure</i> of parallel columns placed at regular intervals supporting gutters and cross-rafters.
235.	Person	An individual, association, firm, partnership, corporation, trust, incorporated company, corporation created under The Condominium Act, organization, trustee or agent, and the heirs, executors or other legal representatives of a <i>person</i> to whom the context can apply according to law.

	Term	Definition
236.	Personal Service Shop	A <i>building</i> or part thereof wherein a personal service is performed, including, but not necessarily restricted to, a barber shop, a beauty salon, a shoe repair shop, a <i>tailor or dressmaking shop</i> , a <i>dry cleaning depot</i> , a <i>laundromat</i> , a photographic studio or the <i>premises</i> of an optician, but does not include any other used defined herein.
237.	Pesticide	Any organism, substance or thing that is manufactured, represented, sold or used as a means of directly or indirectly controlling, preventing, destroying, mitigating, attracting or repelling any pest or of <i>altering</i> the growth, <i>development</i> or characteristics of any plant life that is not a pest and includes any organism, substance or thing registered under the <u>Pest Control Products Act (Canada)</u> .
238.	Pet Grooming Establishment	A <i>building</i> or part thereof wherein cleaning, clipping and other grooming services are provided for domestic pets, but shall not include a <i>veterinary clinic</i> or <i>kennel</i> .
239.	Pharmacy	A <i>building</i> or part thereof where drugs are prepared and dispensed, but shall not include a <i>drug store</i> or <i>retail store</i> .
240.	Pit	Any lands where unconsolidated gravel, stone, sand, earth, clay, fill, peat or other earthen material is being or has been removed by means of an excavation as defined in the <u>Aggregate Resources Act</u> , R.S.O. 1990, c.A.8, as amended, but does not include a <i>wayside pit</i> .
241.	Place of Amusement	A <i>commercial</i> establishment where <i>indoor</i> facilities are provided for participatory entertainment and amusement activities, or where exhibits are displayed for gain or profit, and includes, without limiting the generality of the foregoing, a bowling alley, pool hall, billiards parlour, arcade or game establishment, pinball arcade and wax <i>museum</i> .
242.	Place Of Worship	A <i>building</i> owned or occupied by a bona-fide religious congregation or religious organization and dedicated exclusively to worship and related religious social and charitable activities, including churches, chapels, temples, parish halls and synagogues including <i>assembly halls</i> , <i>offices</i> for the administration of the religious institution, convents, seminaries, monasteries, rectories, parsonages and parish houses. recognized in the Province of Ontario.
243.	Planting Strip	An area that is used for no other purpose than <i>landscaped open space</i> .
244.	Porch	A <i>structure</i> with a roof and at least one side that is open and unenclosed, that is accessed by stairs from <i>grade</i> and which provides access to the <i>first storey</i> of a <i>dwelling unit</i> .

	Term	Definition
245.	Portable Asphalt Plant	A temporary facility, to be dismantled at the completion of a construction project, where: (a) Equipment is used to heat and dry mineral aggregate and to mix it with bituminous asphalt to produce asphalt paving material; and, (b) Bulk materials used in the process described in clause (a) are kept.
246.	Premises	An area of a <i>building</i> occupied or used by a business or enterprise. In a multiple tenancy <i>building</i> occupied by more than one (1) business, each business area shall be considered a separate <i>premises</i> . Each individual unit proposed and/or registered in a draft Plan of Condominium shall also be considered an individual <i>premises</i> .
247.	Principal Use	The primary purpose for which a <i>lot, building or structure</i> is used, or is intended to be used.
248.	Private	Not <i>public</i> .
249.	Private Cabin	An <i>accessory building</i> used for temporary human habitation but containing no cooking facilities.
250.	Private Camp	An establishment that provides reserved accommodation in the form of cabins, rooms or campsites, which is not open to the travelling public, and has centralized facilities for dining and recreation, and provides recreational, religious or educational programs.
251.	Private Club	A <i>building</i> or part of a <i>building</i> used as a meeting place for members of a chartered organization and shall include a lodge, a service club, a fraternity or sorority house, a guest house, a labour union hall and facilities of the YMCA, YWCA, YMHA, YWHA.
252.	Private Home Daycare	The use of a <i>dwelling unit</i> for the temporary care and/or guidance of five children or five senior citizens or less, for a continuous period not exceeding 24 hours.
253.	Provincial Highway	A <i>public</i> improved road under the jurisdiction of the Ministry of Transportation.
254.	Public	When used in reference to a <i>building, structure, use or lot</i> , a <i>building, structure, use or lot</i> that is owned, occupied, used or administered by a <i>public agency</i> .

	Term	Definition
255.	Public Agency	a) The Government of Canada, the Government of Ontario, the City of Greater Sudbury or any other municipal corporation. b) Any ministry, department, commission, corporation, authority, board or other agency established from time to time by the Government of Ontario, the City of Greater Sudbury or any other municipal corporation; or, c) Any <i>public utility</i>.
256.	Public Utility	a) Any agency, corporation, board or commission, or any department of a <i>public agency</i> providing electricity, gas, steam, water, telegraph, telephone, cable television, transportation, drainage or sewage or refuse collection and disposal services to the general public, and includes, without limiting the generality of the foregoing, any railway company subject to the <u>Railway Safety Act</u>, R.S.C. 1985, c.32 (4th Suppl.), as amended; or, b) Any <i>use</i>, other than an <i>office</i>, pertaining directly to the provision of such services by any such agency, corporation, board, commission or department, and includes, without limiting the generality of the foregoing, any <i>public works yard</i> or <i>automotive use</i> associated therewith.
257.	Public Works Yard	Any land, <i>building</i> and/or <i>structure</i> owned by a <i>public agency</i> and used for the storage, maintenance and/or repair of material, equipment, machinery and/or <i>motor vehicle</i> used in connection with civic works.
258.	Quarry	A " <i>quarry</i> " as defined in the <u>Aggregate Resources Act</u> , R.S.O. 1990, c.A.8, as amended, but does not include a <i>wayside quarry</i> .
259.	Queuing Lane	An area of land that is used exclusively for <i>motor vehicles</i> whose occupants are waiting to be provided with goods, materials or services.
260.	Race Track	An area of land, other than a road , used primarily for the sports of racing horses or dogs or racing vehicles including, without limiting the generality of the foregoing, racing cars, stock cars, go-carts and motorcycles, with or without related bleachers, spectator stnds, refreshment booths, <i>restaurants</i> , stables or other <i>structures</i> or uses <i>accessory</i> thereto.

	Term	Definition
261.	Recreation Centre, Commercial	An establishment where participatory athletic, recreational or physical fitness facilities are provided for gain or profit, and includes without limiting the generality of the foregoing, a <i>commercial fitness centre</i> and exercise spa or club, a <i>commercial</i> ice or roller skating rink, a <i>commercial</i> squash, tennis or golfing facility and a <i>commercial</i> outdoor recreation area, but does not include a riding stable, <i>place of amusement</i> or <i>amusement park</i> .
262.	Recreation and Community Centre	A <i>building</i> or <i>structure</i> , or part thereof, owned or operated by a <i>private club</i> , a <i>non-profit or charitable institution</i> or a <i>public agency</i> including a facility developed or operated as a <i>public-private</i> partnership, where facilities are provided primarily for athletic or recreational activities or events, and includes, without limiting the generality of the foregoing, an <i>arena</i> and a <i>public pool</i> .
263.	Recreation Vehicle Sale and Service Establishment	Shall mean a <i>building</i> or part of a <i>building</i> , <i>structure</i> or part of a <i>structure</i> , facility or part of a facility and associated lands where a dealer displays new and used <i>recreation vehicles</i> and accessories for sale and retail or for rental, and may include the service or repair of <i>recreation vehicles</i> .
264.	Recreational Amenities	Shall include such facilities as common television rooms, common card rooms, common assembly rooms, hobby rooms, billiard rooms, table tennis rooms, racquet ball courts, <i>swimming pools</i> , health clubs, <i>sauna</i> rooms and sun decks.
265.	Refreshment Pavilion	A <i>building</i> , <i>structure</i> or facility, designed, intended or used for the sale of food or refreshments to the general public and from which food or refreshment is made available to the customer within the <i>building</i> . In addition, no provision is made for consumption of the food or refreshment by the customer within the <i>building</i> .
266.	Rental Store	A <i>retail store</i> in which a <i>building</i> , or part of a <i>building</i> where goods are kept for the purpose of temporary loan to the public and shall include a <i>light equipment sales and rental establishment</i> . A sum of money is paid for the use of the goods for a set period of time and after which the goods are returned. However, a <i>rental store</i> shall not include an <i>automotive leasing establishment</i> or <i>heavy equipment sales and rental</i> .
267.	Required	"Required by this By-law". REQUIREMENT has a corresponding meaning.
268.	Reserve	A strip of land <i>abutting</i> a <i>public road</i> and owned by the authority having jurisdiction over such <i>public road</i> .

	Term	Definition
269.	Residential Building	a) A <i>building</i> containing one or more <i>dwelling units</i> as the <i>main use</i> thereof; b) A <i>private cabin accessory</i> to a <i>dwelling</i> ; or, c) A <i>rooming house</i> . but does not include any <i>building</i> which is located in a <i>commercial zone</i> and contains a non-residential use as a <i>main use</i> on the <i>ground floor</i> .
270.	Residential Density	The number of <i>dwelling units</i> per hectare of <i>lot area</i> on a <i>lot</i> containing a <i>dwelling</i> .
271.	Residential Lot	A <i>lot</i> containing a permitted <i>residential building</i> as the <i>main use</i> thereof and located in a Residential Zone or in any of the Rural Zones or Other Zones included in Parts 9 and 10 of this By-law.
272.	Residential Use	The <i>use</i> of land and <i>buildings</i> for human habitation.
273.	Restaurant	A <i>premises</i> in which the principal business is the preparation and serving of food and refreshments to the public for consumption at tables within or outside the <i>building</i> and which may include the preparation of food in a ready-to-consume state for consumption outside of the <i>premises</i> .
274.	Restaurant, Take-out	A place where food and drinks are prepared and offered for sale to the public but does not necessarily provide facilities for consumption thereof on the <i>premises</i> other than in <i>parking areas</i> .
275.	Retail Store	A <i>building, structure</i> or <i>lot</i> , or part thereof, where good, wares, merchandise, commodities, substances, foodstuffs, articles or things of any kind are stored, kept, offered or displayed for retail sale or rental to the general public, and includes, without limited the generality of the foregoing, any used defined herein as a form of <i>retail store</i> , but does not include any other <i>use</i> defined herein.
276.	Retaining Wall	A wall built as a grade separation structure.
277.	Retirement Home	A <i>premises</i> that provides <i>guest rooms</i> primarily designed for retired <i>persons</i> or residents thereof who require nursing and or homecare where each <i>private bedroom</i> or living unit has a separate <i>private</i> bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided.
278.	Road, Assumed or Road, Public	A <i>public</i> thoroughfare for vehicular and pedestrian traffic which is assumed and maintained year-round by and under the jurisdiction of the City of Greater Sudbury or the Province of Ontario.

	Term	Definition
279.	Road, Arterial	A road which is classified as a primary <i>arterial road</i> , secondary <i>arterial road</i> or tertiary <i>arterial road</i> from time to time by the City of Greater Sudbury.
280.	Road, Private	A <i>private</i> thoroughfare for vehicular and pedestrian traffic not under the jurisdiction of the City of Greater Sudbury or the Province of Ontario that is not a <i>private access road</i> .
281.	Road, Private Access	A <i>private</i> right-of-way over <i>private</i> or <i>public</i> property or a roadway over <i>Crown Land</i> which affords legal access to <i>abutting lots</i> and is not maintained by a <i>public body</i> .
282.	Road, Seasonal	A <i>public</i> thoroughfare for vehicular and pedestrian traffic which is assumed and maintained, but not year-round by/and under the jurisdiction of the City of Greater Sudbury or the Province of Ontario.
283.	Road, Unassumed	A <i>public</i> thoroughfare for vehicular and pedestrian traffic under the jurisdiction of the City of Greater Sudbury or the Province of Ontario but not assumed by either body for maintenance purposes.
284.	Rooming House	A <i>building</i> or part thereof which contains one or more <i>guest rooms</i> as the <i>main use</i> thereof which may include a shared kitchen and where accommodation, with or without meals, is provided for gain or profit, but does not include a <i>hotel</i> , <i>motel</i> , <i>group home type 1</i> , <i>group home type 2</i> , <i>retirement home</i> or any <i>dwelling</i> or <i>institutional use</i> .
285.	Salvage Or Wrecking Yard	A place where <i>motor vehicles</i> are wrecked or disassembled and resold; a place where second-hand goods, including waste paper, bottles, automobile tires, clothing, other scrap materials and salvage are collected to be sorted and a place where used lumber and used <i>building</i> materials are collected, stored for sale or resale.
286.	Sanitary Sewer System, Public	A system of <i>underground</i> conduits and related appurtenances, operated by the <i>City</i> or other <i>public agency</i> , which carries sanitary sewage or industrial waste to a sewage treatment facility.
287.	Sauna	An <i>accessory building</i> or <i>structure</i> wherein facilities are provided for the purpose of a <i>sauna</i> bath, either dry or wet, and may include a change/relaxation room, storage areas and a washroom but not a kitchen or sleeping facilities.
288.	Sawmill	A <i>building</i> , <i>structure</i> or areas where timber is cut or sawed to finished lumber.

	Term	Definition
289.	School	A <i>public</i> school, an elementary school, secondary school, <i>private school</i> , continuation school, technical school, vocational school, college, university or other educational institution, authorized by the Province of Ontario, but not a <i>commercial school</i> , and includes without limiting the generality of the foregoing, a <i>day care centre</i> or boarding school having <i>accessory</i> dormitory facilities.
290.	School, Commercial	A <i>school</i> conducted for gain of profit such as a studio of dancing, art <i>school</i> , music <i>school</i> , drama <i>school</i> , <i>school</i> of calisthenics, business or <i>trade school</i> , training centre or any other specialized <i>school</i> but shall not include a <i>school</i> as defined in this By-law or a <i>private</i> academic, religious, or philanthropic <i>school</i> .
291.	School, Private	A <i>school</i> , other than a <i>public school</i> or a <i>commercial school</i> , under the jurisdiction of a <i>private non-profit</i> board of trustees or governors, a bona fide religious organization or a <i>non-profit</i> or <i>charitable institution</i> .
292.	School, Public	A <i>school</i> under the jurisdiction of a <i>public agency</i> .
293.	School, Trade	A <i>public school</i> , <i>private school</i> or <i>commercial school</i> where the courses of instruction relate primarily to industrial arts and vocational and technical subjects, with or without the <i>accessory</i> wholesale or retail sale or articles manufactured on the <i>premises</i> or the supplying or non-personal services or crafts to the public in the manner of a <i>service trade</i> or a repair shop, provided that such articles, services or crafts are directly related to a course of instruction conducted by the said <i>school</i> .
294.	Scientific or Medical Laboratory	A <i>building</i> or part thereof wherein scientific or medical experiments, tests, researches or investigations are systematically conducted and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments, tests or investigations are manufactured or otherwise prepared for use on the <i>premises</i> .
295.	Service Shop	A <i>building</i> or part thereof wherein articles or goods, other than vehicles or industrial equipment, are repaired or serviced, or where replacement parts for such articles or goods are offered for sale.

	Term	Definition
296.	Service Trade	An establishment which provides a non-personal service or craft to the general public, including, but not necessarily restricted to, a make-your-own beer and/or wine establishment, a <i>service shop</i> , a custom print or copy shop, a dry cleaning or laundering establishment, a monument engraving shop or the business <i>premises</i> of a printer, plumber, tinsmith, craftsman, painter, carpenter, cabinet maker, electrician, taxidermist, <i>pet grooming establishment</i> , pest exterminator, roofer, insulation installer, furrier, weaver, upholsterer, interior decorator, caterer, engraver, cleaner or locksmith, but does not include a <i>building supply and lumber outlet</i> , <i>contractor's yard</i> , <i>automotive use</i> , <i>transport terminal</i> or <i>funeral home</i> .
297.	Setback	The distance between a <i>lot line</i> and the nearest <i>main</i> wall of any <i>building</i> or <i>structure</i> .
298.	Setback, Road	The shortest horizontal dimension between a <i>street line</i> and the nearest part of any <i>main building</i> or <i>structure</i> on a <i>lot</i> , and includes the width or depth of any exterior <i>yard</i> as defined herein.
299.	Setback, Waterbody	The shortest horizontal dimension between a <i>waterbody</i> and the nearest part of a <i>building</i> or <i>structure</i> on a <i>lot</i> .
300.	Sewage Disposal System, Private	A sewage treatment service or facility that is not owned and operated by a <i>public agency</i> or an organization acceptable to the Director responsible for issuing a Certificate of Approval under the <u>Ontario Water Resources Act</u> , R.S.O. 1990, c.O.40, as amended.
301.	Sewage Services or Facility	A <i>building</i> or <i>structure</i> , approved by the Ontario Ministry of the Environment for the collection, transmission, storage and treatment of sanitary sewage or industrial waste.
302.	Shopping Centre	A group of <i>commercial</i> establishments designed, developed and managed as a unit by a single owner or tenant, or group of owners and tenants, for which parking is provided in common off-street areas with a minimum <i>gross floor area</i> of 4650 m ² , and which may include, as an <i>accessory use</i> , an <i>automotive repair shop</i> .
303.	Shoreline	Any <i>lot line</i> or part thereof which <i>abuts</i> : a) The <i>high water mark</i> of a <i>navigable waterbody</i> ; or, b) A <i>Crown Land shoreline reserve</i> .
304.	Shoreline Buffer Area	An area of open land, <i>abutting</i> a <i>shoreline</i> , maintained in a naturally vegetated self-sustaining state including natural rock formations and for purposes of clarity does not include an area which is maintained as a lawn.

	Term	Definition
305.	Sight Triangle	That triangular portion of a <i>lot</i> which: (a) Is situated adjacent to an intersection at grade either of two or more roads or of a road and a railway right-of-way; and (b) Is delineated by: 1. The two intersecting <i>lot lines abutting</i> such roads or such road and such railway right-of-way, and 2. A straight line drawn to connect a pair of points located on the said <i>lot lines</i> at a distance specified herein from their point of intersection. Provided that where the said <i>lot lines</i> do not intersect a point, their point of intersection shall be deemed, for the purposes of this definition, to be the point of intersection of the projected tangents to the said <i>lot lines</i>, drawn through their extremities.
306.	Site Plan Control Agreement	Any agreement entered into by an owner of land and pursuant to a <i>site plan control by-law</i> .
307.	Site Plan Control By-law	Any by-law of the City of Greater Sudbury passed pursuant to Section 41 of the <u>Planning Act</u> , R.S.O. 1990, c.P.13, as amended.
308.	Source Materials, Agricultural	Any of the following treated or untreated materials, other than compost that meets the Ministry of the Environment “Interim Guidelines for the Production and Use of Aerobic Compost in Ontario” (2004) guidelines, or a <i>commercial</i> fertilizer, if they are capable of being applied to land as nutrients: 1. Manure produced by farm animals, including associated bedding materials. 2. Runoff from farm-animal <i>yards</i> and manure storages. 3. Washwaters from agricultural operations that have not been mixed with human body waste. 4. Organic materials produced by intermediate operations that process materials described in paragraph 1, 2 or 3. 5. Anaerobic digestion output, if, i. the anaerobic digestion materials were treated in a mixed anaerobic digestion facility, ii. at least 50 per cent, by volume, of the total amount of anaerobic digestion materials were on-farm anaerobic digestion materials, and iii. the anaerobic digestion materials did not contain sewage biosolids or human body waste.

	Term	Definition
		6. Regulated compost as defined in subsection 1 (1) of Ontario Regulation 106/09 (Disposal of Dead Farm Animals) made under the <u>Clean Water Act, 2006, S.O. 2006, c.22.</u>
309.	Source Materials, Non-agricultural	Any of the following materials, other than compost that meets the Ministry of the Environment “Interim Guidelines for the Production and Use of Aerobic Compost in Ontario” (2004) guidelines, or a commercial fertilizer, if the materials are intended to be applied to land as nutrients: 1. Pulp and paper biosolids. 2. Sewage biosolids. 3. Anaerobic digestion output, if less than 50 per cent, by volume, of the total amount of anaerobic digestion materials that were treated in the mixed anaerobic digestion facility were on-farm anaerobic digestion materials. 4. Any other material that is not from an agricultural source and that is capable of being applied to land as a nutrient.
310.	Special Needs Facility	Housing, including dedicated facilities, that are designed to accommodate individuals with specific needs and includes a <i>crisis residence, long term care facilities and retirement homes</i> , where varying degrees of support services are provided including meal preparation, laundry, housekeeping, respite care and attendant services.
311.	Stadium	An area of land used primarily for spectator sports events, together with related bleachers, spectator stands, <i>refreshment pavilions, restaurants, taverns</i> , stables or other <i>structures</i> or uses accessory thereto but does not include an <i>arena</i> .
312.	Stockyard	Lands, <i>buildings</i> and <i>structures</i> used for the sale and distribution of <i>livestock</i> .
313.	Stoop	A roofless, unenclosed outdoor <i>structure</i> , with or without steps, consisting of a platform or <i>deck</i> and connecting to an exterior door on the <i>ground floor</i> of a <i>dwelling</i> , regardless of whether or not a <i>cellar</i> or part thereof is located beneath such <i>structure</i> .
314.	Storey	A horizontal division of a <i>building</i> from a floor to the ceiling directly above such floor, regardless of whether or not such floor constitutes an overhanging mezzanine, a gallery or a <i>balcony</i> , and includes an <i>attic, basement</i> or <i>cellar</i> but does not include any crawl space or other area that is, for all intents and purposes, unusable by virtue of its inaccessibility.

	Term	Definition
315.	Storey, First or Ground Floor	The <i>storey</i> whose: a) Finished ceiling is located at least 1.8 m above <i>finished grade</i> ; and, b) Finished floor level is situated closer to <i>finished grade</i> than that of any other such <i>storey</i> in the same <i>building</i> .
316.	Storey, Full	A <i>first storey</i> or any <i>storey</i> located above a <i>first storey</i> , but shall not include an <i>attic</i> .
317.	Storey, Second or Second Floor	The <i>storey</i> directly above the <i>first storey</i> of a <i>building</i> .
318.	Storm Sewer System, Public	A system of conduits, ditches and related appurtenances, under the jurisdiction of the City of Greater Sudbury, or other <i>public agency</i> , which carries storm surface water and storm drainage but not sanitary sewage or industrial waste.
319.	Stormwater Management Pond	A detention basin that temporarily stores or treats collected stormwater runoff and releases it at a controlled rate.
320.	Street Line	A <i>lot line</i> dividing a <i>lot</i> from a <i>public road</i> and is the limit of the road allowance.
321.	Structure	Anything that is erected, built or constructed of parts joined together and <i>attached</i> or fixed permanently to the ground or any other structure. For the purpose of this By-law, a <i>retaining wall</i> that has a <i>height</i> of 1.0m (3.28 feet) or less, a light standard and a sign shall be deemed not to be structures.
322.	Suite	A single room or series of rooms of complementary <i>use</i> , operated under a single tenancy and includes <i>dwelling units</i> , individual <i>guest rooms</i> in <i>motels</i> , <i>hotels</i> , boarding houses, <i>rooming houses</i> and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies.
323.	Swimming Pool	A <i>structure</i> which is located on or in or above the ground, or within a <i>building</i> , and which is capable of containing an artificial body of water for swimming, wading, diving or recreational bathing with a water depth of 0.6 m or more at its deepest point.
324.	Tailor or Dressmaking Shop	A <i>building</i> or part thereof which is used primarily for the custom manufacture, <i>alteration</i> or repair of articles of clothing for individual clients, but does not include any establishment primarily engaged in the retail sale of clothing manufactured elsewhere or the manufacture of clothing for distribution to <i>retail stores</i> , or where clothes are <i>altered</i> primarily by dyeing or the addition of appliques.
325.	Tannery	An <i>industrial use</i> engaged in the conversion of hides or skins into leather, but does not include the <i>premises</i> of a taxidermist.

	Term	Definition
326.	Tavern	A <i>building</i> or <i>structure</i> or part thereof that is primarily used for the sale and service of alcoholic beverages with or without entertainment and shall not include a <i>restaurant</i> .
327.	Taxi Stand	A <i>building</i> , <i>structure</i> or <i>lot</i> where chauffeured passenger automobiles are kept for hire.
328.	Temporary Building	A <i>building</i> or <i>structure</i> intended for removal or demolition within a prescribed time as set out in a <i>building</i> permit application.
329.	Theatre	Means a place of public assembly intended for the production and viewing of the performing arts or the screening and viewing of motion pictures and consisting of an auditorium with permanently fixed seats solely for a viewing audience.
330.	Trailer	A <i>vehicle</i> that is at any time drawn upon a highway by a <i>motor vehicle</i> , except an implement of husbandry, a mobile home, another <i>motor vehicle</i> or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car <i>attached</i> to a motorcycle, and shall be considered a separate <i>vehicle</i> and not part of the <i>motor vehicle</i> by which it is drawn.
331.	Trailer, Travel Or Tent	Any trailer which is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities and which has running gear and towing equipment permanently <i>attached</i> and a current license and is not permanently affixed to the ground.
332.	Transit Station	A <i>building</i> or <i>structure</i> or a portion thereof or an area of land that is used for the temporary parking of transit vehicles and the picking up and dropping off of passengers using a <i>public transit system</i> .
333.	Transport Terminal	Any <i>premises</i> where <i>commercial vehicles</i> are kept for hire, rental or lease, or are stored or parked for remuneration, or from which <i>commercial vehicles</i> are dispatched for hire as common carriers and includes the <i>premises</i> of a moving business
334.	Underground	Below the finished surface of the ground, excluding artificial embankments or terraces.
335.	Unlicensed Motor Vehicle	A <i>motor vehicle</i> which does not have <i>attached</i> to it, a valid license plate and currently valid validation tag.
336.	Use	a) Any purpose for which a <i>building</i> or other <i>structure</i> or a parcel of land may be designed, arranged, intended, maintained, or occupied; or, b) Any activity, occupation, business or operation carried on, or intended to be carried on, in a <i>building</i> or other <i>structure</i> or on a parcel of land.

	Term	Definition
337.	Vehicle	Any carriage, conveyance or other device capable of being propelled, driven or drawn by any kind of power, including motor power or wind power, and includes, without limiting the generality of the foregoing, a passenger automobile, <i>trailer</i> , truck, boat, aircraft, tractor, farm implement, mobile crane or shovel, snowmobile or motorcycle, but does not include a pedal bicycle, canoe or other device powered solely by means of human effort, or a <i>mobile home dwelling</i> .
338.	Vehicle, Commercial	A <i>vehicle</i> having permanently <i>attached</i> thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, tow trucks, buses, tractors used for hauling purposes on the highways and construction equipment which is self propelled or designed to be towed.
339.	Vehicle, Farm	A <i>vehicle</i> , self-propelled or drawn, which directly and specifically relates to the operation of an agricultural use.
340.	Vehicle, Non-Commercial	A <i>vehicle</i> having a specified capacity of not more than 1 tonne or, in the case of a passenger <i>vehicle</i> , not more than 12 <i>persons</i> , but does not include a <i>commercial vehicle</i> or <i>farm vehicle</i> .
341.	Vehicle, Motor	An automobile, truck, motorcycle and any other <i>vehicle</i> propelled or driven otherwise than by muscular power, but does not include the cars of railways, or other <i>vehicles</i> running only upon rails, <i>farm vehicles</i> , construction equipment or <i>recreation vehicles</i> .
342.	Vehicle, Public	A <i>vehicle</i> owned and operated by a <i>public agency</i> .
343.	Vehicle, Recreation	A <i>non-commercial vehicle</i> used primarily for recreational or vacation purposes, including, but not necessarily restricted to, a travel or <i>tent trailer</i> , a boat, a snowmobile, all terrain <i>vehicle</i> or any <i>trailer</i> or other <i>vehicle</i> capable of being used for the temporary vacation living accommodation of one or more <i>persons</i> .
344.	Vehicle, Small Recreation	A recreation <i>vehicle</i> having not more than three independent wheels or sets of wheels, or having a track and skis, and which is not capable of being used for human living accommodation.
345.	Vehicle Repair Shop	An <i>automotive use</i> which contains facilities for the repair and maintenance of <i>vehicles</i> on the <i>premises</i> and where <i>vehicle</i> accessories are sold and <i>vehicle</i> maintenance and repair operations are performed in return for remuneration, but does not include any establishment where the repairing or painting of <i>vehicle</i> bodies constitutes a <i>main use</i> , except where specifically permitted, or any other <i>automotive use</i> defined in this By-law.

	Term	Definition
346.	Vehicle Sales or Rental Establishment	An <i>automotive use</i> engaged in the sale, rental or leasing of <i>vehicles</i> and <i>vehicle</i> accessories, with or without an <i>accessory vehicle repair shop</i> , but does not include any other <i>automotive use</i> defined in this By-law.
347.	Veterinary Clinic	A <i>building</i> or part thereof, with or without related structures, wherein animals and birds of all kinds are treated or kept for treatment by a registered veterinarian, but does not include a <i>kennel</i> .
348.	Warehouse	A <i>building</i> or part thereof which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, foodstuffs, substances, articles or things, other than <i>livestock</i> , and includes a <i>commercial self-storage facility</i> , but does not include a <i>fuel depot</i> , <i>transport terminal</i> or <i>stockyard</i> .
349.	Waste Composting Facility	a) Any land upon, into, in or through which, or <i>building</i> or <i>structure</i> in which organic waste that is to be diverted from landfill is deposited, stored, processed and recycled into compost; and, b) Any operation carried out or machinery or equipment used in connection with the depositing, storage, transfer, processing or recycling referred to in clause (a).
350.	Waste Disposal Area	a) Any land upon, into, in or through which, or <i>building</i> or <i>structure</i> in which waste is deposited, disposed of, handled, stored, treated or processed; and, b) Any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause (a).
351.	Waste Transfer Site	Lands used for the placement of containers that are used to hold solid waste for eventual transfer to another location.
352.	Water Access	When used in reference to a <i>lot</i> , a <i>lot</i> located adjacent to and accessible directly from, a <i>navigable waterbody</i> which has boat docking facilities which are permanently provided and available to the public and which are accessible from a <i>public road</i> , <i>seasonal road</i> or a <i>private access road</i> .
353.	Water Frontage	The straight-line horizontal distance between the two most widely separated points on any one <i>shoreline</i> of a <i>lot</i> .
354.	Water System, Public	A distribution system for potable water consisting of pipes and related pumping stations, treatment and purification facilities, reservoirs, stand pipes, water towers, hydrants and other appurtenances, owned and operated by the City of Greater Sudbury or other <i>public agency</i> .
355.	Water Taking, Commercial	The extraction on water from ground or surface water sources in excess of 50,000 litres per day for resale.

	Term	Definition
356.	Waterbody	The natural or man-made channel of an open stream of water or any area below the <i>high water mark</i> of an open body of water, but shall not include an ornamental or irrigation pond or <i>stormwater management pond</i> .
357.	Waterbody, Navigable	A <i>waterbody</i> sufficiently deep and wide to give a passage to a boat.
358.	Wayside Pit or Quarry	A temporary <i>pit</i> or <i>quarry</i> opened and used by a <i>public road</i> authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.
359.	Wellhead Protection Area	The surface and subsurface area surrounding a water well or well field that supplies a <i>public water system</i> and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field.
360.	Yard	An area of land which: a) Is appurtenant to, and located on the same <i>lot</i> as, a <i>main building</i> or structure; and b) Is open, uncovered and unoccupied from the ground to the sky, except for those uses specifically permitted thereon elsewhere in this By-law.
361.	Yard, Corner Side	A <i>yard</i> extending from the <i>front yard</i> to the <i>rear lot line</i> of a <i>corner lot</i> and from the <i>exterior side lot line</i> of such <i>lot</i> to the nearest part of any <i>main building</i> or <i>structure</i> on such <i>lot</i> .
362.	Yard, Exterior Side	A <i>yard</i> <i>abutting</i> a <i>street line</i> , and includes a <i>front yard</i> and a <i>corner side yard</i> as defined herein.
363.	Yard, Front	A <i>yard</i> extending across the full width of a <i>lot</i> between the <i>front lot line</i> of such <i>lot</i> and the nearest part of any <i>main building</i> or <i>structure</i> on such <i>lot</i> .
364.	Yard, Interior Side	A <i>yard</i> extending from the <i>front yard</i> to the <i>rear yard</i> of a <i>lot</i> and from an <i>interior lot line</i> of such <i>lot</i> to the nearest part of any <i>main building</i> or <i>structure</i> on such <i>lot</i> .
365.	Yard, Maximum	The maximum distance of a <i>yard</i> from a <i>lot line</i> . In calculating the <i>maximum yard</i> , the minimum horizontal distance from the respective <i>lot line</i> shall be used.
366.	Yard, Minimum Required	That part of a <i>yard</i> which: a) Is located adjacent to a <i>lot line</i> ; b) Has the minimum <i>front yard</i> depth, <i>rear yard</i> depth or <i>side yard</i> width <i>required</i> hereby. c) Does not contain or include any <i>buildings</i> , structures or outdoor <i>parking areas</i> except where such uses are specifically permitted thereon elsewhere herein. In calculating the <i>minimum required yard</i> , the shortest horizontal distance from the respective <i>lot line</i> shall be used.

	Term	Definition
367.	Yard, Privacy	A <i>yard</i> directly adjoining an exterior wall of a <i>dwelling unit</i> for use solely by the occupants thereof, but does not include any part of a <i>parking area</i> .
368.	Yard, Rear	A <i>yard</i> extending across the full width of a <i>lot</i> between the <i>rear lot line</i> of such <i>lot</i> and the nearest part of any <i>main building</i> or <i>structure</i> on such <i>lot</i> , but excluding any part of a <i>corner side yard</i> as defined herein.
369.	Yard, Side	An <i>interior side yard</i> or <i>corner side yard</i> .
370.	Zone	A designated area of land use(s) shown on the <i>Zone Maps</i> of this By-law.
371.	Zone Maps	The set of maps attached hereto as Schedule “A”, which form part of this By-law.

PART 4: GENERAL PROVISIONS

4.1 APPLICATION

The provisions of this Part of the By-law shall apply to all lands within the City of Greater Sudbury unless otherwise specified.

4.2 ACCESSORY BUILDINGS, STRUCTURES AND USES

4.2.1 Permitted Uses

- a) Where this By-law provides that a *lot* may be used or a *building* or *structure* may be erected or used for a purpose, that purpose shall include any *accessory building* or *structure* or *accessory use*, provided the *principal building*, *structure* or *use* is already in existence on the *lot*, but shall not include the following:
 - i) An *automotive use*;
 - ii) A *building* or part thereof used for human habitation;
 - iii) A *guest room*;
 - iv) A *retail store*; or
 - v) Any *use* restricted under Sections 4.26 and 4.42 of this By-law,
- b) Legal *non-conforming uses* shall be permitted to have *accessory uses* in accordance with the provisions in this section of the By-law and the provisions of the applicable *zone*.
- c) For the purposes of this By-law a *barn* shall be considered as a *main building* in an Agricultural (A) or Rural (RU) *Zone*.
- d) For the purposes of this By-law, *buildings* covered with cloth, plastic or similar flexible materials shall be required to meet the same requirements as permanent *buildings* and *structures*.

4.2.2 Setback and Yard Requirements

Accessory buildings or structures, which are detached from the *main building*, shall be erected in compliance with the *yard* and *setback* requirements of the *zone* in which such *building* is located, and shall not be closer to the *front lot line* or *exterior side lot line* than any *main building* on the *lot* except as otherwise provided herein.

4.2.3 Lot Coverage

Unless otherwise specified in this By-law the total *lot coverage* of all *accessory buildings and structures*, except *swimming pools*, on a *residential lot* shall not exceed 10 per cent.

4.2.4 Height

- a) The maximum *height* of any *accessory building or structure* shall be 5.0 metres. For the purposes of this Section, for a *boathouse*, *height* shall be the distance measured between the normal or controlled water level and the highest point of the *building or structure*.
- b) Notwithstanding the above, within an Agricultural (A) and Rural (RU) Zone the *height* of any *building or structure* accessory to a residential *dwelling* shall be 6.5 metres.
- c) Notwithstanding the above, within a Commercial (C), Industrial (M), Institutional (I), Park (P), or Open Space (OS) Zone the *height* of any *accessory building or structure* shall not exceed the *height* restrictions of the respective Zone.

4.2.5 Permitted Encroachments

Accessory buildings and structures and ornamental features for *main buildings and structures* may only encroach into the *required yard* in a *zone* as outlined in Table 4.1.. Where a *required yard, structure or feature* is not referred to on Table 4.1, the *minimum required yard* in the applicable *zone* shall be provided.

For the purposes of this section, where the *exterior side lot line* of a *lot* abuts a *public lane*, the *side yard abutting* that *lot line* shall be deemed an *interior side yard* for the purposes of determining compliance with this Section.

Table 4.1

Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
<u>STRUCTURAL AND ORNAMENTAL FEATURES:</u>		
Bay windows	<i>Front, Rear and Exterior Side Yards</i> <i>Court</i>	May encroach 0.6 m into the <i>required yard</i> or <i>required court</i> for a maximum width of 3.0 m.
Canopies/Porticos	<i>All yards</i> <i>Court</i>	May encroach 1.2 m into the <i>required front, rear and exterior side yards</i> . May encroach 0.6 m into the <i>required interior side yard</i> or <i>required court</i> .
Balconies/Fire Escapes	<i>Front, Rear and Exterior Side Yards</i> only in Residential Zones <i>All yards in all other zones</i> <i>Court</i>	May encroach 1.8 m into the <i>required yard</i> or <i>required court</i> .
Steps in Residential (R) Zones providing access to either a basement or the ground floor of a dwelling	<i>All yards</i> <i>Court</i>	No closer than 0.6 m to the applicable <i>lot line</i> or <i>building wall</i>
Uncovered Decks (1.2 m or less in height above finished grade)	<i>Interior and Exterior Side Yards</i>	May encroach 1.2 m into the <i>required yard</i> but no closer than 1.2 m to the <i>interior side lot line</i> . The <i>setback</i> shall not apply where a <i>side lot line</i> extends from a common wall dividing <i>attached dwelling units</i> .
	<i>Rear Yard</i>	No closer than 1.2 m to the <i>rear lot line</i> .
Uncovered Decks (greater than 1.2 m in height above finished grade)	<i>Interior Side Yard</i>	May encroach 1.2 m into the <i>required yard</i> but no closer than 1.2 m to the <i>interior side lot line</i> . The <i>setback</i> shall not apply

Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
		where a <i>side lot line</i> extends from a common wall dividing <i>attached dwelling units</i> .
	<i>Exterior Side Yard</i>	No encroachment.
	<i>Rear Yard</i>	May encroach 3.6 m into the <i>required rear yard</i> but not closer than 3.0 m to the <i>rear lot line</i> .
Open roofed <i>porches</i>	<i>Front, Rear and Exterior Side Yards Court</i>	May encroach 2.4 m into the <i>required yard or required court</i> .
Sills, cornices, parapets, pilasters, or other similar ornamental <i>structures</i>	<i>Any yard Court</i>	May encroach 0.6 m into the <i>required yard or required court</i> .
Eaves	<i>Front, Rear and Exterior Side Yards</i>	May encroach 1.2 m into the <i>required yard</i> but not closer than 0.6 m to the <i>lot line</i> .
	<i>Interior side yard</i>	May encroach 0.6 m into the <i>required yard</i> but not closer than 0.6 m to the <i>lot line</i> .
Chimneys	<i>Any yard Court</i>	May encroach 0.6 m into the <i>required yard or required court</i> .
Functional and ornamental roofless structures including but not limited to drop awnings, clothes poles, flag poles, lighting fixtures, mail boxes, fountains, statues, monuments, benches, cenotaphs, memorials, planters, garden trellises, patios, walkways, <i>retaining walls</i> less than 1.0 m in <i>height</i> , <i>fences</i> or other similar accessory <i>structures</i>	<i>Any required yard or court</i> .	Permitted

Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
<i>Fences 1.0 m or less in height</i>	<i>Required Front or Exterior Side Yards</i>	Permitted
<i>Fences and hedgerows greater than 1.0 m in height in a Residential or Commercial Zone (Up to 2.0 m height for an opaque fence) in a Residential or Commercial Zone</i>	<i>All Yards other than the required Front or Exterior Side Yards</i>	Permitted
<i>Ramps and Accessible Accesses</i>	<i>Any required court or yard</i>	Permitted
ACCESSORY BUILDINGS AND STRUCTURES:		
<i>On a Residential Lot Accessory Buildings and Structures less than 2.5 m in height</i>	<i>Rear or Interior Side Yard</i>	No closer than 0.6 m from the rear or side lot line.
	<i>Court</i>	No closer than 1.0 m to any wall bounding a required court.
	<i>Exterior Side Yard</i>	No encroachment
<i>On a Residential Lot Accessory Buildings and Structures between 2.5 m and 5.0 m in height</i>	<i>Rear or Interior Side Yard</i>	No closer than 1.2 m from the rear or side lot line.
	<i>Court</i>	No closer than 2.0 m to any wall bounding a required court.
	<i>Exterior Side Yard</i>	No encroachment
<i>Swimming Pool Pumping Equipment in Residential (R) Zones</i>	<i>Rear Yard</i>	No closer than 1.5 m from the rear lot line.
	<i>Interior Side Yard Court</i>	No closer than 1.5 m from the interior side lot line or any wall bounding a required court.
	<i>Exterior Side Yard</i>	No encroachment
<i>Central air conditioning units in Residential (R) Zones</i>	<i>Rear Yard</i>	No closer than 1.5 m from the rear lot line.
	<i>Interior or Exterior Side Yard</i>	May encroach 1.5 m into a required side yard or court,

Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
	<i>-Court</i>	provided such units maintain a 0.6 m <i>setback</i> from the <i>lot line</i> or any wall bounding a <i>required court</i> .
Central air conditioners for <i>multiple dwelling units</i> in all <i>zones</i>	Roof mounted only	Not applicable.
Window-Mounted Air Conditioning Units in Residential (R) Zones	All yards	May encroach 0.5 m into the <i>required yard</i> provided such units maintain a 0.6 m <i>setback</i> from the <i>lot line</i> .
	<i>Court</i>	May encroach 0.5 m into a <i>required court</i> .
Gate House or Parking Shelter	<i>Front, Interior or Exterior Side Yard</i>	Not closer than 3.0 m from a <i>front or side lot line</i> .
<i>Automotive service stations and gas bars</i>	<i>Front or Exterior Side Yard</i>	No part of any pump island shall be located closer than 9.0 m to any <i>street line</i> . No part of any canopy used to cover a pump island shall be located closer than 6.0 m to any <i>street line</i> .
<i>Gazebos, boathouses, water pumps and saunas</i>	<i>Rear or Interior side yard not abutting a waterbody</i>	No closer than 0.6 m from <i>rear or interior side lot line</i> for <i>structures</i> less than 2.5 m in <i>height</i> No closer than 1.2 m from <i>rear or interior side lot line</i> for <i>structures</i> between 2.5 and 5.0 m in height. Not closer than 2.0 m to the <i>main building</i> .
	<i>Setback from main building</i>	On a <i>lot</i> where the <i>rear lot line</i> is a <i>waterbody</i> a <i>sauna, boathouse, water pump</i> or <i>gazebo</i> shall be permitted with no <i>rear yard</i>
	<i>Rear yard on a lot</i>	

Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
	<i>abutting a waterbody</i> <i>Front yard on a lot abutting a waterbody</i> <i>Interior side yard if structure encroaching onto the bed of a waterbody</i>	<i>requirement subject to Section 4.41 of this By-law and any other approvals required by law.</i> <i>On a lot where the front lot line is a waterbody a sauna, boathouse, water pump or gazebo shall be permitted with no front yard requirement subject to Section 4.41 of this By-law and any other approvals required by law.</i> <i>No closer than 3.0 m</i>
<i>Carport</i>	<i>Interior side yard, with the side facing the same lot line being open</i> <i>Interior side yard, with the side facing the same lot line being closed</i>	<i>No closer than 0.6 m from interior side lot line.</i> <i>No closer than 1.2 m from interior side lot line.</i>
<i>Mutual garage</i>	<i>Interior side yard</i>	<i>Can be constructed astride the common side lot line</i>

4.2.6 Garages

In addition to those provisions in Table 4.1, the following provisions shall also apply to *private garages* in Residential (R) Zones:

- a) Where a *private garage* is accessed from a *lane*, it shall be set back 1.2 metres from the *lot line* dividing the *lot* from the *lane*.
- b) The minimum width for a *private garage*, measured between the inside of the walls, shall be 2.7 metres.
- c) The maximum width for a *private garage* that is *attached* to a *dwelling*, measured between the outside of the walls of the *private garage* facing a *front lot line*, shall be no greater than 50% of the *lot frontage*.
- d) In addition to the above, in an R1-6 Zone:
 - i) No part of a *private garage* that is *attached* to a *dwelling* shall be closer to the *front lot line* than the *main building facade* except where the *building* has a covered *porch* the garage may extend 2.5 metres beyond the *main building facade* provided that the *private garage* is not closer to the *front lot line* than the *porch*.
 - ii) The *second storey* above an *attached private garage* shall be set back a maximum of 2.5 metres from the front face of the *private garage* below.

4.2.7 Gate Houses and Parking Shelters

In addition to those provisions in Table 3.1, the following provisions shall also apply to Gate Houses and Parking Shelters:

- a) Notwithstanding any other provision hereof to the contrary, gatehouses not exceeding 10.0 square metres in *floor area* shall be permitted in any part of an exterior *yard* in an Industrial Zone.
- b) Nothing in this By-law shall apply to prevent the erection of a shelter, for *use* solely by parking attendants or security personnel, in any part of a *parking area* except within a *sight triangle*, provided that such shelter does not exceed 4.5 metres in *height* and 5.0 square metres in *gross floor area*.

4.2.8 Outdoor Furnaces

Outdoor furnaces shall only be permitted on *lots* having a minimum area of 1.0 hectare, shall have a minimum stack *height* of 2.8

metres and shall be *setback* not less than 15.0 metres to any *lot line*.

4.2.9 Refuse Storage Areas

Accessory refuse storage areas are permitted in all *Zones* subject to the following provisions:

- a) An *accessory building* or *structure* used principally as refuse storage area shall not be included in the total permitted *lot coverage* for *accessory buildings* and/or structures on a *lot*.
- b) An *accessory building* containing a refuse storage area shall be located:
 - i) In an *interior side yard* or *rear yard* only;
 - ii) No closer to any *lot line* than required for an *accessory building* by this By-law;
 - iii) No closer to any Residential *Zone* boundary than required for an *accessory building* in a non-Residential *Zone* by this By-law;
 - iv) No closer to any Open Space or Environmental *Zone* boundary than required for an *accessory building* by this By-law;
 - v) Outside of any required landscaped area or landscaped buffer; and,
 - vi) Shall not occupy any *required parking spaces*, access to *parking spaces* or *driveways*.

4.2.10 Swimming Pools

Swimming pools shall be constructed in accordance with the requirements of this By-law for *accessory buildings* and *structures* except that no interior wall of an *outdoor swimming pool* and no water circulating or pumping equipment shall be located closer than 1.5 metres to any *side* or *rear lot line* and shall also not be permitted within a *required exterior yard*.

4.3

ACCESS ONTO AN ASSUMED ROAD

- a) Notwithstanding any other provision hereof to the contrary, no *person* shall *erect* any *building* on any *lot* that does not have frontage on an *assumed road* except as provided in Subsections (b), (c), (d) and (e) herein.

- b) Seasonal Dwellings

Subsection (a) of this Section shall not apply to prevent the use of a permitted *seasonal dwelling* on a lot with *water access*, a *lot* having frontage on a *seasonal road* or having access to an *assumed road* via a *private access road*.

- c) Lots in New Plans of Subdivision

Subsection (a) of this Section shall not apply to prevent the erection or use of a *building* on a *registered lot* located in a plan of subdivision registered hereafter, provided that:

- i) Such *registered lot abuts* and is directly legally accessible to vehicular traffic from a road designated on the said plan of subdivision and vested in the name of the City of Greater Sudbury, notwithstanding that the said road may or may not yet have been assumed by the City of Greater Sudbury; and,
- ii) Such *registered lot* is subject to a subdivision agreement requiring that the said road be constructed to the satisfaction of the City of Greater Sudbury.

- d) Lands in Plans of Condominium

Where lands form a *lot*, block or unit in an approved plan of condominium, a roadway owned and maintained by a registered condominium corporation shall be deemed to be an *assumed road* for the purposes of this Section.

- e) *Mobile Home Sites in Mobile Home Parks*

In a *mobile home park*, subsection (a) shall not apply to prevent the erection or use of a *mobile home dwelling* on an individual *mobile home site* accessed by an internal *private road*. Such a *private road* shall be subject to the *driveway* standards of Section 5.4.3 of this By-law.

4.4 ADULT ENTERTAINMENT USES

- a) Notwithstanding any other provision hereof to the contrary, *adult entertainment parlours* shall be prohibited throughout the zoned area except through an amendment to this By-law and in accordance with the provisions set out in this Section.
- b) Notwithstanding any other provision hereof to the contrary, and in addition to all other *zone* requirements that might apply, the following requirements shall apply to *adult entertainment parlours*:
 - i) Minimum separation distance between adult-entertainment parlours – 500.0 metres;
 - ii) Minimum *setback* from Residential Zones, *schools*, *places of worship*, retirement-homes and *public parks* – 300.0 metres;
 - iii) Minimum *setback* from an *arterial road* – 100.0 metres;
 - iv) In the case of multiple *use buildings*, that part of the *building* used for the *Adult entertainment parlour* shall be set back a minimum of 100.0 metres from an *arterial road*.

4.5 AIRPORT HEIGHT RESTRICTIONS

Airport Height Restriction areas are shown as overlay *zones* on the Schedules to this By-law.

Notwithstanding any other provisions of this By-law, within the take-off/approach surface and transitional surface surrounding the Greater Sudbury *Airport* as shown as overlay *zones* on Schedule “A” of this By-law, the following height restrictions shall apply:

4.5.1 Airport Height Restriction 1 (AHR1)

No *building* or *structure* shall exceed the height determined by increasing the elevation at a rate of 2% from the edge of the runway through the take-off approach surface at a rate of 1 to 50 (2%) for a distance of 3,000 metres from the edge of the runway.

4.5.2 Airport Height Restriction 2 (AHR2)

No *building* or *structure* shall be erected in the transitional surface which exceeds a height determined by a line increasing in elevation from the edge of the runway through the transitional surface at a rate of 1 to 7 (14.3%).

4.6 DWELLING UNITS BELOW GRADE

A *dwelling unit* may be permitted below grade provided that the *dwelling unit* meets the requirements of the Ontario Building Code and Section 4.9.1 of this By-law. .

4.7 DWELLING UNITS ON A LOT

Unless otherwise permitted in this By-law, no more than one *dwelling unit* shall be permitted on any *lot*.

4.8 ESTABLISHED BUILDING LINE

Notwithstanding any other provision hereof to the contrary, where a vacant *interior lot* exists between *legal existing buildings* on the same side of a street and where none of the three *lots* exceed 30.0 metres in *lot frontage*, the minimum *front yard* required on the said *interior lot* when vacant shall be the average of the *established building lines* on the said two *abutting lots* but shall not be greater than the minimum *front yard* depth required for the *zone* in which such *lot* is located and, where the said *interior lot* contains an *existing main building*, the average *established building lines* of all three *lots*.

Notwithstanding the above paragraph, if one of the two *abutting lots* is vacant, the *established building line* will be established using the next *abutting* developed *lot* provided it is located within 30.0 metres of the subject *lot*.

4.9 FLOOD HAZARD LIMIT PROVISIONS

4.9.1 Flood Fringe Overlay (FF)

Notwithstanding any other provision of this By-law to the contrary, within the areas shown on Schedule "A" of this By-law as Flood Fringe Overlay (FF), the following shall apply:

New *buildings* and *structures* and additions to *existing buildings* and *structures* are permitted in accordance with the applicable underlying *zone* and provided:

All openings to the *buildings* and *structures* are located at least 0.3 metres above the elevation of the regulatory flood line;

No *bedrooms* shall be permitted below the regulatory flood elevation, and

The *buildings* or *structures* shall be erected or used in accordance with any regulations of, and subject to the approval of, the Nickel District *Conservation Authority* and, where applicable, pursuant to The Lakes and Rivers Improvement Act, R.S.O. 1990, Chapter L.3, The Fisheries Act, R.S.C. 1985, Chapter F-14, or The Public Lands Act, R.S.O. 1990, Chapter P.43, of the Ontario Ministry of Natural Resources.

4.9.2 Flood Plain Overlay (FP)

Notwithstanding any other provision of this By-law to the contrary, within the areas shown Schedule “A” of this By-law as *Flood Plain Overlay (FP)*, the following shall apply:

legally existing buildings and *structures* shall be permitted;

no new *buildings* or *structures* shall be erected or used except for flood or erosion control or for providing access and only in accordance with any regulations of, and subject to the approval of the Nickel District *Conservation Authority* and, where applicable, pursuant to The Lakes and Rivers Improvement Act, R.S.O. 1990, Chapter L.3, The Fisheries Act, R.S.C. 1985, Chapter F-14, or The Public Lands Act, R.S.O. 1990, Chapter P.43, of the Ontario Ministry of Natural Resources.

4.10 GARDEN SUITE

Where a *Garden Suite* is permitted it shall meet the requirements for *accessory buildings*.

4.11 GUEST ROOMS

- a) Notwithstanding any other provision of this By-law to the contrary, *accessory guest room* accommodation for not more than two *persons* shall be permitted in any *dwelling unit*.
- b) Paragraph (a) shall not apply to restrict the number of *accessory guest rooms* located in a *boarding house dwelling* or provisions of this By-law related to *Group Home Type 1* and *Group Home Type 2* uses.

4.12 HEIGHT EXCEPTIONS

- a) Except as otherwise provided in Subsections (b) and (c) of this Section, no *building* or *structure* shall exceed in *height* the *building heights* set out herein for the *zone* where such *building* or *structure* is located.
- b) Nothing in this By-law shall apply to restrict the *height* of any *structure* or part thereof functioning solely as:
 - i) An antenna, aerial, mast or communications tower;
 - ii) A barn;
 - iii) A belfry;
 - iv) A chimney or smokestack;
 - v) A church spire or steeple;
 - vi) A clock tower, bell tower or church tower;
 - vii) A cupola or other ornamental *structure* or device;
 - viii) An electric power transmission tower or line;
 - ix) An elevator or stairway penthouse;
 - x) A firehall drying tower;
 - xi) A flag pole;
 - xii) A flight control tower, forest fire lookout tower or civil defense installation;
 - xiii) A lightning rod;
 - xiv) A roof-top *structure* containing heating, cooling, ventilating or other mechanized equipment pertaining to the maintenance of a *building*;
 - xv) A silo or grain or feed storage elevator;
 - xvi) A water tower or tank; or,
 - xvii) A weathervane or other weather monitoring device;
- c) Decorative or architectural *structures* used to screen or cover mechanical equipment shall be exempt from the *height* requirements of this By-law.

4.13 HOME INDUSTRY

Where a *home industry* established after the effective date of this By-law is permitted, the following provisions shall apply:

- a) Not more than 2 non-resident employees, in addition to the residents of the *dwelling unit*, may be engaged in the business and working in the *dwelling*.
- b) Any *lot* upon which a *home industry* is located shall be occupied as a residence by the operator of the business.
- c) Any *accessory building* and any associated activity area used for the *home industry* shall be located no further than 30.0 metres from the detached *dwelling* on the same *lot* and no closer than 30.0 metres from any *lot line*.
- d) The *gross floor area* dedicated to the *home industry* shall not exceed 200.0 square metres.
- e) The *driveway* accessing the *home industry* is shared with the *driveway* that is utilized for the *principal use* on the *lot*.
- f) The *use* is clearly secondary and *accessory* to the *principal use* on the same *lot*.
- g) Only the sale of goods that are primarily manufactured, processed, fabricated, or produced on the *premises* is permitted.
- h) Outdoor storage of goods or materials related to a *home industry* is permitted in the *rear yard* and *interior side yards* only, provided that the area occupied by such outdoor storage of goods or materials does not exceed 50% of the *gross floor area* of the *home industry*.
- i) Only currently licensed *motor vehicles*, associated with the *home industry*, are parked or stored on the *lot* and within an interior side or *rear yard*.
- j) Any outdoor storage associated with the *home industry* shall be located within a fenced compound

and screened from view in accordance with the requirements of Section 4.28 of this by-law.

- k) There is no external advertising other than a sign erected in accordance with the City of Greater Sudbury Sign By-law.

Home industry uses shall not include the generation of or storage of *hazardous waste, liquid industrial waste*, or any severely toxic contaminant listed in Schedule 3 contaminants of Ontario Regulation 347 of the Environmental Protection Act and shall not generate sewage effluent in excess of 4,500 litres per day.

4.14 HOME OCCUPATION

A *home occupation* shall be permitted in any zone, except in Seasonal Limited Service (SLS) Zone, subject to the following provisions:

- a) A *home occupation* shall be conducted as an *indoor accessory use* within a permitted *dwelling*, other than a *seasonal dwelling*, without changing the primary residential character thereof.
- b) Not more than one *person* who does not reside in the *dwelling unit* to which a *home occupation* is *accessory* shall be employed on the *premises* in conjunction therewith.
- c) No goods, wares or merchandise shall be displayed for sale or rent in conjunction with a *home occupation*.
- d) No retail use of the *premises* shall be permitted as a *home occupation*.
- e) No open storage shall be permitted in conjunction with a *home occupation* and no part of any *accessory building* or *structure* shall be used for a *home occupation*.
- f) The total *floor area* used primarily for a *home occupation* shall not exceed the equivalent of 25% of the *dwelling unit area* of the *dwelling unit* to which such *home occupation* is *accessory* or 100.0 square metres, whichever is less.
- g) No external display or advertising, other than a sign permitted by the City of Sudbury Sign By-law, as amended,

or its successor, nor any other external indication that a *home occupation* is being conducted on the *premises*, shall be permitted in conjunction with a *home occupation*.

- h) No *home occupation* shall create or become a public nuisance, particularly with regard to noise, odours, traffic, parking, *emissions* or radio or television interference.
- i) The *home occupation* shall not involve the use of the *premises* as a base of operations for persons who are employed by or associated with the *home occupation*, nor shall the *premises* be used to assemble or rally such persons for transportation to a work site.
- j) One *home occupation* only shall be permitted in conjunction with a *dwelling unit*.
- k) Parking for the *home occupation* shall be limited to a maximum of four spaces.
- l) No additional *commercial vehicles* shall be permitted to be parked on a *lot* in connection with a *home occupation*.
- m) A *pet grooming establishment* is permitted as a *home occupation*, subject to the following:
 - i) the maximum number of dogs and domestic cats allowed on the *premises* at any one time shall be in conformity with the City of Greater Sudbury By-law for the Control and Regulation of Dogs, Cats and Other Animals;
 - ii) No breeding, boarding or overnight accommodation of dogs or domestic cats shall be permitted on the *premises*;
 - iii) No dogs or domestic cats that are brought onto the *premises* for grooming shall be permitted outside of the *dwelling*.
- n) The following shall not be permitted as a *home occupation*:
 - i) *Adult entertainment parlour or use*;
 - ii) *Dating/escort services*;
 - iii) *Construction/landscaping contractors yards*;
 - iv) *Taxi stand service depot/dispatch establishments*;
 - v) *Any use involving the storage, repair, maintenance and/or towing of motor vehicles or recreation vehicles*;

- vi) *Institutional* use; and,
- vii) *veterinary clinic*.

4.15 LANDSCAPED OPEN SPACE REQUIREMENTS

4.15.1 General

- a) Where this By-law specifically requires a minimum area of *landscaped open space* on a *lot*, no part of any *driveway*, *parking area*, *loading space*, *stoop*, *balcony* or rooftop terrace, other than an open landscaped area located directly above an *underground parking area*, shall be deemed part of any such *required landscaped open space*.
- b) Any part of any *lot* which is not occupied by *buildings*, *structures*, *parking areas*, *driveways*, *loading spaces*, *agricultural uses*, outdoor storage areas or any other permitted use, shall be maintained as *landscaped open space*.
- c) The percentage of *landscaped open space required* under the Zone Requirements of this By-law shall be calculated as a percentage of *lot area*.
- d) A *planting strip* or buffer screen referred to in this Section may form a part of any *landscaped open space required* by this By-law and may form part of a required *yard*.
- e) A 3.0 metre-wide landscaped area adjacent to the full length of a *lot line* shall be *required abutting* all *public roads* having a width greater than 10.0 metres in all *Zones*, except in a *Downtown Commercial (C6) Zone*.

4.15.2 Low Density Residential Zones

A minimum of 50% of all required front and *exterior side yards* shall be maintained as *landscaped open space* in Low Density Residential One (R1) or Low Density Residential (R2) *Zones*.

4.15.3 Landscaping in a Surface Parking Area

In any Residential (R), Commercial (C), Business Industrial (M1-1) Zone and Institutional (I) Zone a minimum of 10 percent of the lands contained within the *outer boundary* of a *parking area* or *parking lot* with 75 or more *parking spaces*, shall be provided as *landscaped open space* which may include landscaped islands, landscaped medians, pedestrian walkways or public plazas.

Areas of *landscaped open space* *abutting* the *outer boundary* of a *parking area* that do not form part of a *required planting strip* may be included in the calculation of landscaping *required* by this Section.

4.15.4 Planting Strip – Location

- a) A 3.0 metre-wide *planting strip* adjacent to the full length of the *lot line* shall be *required*:
 - i) Where a *lot* in an Institutional (I), Open Space Recreational (OSR) or Commercial (C) Zone, except in the Downtown Commercial (C6) Zone, *abuts* an *interior side* or *rear lot line* of a *lot* in any Residential (R) Zone;
 - ii) Where a *lot* zoned Medium Density Residential (R3) or High Density Residential (R4) *abuts* a *lot* zoned Low Density Residential One (R1) or Low Density Residential Two (R2);
- b) Where a *lot* in any Industrial (M) Zone *abuts* an *interior side* or *rear lot* of a *lot* in any Residential (R) Zone, a 5.0 metre-wide *planting strip* shall be *required* adjacent to the full length of the *lot line*;
- c) Where *parking areas* are connected to *parking areas* on adjacent *lots*, a *planting strip* is not required.
- d) Where there is an opaque wall or opaque *fence* having a *height* of 1.5 metres or more, the width of the *planting strip* may be reduced to 1.8 metres in width.

4.15.5 Planting Strip – Contents

Required *planting strips* shall contain one or more of the following screening devices:

- a) A continuous row of trees;
- b) A continuous hedgerow of evergreens, bushes or shrubs;
- c) A *berm*;
- d) A wall; or,
- e) A *fence*.

4.15.6 Planting Strip – Design

Screening devices comprising a required *planting strip* shall:

- a) Be arranged so as to form a dense or opaque screen or barrier;
- b) Be designed to have an ultimate *height* of not less than 1.5 metre above the elevation of the ground at the nearest *lot line*, provided that they do not obstruct a *sight triangle*; and
- c) Be uninterrupted except where traversed by pedestrian walkways or permitted *driveways*, in which case no such screening devices shall be *required* within 1.0 metre thereof.

4.16 LEGAL EXISTING DWELLINGS

Notwithstanding any other provision of this By-law to the contrary, all *dwelling*s and *dwelling units*, other than *mobile home dwelling*s, *legally existing* as of the date of adoption of this By-law, shall be deemed to be permitted *uses*, and nothing in this By-law shall apply to prevent the rebuilding, repair, *alteration* or *use* of any such *dwelling unit* in accordance herewith, provided that such *use* has continued uninterrupted since the date of the passing of this By-law, no additional *dwelling units* are created and no other changes are made except where specifically permitted hereby and in accordance with the density provisions set out in Section 2.2 of this By-law.

4.17 LIVESTOCK

Livestock shall not be permitted on any *lot* less than 1.0 hectare in area. *Buildings* housing *livestock* and manure handling facilities area are subject to the Special Setback Provisions in Section 4.37.1 of this By-law.

4.18 MAIN BUILDINGS ON A LOT

- a) There shall be no maximum on the number of *main buildings* permitted on a *lot* except that in the Low Density Residential One (R1), Low Density Residential Two (R2), Local Commercial (C1), Seasonal Limited Service (SLS), Rural Shoreline (RS) and Future Development (FD) Zones, the number of *main buildings* on a *lot* shall be limited to one.
- b) Notwithstanding Section 4.18(a) above, in the Agricultural (A) and Rural (RU) Zones the number of *main buildings* permitted on a *lot* for *residential uses* shall be limited to a maximum of one and for other non-residential *uses* there shall be no maximum.

4.19 MOBILE HOMES

Mobile home dwellings may be used as *dwelling units* only in an Agricultural (A), Rural (RU), Rural Shoreline (RS) or Residential Mobile Home (RMH) Zone or as a *seasonal dwelling* in the Seasonal Limited Service (SLS) Zone where they meet the following requirements:

- a) The *structure* shall be constructed to the applicable Canadian Standards Association standard Z-240 for *mobile home dwellings*:
- b) The *structure* shall be completely enclosed from the surface of the *finished grade* to the roof; and,
- c) The *structure* shall be serviced with water and a *private sewage disposal system* or a *sanitary sewage facility*.

Building permits are required for the placement of *mobile home dwellings* on any lands.

4.20 MODEL HOMES

Model homes shall only be permitted on lands that have received Draft Plan of Subdivision Approval for residential purposes provided that:

- a) Not more than the lesser of 4 *dwellings* or 10% of the total number of residential units contained in the approved Draft Plan are constructed as *model homes*;

- b) The *model home* is built within a *lot* defined by the draft approved Plan of Subdivision;
- c) The *model home* complies with all other requirements of this Zoning By-law; and,
- d) A Model Home Agreement is entered into with the City of Greater Sudbury.

4.21 MULTIPLE LOTS IN A DEVELOPMENT

4.21.1 More Than One Registered Lot

Notwithstanding any provisions or definitions hereof to the contrary, no *person* shall use two or more *abutting registered lots* as a single *lot* in order to comply with the requirements of this By-law unless:

- a) Such *lots* are held under the same ownership and are located in the same *zone* or, where such *lots* are located in different *zones*, the *use* of such *lots* is permitted in both or all the said *zones*; and,
- b) An agreement between the *City* and the owner has been registered against the title of both or all such *registered lots* to the effect that such *registered lots* thereafter shall be deemed to constitute a single, inseparable parcel of land and shall not be sold, conveyed or alienated in any way or for any purpose except together in one group as a single *lot*.

4.21.2 Parking Areas and Driveways in Residential Zones

Notwithstanding any provisions or definitions hereof to the contrary, no *person* shall use two or more *abutting registered lots* in any Residential *Zone*, or portions of such *lots* as any part of a *parking area* or *driveway*, unless such *lots* are located in the same Residential *Zone* or, where such *lots* are located in different Residential *Zones*, the *use* of such *lots* is permitted in both or all the said *Zones*.

4.22 MULTIPLE USES ON A LOT

Where any *building*, *structure* or land is used for more than one purpose the said *building*, *structure* or land shall comply with the provisions of this By-law relating to each *use*. In the case of a conflict, the more stringent provision shall apply.

4.23 MULTIPLE ZONES ON ONE LOT

- a) Where a *lot* is divided into more than one *zone* under the provisions of this By-law, each such portion of the *lot* shall be used in accordance with the permitted *uses* and *zone provisions* of this By-law for the applicable *zone* as if it were a separate *lot*.
- b) The *lot area* and *lot frontage* requirements of the most restrictive *zone* on the *lot* shall be applied to the entire *lot*.
- c) Notwithstanding the above, Section 4.7 of this By-law shall apply.
- d) This Section does not apply to lands that are subject to a Holding Provision (H).

4.24 NON-CONFORMING USES

4.24.1 Continuation of Existing Uses

The provisions of this By-law shall not apply to prevent the *use* of any *existing lot, building or structure* for any purpose prohibited by this By-law if such *existing lot, building or structure* was lawfully used for such purpose, prior to the effective date of this By-law and provided that the *lot, building or structure* continues to be used for that purpose and is not *altered* in any way except in conformity with this By-law.

4.24.2 Permitted Exterior Extension, Alteration and Reconstruction

On the exterior of a *legal existing building or structure*, the installation of eave troughs, siding, brick or insulation whose sole purpose is to improve the exterior of a *building or structure* shall be permitted provided that the *floor area* of the *building or structure* is not expanded in any way, except in conformity with this By-law.

4.24.3 Permitted Interior Alteration

The interior of any *building or structure* which was lawfully used for a purpose not permissible within the *zone* in which it is located prior to the effective date of this By-law, may be reconstructed or structurally *altered*, in order to render the *building or structure* more convenient for the *existing purpose* for which it was lawfully used.

4.24.4 Restoration To A Safe Condition

Nothing in this By-law shall prevent the repair, strengthening or restoration to a safe condition of any *legal existing building* or *structure* or part thereof, or the rebuilding of such *building* or *structure* if it has been destroyed by means beyond the control of the owner, provided that the dimensions or *use* of the original *building* or *structure* or of any *yards* appurtenant thereto, are not *altered* in any way except in conformity with this By-law unless these changes are necessary to provide for flood proofing.

4.24.5 Building Permit Issued

The provisions of this By-law shall not apply to prevent the erection or *use*, for a purpose prohibited by this By-law, of any *building* or *structure*, the plans for which have, prior to the date of passing of this By-law, been approved by the *Chief Building Official*, so long as the *building* or *structure*, when erected, is used and continues to be used for the purpose for which it was erected.

4.25 NON-COMPLYING LOTS, BUILDINGS AND STRUCTURES

4.25.1 Permitted Buildings or Structures

Where a *building* or *structure* is located on a *lot* having less than the minimum frontage and/or *lot area*, and/or having less than the minimum *setback* and/or *side yard* and/or *rear yard* required by this By-law, the said *building* or *structure* may be enlarged, reconstructed, repaired and/or renovated provided that:

- a) The enlargement, reconstruction, repair and/or renovation does not further reduce the *existing front yard*, and/or *side yard* and/or *rear yard* and/or *lot coverage*;
- b) The enlargement, reconstruction, repair and/or renovation does not increase the *gross floor area* of the *building* or *structure* located within the applicable *minimum required yard*;
- c) The *building* or *structure* is being used for a purpose permissible within the *zone* in which it is located; and,
- d) All other applicable *zone provisions* of this By-law are complied with.

4.25.2 Reconstruction of Existing Buildings and Structures

Nothing in this By-law shall apply to prevent the reconstruction of any *legally existing building* or *structure* which is accidentally damaged or destroyed by causes beyond the control of the owner, provided that the dimensions of the original *building* or *structure*, or of any *yards* appurtenant thereto, are not *altered* in any way except in conformity with this By-law unless these changes are necessary to provide flood proofing.

4.25.3 Reconstruction of Existing Dwelling Units

Nothing in this By-law shall apply to prevent the reconstruction of any *legally existing dwelling* or *dwelling units*, other than *mobile home dwellings*, provided that no additional *dwelling units* are created and no other changes of use are made except where specifically permitted,

4.25.4 Existing Undersized Lots of Record

Where a *lot*, having a lesser *lot area* and/or *lot frontage* than *required* herein, existed on the date of passing of this By-law, or where such a *lot* is created as a result of an acquisition of land by a *public agency*, such smaller *lot* may be used and a permitted *building* or *structure*, may be erected, *altered* and/or used on such smaller *lot* provided that all other applicable *zone provisions* of this By-law are complied with.

Lots that have been increased in size following passing of this By-law may also be used in accordance with this provision.

Where the *lot area* of a *lot* is reduced by means of an acquisition, by expropriation or otherwise, of part of the *lot* by a *public agency* for the purpose of providing a public service, nothing in this By-law shall apply to prevent the continued *use* of such *lot* as reduced, or the erection, *alteration* or *use* of a *building* or *structure* thereon, as if no such acquisition had taken place, provided that:

- a) No regulations pursuant to the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended, are contravened;
- b) Such *lot* as reduced is accessible to vehicular traffic from a road either directly or via *private access road*;
- c) No change is made to such *lot* or to any *building* or *structure* thereon, subsequent to the date of the said acquisition, that

would increase the degree of any *non-conformity* resulting from such acquisition or that would contravene any other provision hereof; and,

- d) This provision is not construed as mitigating or legalizing any *non-conformity* or contravention pertaining to such *lot* prior to the date of such acquisition.

4.26 OBNOXIOUS USES PROHIBITED

The following *uses* are prohibited in any *Zone*:

- a) The *use* of any tent, *trailer*, *recreation vehicle* or *motor vehicle* for human habitation, except where such tent, *trailer*, *recreation vehicle* or *motor vehicle* is located in a camping ground, in a *trailer park*;
- b) The *use* of any *accessory building or structure* or boathouse for human habitation unless otherwise permitted by this By-law;
- c) The *use* of *bulk storage tanks* for storage purposes on any *lot*, unless otherwise permitted by this By-law;
- d) The *use* of a truck, bus, coach body or rail car for human habitation or for storage purposes;
- e) The storage of disused rail cars, streetcars, buses, truck bodies or *trailers* without wheels, unless otherwise permitted by this By-law;
- f) The parking or storage of *trailers* or *commercial motor vehicles* on a vacant *lot*, unless otherwise permitted by this By-law;
- g) The parking or storage of *trailers* or *commercial motor vehicles* on a vacant *lot* for the purposes of advertising;
- h) The *outdoor storage* of partially dismantled *motor vehicles* or *trailers* or *motor vehicle* or *trailer* parts unless otherwise permitted by this By-law;
- i) The boiling of blood, bone or soap;
- j) The *manufacturing*, extracting or storing of fertilizers, oil or glue from human, fish or animal matter;
- k) The tanning or storing of hides and skins;

- l) *Body rub establishment*;
- m) *Obnoxious uses*;
- n) Smelters or ethanol plants unless otherwise permitted by this By-law;
- o) The manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, coal oil, creosote, explosives, fireworks, glue, petroleum, tar or any other gas unless otherwise permitted by this By-law; and,
- p) The bulk storage of industrial chemicals, *hazardous waste* or *liquid industrial waste* as defined under the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended.

4.27 OUTDOOR DISPLAY AND SALES

4.27.1 General Standards

Where an *outside display and sales* area is permitted as an *accessory use*, the following provisions apply:

- a) The *outside display and sales* area is located on the same *lot* as the *principal use* and does not occupy more than 25% of the total *gross floor area* of the *principal use* on the *lot*;
- b) The *outside display and sales* area shall comply with the following *setbacks*:
 - i) Maximum distance from *building* containing the *principal use* on the *lot* – 12.0 metres;
 - ii) Minimum *setback* for outside display and sales area(s) from a Residential Zone boundary – 10.0 metres; and,
 - iii) The area used for outdoor display and sales is in addition to and separated from any *required parking spaces*, loading areas, and/or any *required landscaped open space* on the *lot*.

4.27.2 Automotive Sales Establishment

Section 4.27.1 above shall not apply to an *automotive sales establishment*. Where these uses are permitted by this By-law, they shall be subject to the regulations of the *zone* in which the *use* is located, in addition to the following provisions:

- a) The *outdoor display and sales* of vehicles shall be permitted within a *required yard*, however no areas of *required landscaped open space* may be used for *outdoor display and sales*;
- b) The area used for *outdoor display and sales* is in addition to and separated from any *required parking spaces*, loading areas, and/or any *required landscaped open space* on the *lot*.

4.27.3 Seasonal Garden Centre

Section 4.27.1 b) i) and b) iii) shall not apply to a seasonal *garden centre accessory* to a *retail store* or *shopping centre* which may be located such that it temporarily prevents the use of not more than 20 percent of the provided *parking spaces*, provided that:

- a) the seasonal *garden centre* does not obstruct access to a fire route;
- b) the seasonal *garden centre* occupies the *lot* for no more than 150 days within one calendar year; and,
- c) no additional *parking spaces* shall be required for the seasonal *garden centre*.

4.28 OUTDOOR STORAGE

4.28.1 General Standards

Where *accessory outdoor storage* is permitted in a *zone*, the following provisions apply:

- a) *Outdoor storage* shall be permitted only in a *rear* or *interior side yard* and shall not be located any closer than 9.0 metres to any *street line*;
- b) The *height* of stored materials shall not exceed 4.5 metres;
- c) *Outdoor storage* shall be screened by opaque fencing with a minimum *height* of 2.75 metres; and,
- d) *Outdoor storage* is not permitted within any *yard* adjoining a residential *zone* boundary.

4.28.2 Exceptions

The *outdoor storage* provisions of this By-law shall not apply with respect to:

- a) The *outdoor storage* of incidental garden supplies or equipment accessory to a *dwelling*;
- b) The *outdoor storage* of refuse in accordance with any applicable regulations and requirements established from time to time by the City of Greater Sudbury;
- c) The temporary parking or storage outdoors of vehicles, other than for purposes of display, hire or sale, in accordance with all applicable provisions hereof;
- d) Any part of the *front yard* on a *lot* containing a permitted agricultural use, for a temporary seasonal roadside farm sales outlet;
- e) Any part of a *lot* containing a single *dwelling* or *duplex dwelling*, for a special temporary sale, by auction or otherwise, of personal possessions belonging to the occupants thereof; or,
- f) A *public park* or road, for a special temporary sale duly authorized by the City of Greater Sudbury.

4.29 PEAT EXTRACTION, PITS AND QUARRIES

4.29.1 Establishment

Notwithstanding any other provision hereof to the contrary, the making or establishment of mines, *pits* and quarries, other than permitted *wayside pits* and quarries, shall be expressly prohibited throughout the zoned area except:

- a) Where licensed by the Province of Ontario under the Aggregate Resources Act, R.S.O. 1990, c.A.8, as amended, or the Mining Act, R.S.O. 1990, c.M.14, as amended; and,
- b) Where specifically permitted herein.

4.29.2 Processing

No *person* shall use land or *erect* any *building* or *structure* for the purpose of processing, washing, screening, sorting or crushing

rock, sand gravel and/or peat except as required for the construction of a permitted *building* or *structure* or services related thereto, and as expressly provided for in this By-law.

4.29.3 Wayside Pits, Wayside Quarries And Accessory Portable Asphalt Or Concrete Plants

- a) A *wayside pit* or *wayside quarry* and *accessory portable asphalt plant* or portable concrete plant is permitted in any *Zone* with the exception of the following *zones*:
 - i) Environmental Protection (EP) *Zone*;
 - ii) Any Residential (R) *Zone*;
 - iii) The Wellhead Protection Area (WPA) *Overlay Zone*;
 - iv) Registered and Draft Approved Plans of Subdivision located outside designated settlement areas;
 - v) Cemeteries and other human burial sites; and,
 - vi) Natural lakes and their *shorelines*.
- b) Notwithstanding the above, in no case shall a *wayside pit* or *wayside quarry* be located less than 150.0 metres to a Residential *Zone* boundary or 150.0 metres from a *dwelling unit*, whichever is the more restrictive.

4.30 REDUCTION OF LOT BY PUBLIC ACQUISITION

4.30.1 Lot Size

Notwithstanding any other provision of this By-law, where, as a result of an acquisition of land by a *public agency*, the *lot*, after the acquisition, is a *non-complying lot*, such *non-complying lot* may be used for any purpose permitted by this By-law within the *Zone* in which the *lot* is located, provided that no *Health Unit* or other regulations pursuant to the Environmental Protection Act, R.S.O. 1990, c.E.11, as amended are contravened and such *lot* retains access to an *public road* pursuant to Section 4.3 of this By-law.

4.30.2 Buildings and Structures

Notwithstanding any other provision of this By-law, where, as a result of an acquisition of land by a *public agency*, such acquisition results in a contravention of this By-law relating to minimum *yards* and/or *setbacks*, *lot* coverage, *floor space index* or maximum permitted *gross floor area* or *net floor area*, the *buildings* and *structures* so affected shall be deemed to conform to the provisions of this By-law. Any change to such a *building* or *structure* would be permitted subject to the provisions of Section 4.25.1 of this By-law.

4.31 REDUCTION OF REQUIREMENTS

No *person* shall change the purpose for which any land, *building* or *structure* is used or *erect* any *building*, *structure*, or addition to any *existing building* or *structure*, or reduce the area of any *lot*, if the effect of such action is to cause the original, adjoining, remaining or new *building*, *structure* or *lot* to be in contravention with this By-law.

4.32 SATELLITE DISH ANTENNAS

- a) No satellite dish shall have a diameter of greater than 1.3 metres and shall not be more than 1.3 metres wide at its widest point.
- b) All satellite dishes shall be *attached* to the *main building* on the *lot*.
- c) Notwithstanding the above, there are no restrictions on the size or location of a satellite dish in any Commercial (C), Industrial (M) or Institutional (I) Zone, except that they are not permitted in a *required yard*.

4.33 SERVICES REQUIRED

No *person* shall *erect* or *use* a *building* or *structure* for a *residential use* on any lands unless approved sewage disposal and water supply services are available to the *lot*.

4.34 SHIPPING AND STORAGE CONTAINERS

Shipping and storage containers shall not be placed or used on any *lot* in a Residential (R), Commercial (C), Mixed Light Industrial/Service Commercial (M1) or Business Industrial (M1-1) Zone and shall only be located on a *lot* as an *accessory structure* used in conjunction with a permitted agricultural, extractive, *transport terminal* or *warehouse use*.

4.35 SIGHT TRIANGLES

4.35.1 Application

Notwithstanding any other provision of this By-law, a *sight triangle* shall be required at an at-grade intersection of two or more streets or of a road and a railway right-of-way, except that no *sight triangle* shall be required on a *lot* where this By-law does not require an *exterior side yard*.

For the purposes of calculating the extent of a *sight triangle* as defined herein, the following distances shall apply as follows:

Table 4.3

Roads	Sight Triangle Distance
Local	7.5 m
Arterial	9.0 m
<i>Provincial Highways</i>	9.0 m
Railway Right-of-Way	7.5 m

Notwithstanding Table 4.3, where a *lot* contains an *automotive service station* or a *gas bar* a *sight triangle* distance of 15.0 metres shall be used for the purposes of calculating the extent of the *sight triangle*.

4.35.2 Prohibition of Obstructions

Within any part of a *sight triangle* as defined herein:

- a) No *building*, *structure*, sign, wall or *fence* shall be erected, located or placed, in whole or in part;
- b) No *vehicle* shall be parked or stored;
- c) No land shall be graded; and,
- d) No landscaping materials shall be located or allowed to grow, in such a manner as to impede or obstruct in any way the field of view across such *sight triangle* for *persons* driving vehicles on an *abutting* road, but in no case greater than 0.9 metre in *height* above the average elevation of the said *sight triangle*, determined by averaging the elevations of the three corner points thereof.

4.36 SIGNS

The provisions of this By-law shall not apply to prevent the erection, *alteration* or *use* of any *sign* provided such *sign* complies with the By-laws of the *City* respecting *signs*.

4.37 SPECIAL SETBACKS

4.37.1 Minimum Distance Separation

Notwithstanding any other *yard* or *setback* provision in this By-law to the contrary, no *building* housing *livestock* or manure handling facility shall be erected or expanded unless it complies with the Minimum Separation Distance (MDS II) Formulae as developed by the Ontario Ministry of Agriculture and Rural Affairs, as amended from time to time, attached as Appendix 1 to this By-law.

4.37.2 Railroads

Unless otherwise specified in this By-law, all *buildings* and *structures* shall be set back the following distances from any *lot line abutting* a railroad right-of-way:

- a) 15.0 metres in any Commercial (C) or Industrial (M) Zone; and,
- b) 30.0 metres in all other zones.

4.37.3 Kennels

Notwithstanding any other provision of this By-law to the contrary, a *kennel* shall be located a minimum of 300.0 metres from any *residential building* or Residential (R) Zone boundary.

4.38 TRAVEL TRAILERS, RECREATION VEHICLES AND CAMPERS

4.38.1 Outdoor Parking and Storage

The outdoor parking and storing of a *recreation vehicle*, truck camper, camper *trailer*, *trailer* and licensed off-road *recreation vehicle* shall be prohibited in all Residential Zones except that a *recreation vehicle*, truck camper, camper *trailer*, *trailer* or licensed off-road *recreation vehicle*, may be stored outdoors in a Residential Zone in:

- a) The *rear* or *interior side yard*, provided that it meets the *setbacks* for an *accessory building* within the limits of the *lot*; and,
- b) The *front yard*, provided that it meets the *minimum required front yard* standard for the applicable zone;

- c) And in no case shall be permitted in a *required* exterior yard.

4.38.2 Use

- a) The *use* of *trailers, travel trailers, recreation vehicles, truck campers, and camper trailers* for *commercial* purposes or habitation shall be prohibited in all *Zones* except in areas where such *use* is expressly permitted by this By-law.
- b) No other form of *trailer* or *vehicle* shall be used for human habitation unless expressly permitted by this By-law.

4.39 UNLICENSED MOTOR VEHICLES

- a) An *unlicensed motor vehicle*, excluding those permitted under Section 4.38 of the By-law, shall not be permitted to park on any *lot* in a Residential (R) *Zone* unless it is located in a garage or *carport*.
- b) The parking of an *unlicensed motor vehicle* on a *lot* shall be permitted only as an *accessory use* to an *automotive repair shop, automotive sales establishment* or an *automotive body shop* located on the same *lot*.

4.40 USES PERMITTED IN ALL ZONES

4.40.1 Institutional and Public Uses

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

- a) The *use* of any land for, or as the site of:
 - i) A *public* railway, with or without any installations or structures appurtenant thereto;
 - ii) A road, with or without any installations or structures appurtenant thereto or erected thereon under the auspices of a *public agency* for the purpose of providing a service to the general public;
 - iii) A *public* fire detection device or structure;
 - iv) A *public* lighting fixture; or,
 - v) A *public* memorial or ornamental *structure* including, without limiting the generality of the foregoing, a statue, monument, cenotaph, plaque or fountain;
 - vi) A *transit station*;
 - vii) A *public park*;

- viii) A *public* refuse collection area, receptacle or structure; and,
 - ix) A *legal existing cemetery*.
- b) The installation or maintenance of any part of:
- i) A flood control *structure*, *stormwater management pond*, water system, sanitary sewer system or *storm sewer system*, and any associated pumping station or other related installation, other than a sewage treatment facility;
 - ii) A telephone, radio or television broadcasting, transmitting or receiving antenna, and any associated tower or other related installation, other than an audio/visual studio, provided that a satellite dish antenna shall comply with Section 4.32 of this By-law and shall not be located in an exterior *yard* in any residential *zone*;
 - iii) An above-ground or *underground* gas main or pipeline, and any associated pumping station or other related installation, other than a *fuel depot*; or,
 - iv) An overhead or *underground* electrical, cable television, telegraph or telephone line and any associated tower, transformer or other related installation including, except in a Residential (R), Commercial (C) or Institutional (I) Zone, an *electric power generating station*.

Provided that any such facility or installation, or any *lot* so used, is designed, landscaped and maintained in general harmony with neighbouring *uses*.

- c) The continued *use* of any *lot* in any *zone* for a specific *institutional use legally existing* thereon, in accordance with all applicable provisions and requirements hereof, except that in a *zone* where such *use* is not specifically listed as a permitted *use*, the *zone* requirements pertaining to Institutional Zones, set out in Part 10 of this By-law, shall apply.

4.40.2 Accessory Dwelling Units

One *dwelling unit* on a *lot* shall be permitted *accessory* to permitted non-residential *uses* in any *zone* other than a *Shopping centre (C5)* Zone, except where a *dwelling unit* is a permitted *use* in that *zone*,

provided that no *dwelling unit* shall be located within a portion of a non-residential *building* which is used:

- a) To house *livestock*;
- b) As part of a *bulk fuel storage* operation or any *premises* that has flammable fluids or hazardous materials stored in bulk for *commercial* purposes;
- c) For a *marina*;
- d) For an *automotive body shop*;
- e) For an *automotive repair shop*;
- f) For an *automotive service station*; or,
- g) For a *service shop*.

4.40.3 Conservation Uses, Outdoor Recreation Areas and Agricultural Uses

Nothing in this By-law shall apply to prevent the *use* of any open area of land for a *conservation use*, *outdoor recreation area* or *agricultural use* in any *zone*, provided that no *building* or *structure* requiring a *building permit* is erected, except in the following *zones*:

- a) In a Residential (R) or Commercial (C) *Zone*, for a *conservation use*, or an *outdoor recreation area*;
- b) In a Residential (R), Commercial (C), Institutional (I) or Park (P) *Zone* for an *agricultural use*.

4.40.4 Home Occupations

Home occupations accessory to permitted *dwelling units* shall be permitted in any *zone*, other than an SLS *zone*, subject to the provisions of Subsection 4.14.

4.40.5 Temporary Construction Uses

Notwithstanding Section 4.34, a tool shed, construction trailer , shipping or storage container, scaffold or other *building* or *structure* incidental to construction and the temporary storage of construction supplies and equipment is permitted in all *Zones* within the *City* on the same *lot* on which the construction work is in progress or in

relation to a road or *public utility*, so long as it is necessary for the work in progress and until the work is completed or abandoned.

For the purposes of this section, abandoned shall mean the discontinuation of work for more than 90 consecutive days and for the failure to maintain a current *building permit*.

4.40.6 Temporary Sales Office

A temporary sales *office* for the sale of residential *dwelling units*, and industrial or *commercial suites*, shall be permitted in any *zone*, provided that:

- a) The temporary sales *office* is located on the same *lot* as the *dwelling units* or *suites* to be sold; or
- b) The sales *office* is located within the boundaries of the same draft plan of subdivision approved under Section 51 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

4.40.7 Temporary Shipping or Storage Containers

Notwithstanding Section 4.34, one shipping or one storage container shall be permitted on a *lot* within a Residential or Commercial or Institutional Zone for a maximum of 14 consecutive days for the purposes of being loaded or unloaded where a *use*, business or the occupants of a dwelling are moving from a *lot* to another *lot*.

4.41 WATERBODIES - WATER FRONTAGE, SETBACKS AND BUFFERS

4.41.1 Water Frontage (Minimum Required)

On a *waterfront lot* or any other *lot* abutting a *navigable waterbody*, the minimum total *water frontage required* for all *shorelines* shall be equivalent to the *lot frontage required* for such *lot* in the applicable *Zone* except in a (C7) Resort Commercial zone, where 60.0 metres shall be the minimum *required water frontage*.

4.41.2 Setback Requirements for Residential Buildings and Accessory Structures

Notwithstanding any other provision of this By-law to the contrary, except for *gazebos*, *boathouses*, *water pumps* and *saunas* and Section 4.41.4, no *person* shall *erect any residential building* or

other *accessory building* or *structure* closer than 12.0 metres to the *high water mark* of a *navigable waterbody*.

4.41.3 Shoreline Buffer Areas

Notwithstanding any other provision of this By-law to the contrary, a *shoreline buffer area* is to remain in a natural vegetative state to a depth of 12.0 metres from the *high water mark* of a *waterbody*.

Notwithstanding the above, the following areas adjacent to the *shoreline* on a *lot* are permitted to be cleared of natural vegetation:

- a) On any *residential lot*, no more than 25% of the length of the *shoreline* frontage of the *lot* to a maximum of 23.0 metres of the *shoreline* frontage of the *lot*;
- b) In any Commercial (C) Zone, 33% of the length of the *shoreline* frontage of the *lot*.

4.41.4 Shoreline Structures and Facilities

- a) Within 12.0 metres of the *shoreline* frontage, no more than 25% of the length of the *shoreline* frontage or a maximum of 23.0 metres of the *shoreline* frontage of a *residential lot*, whichever is less, shall be occupied by:
 - i) in-water, *shoreline* or *accessory* structures and facilities;
 - ii) Boat launches, marine railways, waterlines and heat pump loops
- b) The construction or installation of in-water *shoreline* structures and facilities shall not be permitted in an Environmental Protection (EP) Zone.
- c) No portion of any *boathouse* or part thereof shall be used for human habitation including sleeping, cooking, or living area.
- d) Unless specifically identified as a *principal use*, boat *docks* and boat lifts are only permitted as an *accessory structure*.

4.42 WELLHEAD PROTECTION AREAS

Wellhead protection areas are shown as overlay Zones on the Schedules to this By-law.

4.42.1 Wellhead Protection Area (WPA) Overlay Zone

Notwithstanding the provisions of this By-law to the contrary, in addition to the *obnoxious uses* listed in Section 4.26 of this By-law the following *uses* shall also be prohibited within the *Wellhead protection area* (WPA) overlay zone:

- i) The *use*, storage or application to land of the following:
 - a) an *agricultural source material*;
 - b) a *non-agricultural source material*;
 - c) Schedule 3 contaminants of Ontario Regulation 347 of the Environmental Protection Act, R.S.O. 1990, c.P.13, as amended;
- ii) *Automotive body shop*;
- iii) *Automotive repair shop*;
- iv) *Automotive sales establishment*;
- v) *Automotive service station*;
- vi) *Bulk storage tank*;
- vii) *Cemetery*;
- viii) Chemical manufacturing plant or a chemically-related industrial operation;
- ix) Dry cleaning or laundry plant;
- x) Electroplating or metal fabricating and finishing operation;
- xi) Foundries, non-ferrous metal smelting, refining and casting operations;
- xii) Furniture and wood stripping and refinishing operation;
- xiii) *Gas bar*;
- xiv) *Golf course* (does not include a driving range or miniature *golf course*);
- xv) Mine tailings disposal;
- xvi) *Salvage yard*;
- xvii) Sewage disposal system with subsurface discharge greater than 4,500 litres per day;
- xviii) Slag dumps;
- xxix) Snow storage disposal facility;
- xxx) Storage tank, aboveground or belowground (does not include a water storage tank);
- xxxi) *Transport terminal*;
- xxxii) *Underground* pipeline for the transmission of oil, gasoline or other liquid petroleum products;
- xxxiii) Warehousing and storage of chemicals, including but not limited to *pesticides*, herbicides, fertilizers, salt and organic waste;
- xxxix) *Waste composting facility*
- xxxx) *Waste disposal areas*;
- xxxxi) *Waste transfer site*;

- xxxxxii) *Wayside pit or quarry*; and,
- xxxxxiii) *Wood preserving and treatment operation*.

4.42.2 Existing Uses

Where a *use* is prohibited in a *Wellhead protection area* (WPA) overlay *Zone* and the *use* exists and was legally established prior to the effective date of this By-law, the *use* shall continue to be permitted in accordance with the *use* provisions of the underlying *Zone*. No expansion of any *building or structure* shall be permitted.

PART 5: PARKING AND LOADING PROVISIONS

5.1 APPLICABILITY OF THIS SECTION

- a) The parking and *loading space* requirements of this Part of the By-law shall not apply to any *legally existing building* at the date of passing of this By-law so long as the *floor area*, as it existed at such date, is not increased and provided that the *use* of the *building* or *structure* is not changed to a *use* that requires more *parking spaces than the existing use*.
- b) If an addition is made to the *building* that increases the *floor area*, additional parking and *loading spaces* shall be *required* to be provided for the additional *floor area* as *required* by the regulations of this By-law.
- c) If the *use* of lands or a *building* or part of a *building* is changed to a *use* that requires additional parking than what existed as of the date of passing of this By-law, additional parking and *loading spaces* shall be *required* in accordance with the regulations of this By-law.

5.2 GENERAL PARKING PROVISIONS

5.2.1 Restriction on Use of Land, Buildings and Structures

No *person* shall *use* any land, *building* or *structure* in any *Zone* for any purpose permitted by this By-law, unless *parking spaces* are provided in accordance with the provisions of this Part of the By-law.

5.2.2 Calculation of Parking Requirements

5.2.2.1 Rounding of Requirements

Where the minimum number of *parking spaces* is calculated on the basis of a rate or ratio, the *required* number of *parking spaces* shall be rounded to the next higher whole number where the *required parking spaces* exceeds 0.5 of a space.

5.2.2.2 More than One Use on a Lot

The parking requirements for more than one *use* on a single *lot* or for a *building* containing more than one *use*, shall be the sum total of the parking requirements for each of the component *uses* prior to rounding in accordance with Section 5.2.2.1 above, except that *parking space* requirements applicable to *main* uses shall apply to all uses *accessory* thereto except where otherwise specifically provided herein.

5.2.2.3 Requirements Based on Capacity

Where the number of *parking spaces required* in accordance with this By-law is based upon the “capacity” of a *use*, such capacity shall be equal to the maximum capacity of any *building* or *structure* pertaining to such *use*, as determined by the Ontario Building Code, relevant fire safety regulations or, where applicable, the Liquor Licensing Board or Ontario or other *public agency* having jurisdiction, whichever capacity is the lesser.

5.2.3 Dimensions of Parking Spaces

5.2.3.1 General Requirements

- a) Where *parking spaces* are provided in a *surface parking area*, or on a *driveway* each *parking space* shall have a width of not less than 2.75 metres and a length of not less than 6.0 metres. Where the length of such *parking space* abuts a wall or barrier, the width of the *parking space* shall be 3.0 metres.
- b) Where *parking spaces* are provided in an enclosed or *underground parking structure*, such *parking spaces* shall have a width of not less than 2.6 metres and a length of not less than 5.5 metres.
- c) Where *required parking spaces* are provided within a *private garage accessory* to a detached, semi-detached or *townhouse dwelling*, with such a *private garage* being a single car garage or a double car garage with a separating wall, each *parking space* shall have a width of not less than 2.9 metres and length of not less than 6.0 metres and shall be unobstructed by any component of any *structure*, including stairs.

5.2.3.2 Parallel Parking

Where principal access to a *parking space* is located on its longest side, such *parking space* shall have a minimum width of 2.75 metres and a minimum length of 6.9 metres.

5.2.3.3 Single Stacked Angled Parking

Where principal access to a *parking space* is located on its shortest side, and where the *parking space* is provided at any angle between forty-five and seventy degrees, measured between the edge of the pavement and the longer side of the *parking space*, such *parking space* shall have a minimum width of 2.75 metres and a minimum length of 6.4 metres.

5.2.3.4 Compact Car Parking

Notwithstanding any other provision of this Part of the By-Law to the contrary, where 10 or more *parking spaces* are *required* on a *lot*, the minimum rectangular dimensions *required* for not more than 10% of such *parking spaces* shall be 2.5 m by 5.5 m, provided that any such *parking space* is clearly identified as being reserved for the parking of small cars only.

5.2.3.5 Accessible Parking

Accessible parking spaces for the exclusive use of physically disabled *persons* shall be provided in accordance with Tables 5.1 and 5.2, below:

Table 5.1: Accessible Parking Requirements for a Hospital or Medical Office

Total Number of Automobile Parking Spaces Provided	Minimum Required Number of Barrier-free Parking Spaces
1-9	1
For each additional 30 spaces or part thereof	1 additional space

Table 5.2: Accessible Parking Requirements for All Other Uses

Total Number of Automobile Parking Spaces Provided	Minimum Required Number of Barrier-free Parking Spaces
1-9	0
10-50	1
51-100	2
For each additional 50 spaces or part thereof	1 additional space

- a) An *accessible parking space* shall have minimum rectangular dimensions of 4.4 metres by 6.0 metres;
- b) An *accessible parking space* shall be located on level ground readily accessible to an entrance to such *building*; and,
- c) An *accessible parking space* shall be clearly identified and reserved for the exclusive use of physically disabled *persons*.

5.2.4 Location of Required Parking

5.2.4.1 Same Lot as the Use

Required parking spaces shall be located on the same *lot* as the *use* that requires the parking.

5.2.4.2 When Off-site Parking may be Permitted

Notwithstanding Section 5.2.4.1 above, *required parking spaces* for any *use* within a Commercial (C), Industrial (M) or Institutional (I) *Zones* may be located on another *lot* within 100.0 metres of the *lot* on which parking would be *required* for a *use*, provided that:

- a) An agreement with the *City* is registered against title of both such *registered lots* binding and requiring the owner thereof to maintain such *parking spaces* for the duration of the *building, structure* or *use* for which they are required; and,
- b) The off-site parking is located on a *lot* held under the same ownership and is in the same *Zone* as the subject *lot*; or,
- c) The *main use* is a permitted *use* on both *lots*; or,
- d) The *lot* on which the parking is being provided is located in a *zone* that permits a *parking lot*.

5.2.4.3 Yards where Parking Areas are Permitted

Outdoor *parking areas* shall be permitted in any part of any *yard*, except that no part of any *parking area* shall be located:

- a) Within a *sight triangle* in accordance with Section 4.35 of this By-law;
- b) In any required *front yard* or required *exterior side yard* in any Agricultural (A), Rural (RU), Rural Shoreline (RS), Seasonal (SLS), Future Development (FD), Open Space (OS) or any Residential (R) *Zone*; and,
- c) Closer to any road having a width of more than 10.0 metres, or any Residential *zone* than:
 - i) 4.5 metres in an Industrial (M) *Zone*; or,
 - ii) 3.0 metres in a Commercial (C) or Institutional (I) *Zone*.

5.2.5 Surface Treatment

All *required parking spaces*, *parking areas*, *parking lots* and all *driveways* providing access thereto shall be established and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles and comprised in whole or in part of one or more materials including asphalt, concrete, concrete or brick pavers, gravel or similar materials.

5.2.6 Exclusive Use of a Parking Space

Any *required parking space* shall be unobstructed and available for parking purposes and used exclusively for that purpose at all times, unless otherwise specified in this By-law.

5.2.7 Parking Required for Outdoor Patios

Parking spaces are not required for any *outdoor patio* that occupies less than 40% of the *net floor area* of a *restaurant* or *tavern* it serves. Where the *outdoor patio* occupies an area equal to or greater than 40% of the *net floor area* of the *restaurant* or *tavern* it serves, *parking spaces* shall be *required* for the *restaurant* or *tavern* use as specified in Section 5.3 of this By-law.

5.2.8 Cash-in-Lieu of Parking

Parking spaces required by Sections 5.3 and 5.5 of this By-law shall not be required if the *Council* has entered into an agreement with the landowner respecting the payment of cash-in-lieu of some or all of the parking *required* in accordance with Section 40 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

5.2.9 Access to Parking Areas and Parking Spaces

5.2.9.1 Double Parking

Each *required parking space* shall be accessible at all times for parking a *vehicle* without the necessity of moving any other *vehicle*, except that nothing in this By-law shall apply to prevent the parking of a *vehicle* in any part of a *driveway accessory* to a single *dwelling*.

5.2.9.2 Width of Parking Aisles

The minimum width of an *aisle* providing access to a *parking space* within a *parking area* shall be 6.0 metres, except as set out in Table 5.3, below in the case of angled *off-street parking spaces* accessed by a one-way *aisle*.

Table 5.3: Width of Parking Aisles

Angle of Parking (Degrees)		Minimum Required Aisle Width (Metres)
Equal To	Less Than	
0	45	4.0
45	60	5.5
60	90	6.0

5.2.9.3 Width of Access Ramps and Driveways

Access ramps and *driveways* accessing a *parking area* or *parking lot* shall be a minimum of 3.0 metres in width for one-way traffic and a minimum of 6.0 metres in width for two-way traffic.

5.3 NON-RESIDENTIAL PARKING REQUIREMENTS

The number of *parking spaces required* for non-residential *uses* shall be calculated in accordance with the standards set out in Table 5.4, below:

Table 5.4: Non-Residential Parking Requirements For All Zones, Except the C6 Zone

Use	Minimum Parking Space Requirement
<i>Abattoir</i>	1/90 m ² <i>net floor area</i>
<i>Adult Entertainment Parlours</i>	1/10 m ² <i>gross floor area</i>
<i>Animal Shelter</i>	1/25 m ² <i>net floor area</i>
<i>Arena</i>	1/6 <i>persons of capacity</i>
<i>Art Gallery</i>	1/40 m ² <i>net floor area</i>
<i>Assembly Hall</i>	1/6 <i>persons of capacity</i>
<i>Auctioneer's Establishment</i>	1/45 m ² <i>net floor area</i>
<i>Audio/Visual Studio</i>	1/20 m ² <i>gross floor area</i> + 1/10 <i>persons capacity</i>
<i>Automotive Use</i>	Unless otherwise defined 1/30 m ² <i>net floor area</i>
<i>Banquet Hall</i>	1/4 <i>persons capacity</i>
<i>Building Supply and Lumber Outlet</i>	1/45 m ² <i>net floor area</i>
<i>Bus Terminal</i>	1/10 m ² <i>net floor area</i>
<i>Business Office</i>	1/30 m ² <i>net floor area</i>
<i>Camping Ground or Establishment</i>	1/ <i>campsite</i>
<i>Car Wash – Manual</i>	3 <i>parking spaces</i> OR 3 <i>queuing spaces/ washing bay</i> , whichever is greater
<i>Commercial School</i>	1/20 m ² <i>net floor area</i>
<i>Commercial Self-Storage Facility</i>	1/5 m ² for accessory office area plus 1/100 m ² , of the storage area , except where the <i>driveway</i> access to the storage unit has a minimum width of 7 metres, in which case no additional <i>parking</i> shall be <i>required</i>
<i>Convenience Store</i>	1/20 m ² <i>net floor area</i>
<i>Day Care Centre</i>	1.5/ <i>classroom</i> plus 1/30 m ² <i>net floor area</i>
<i>Dry Cleaning Establishment</i>	1/20 m ² <i>net floor area</i>
<i>Equestrian Event Facility</i>	1/6 <i>persons of capacity</i>
<i>Farm Implement Sales Outlet</i>	1/45 m ² <i>net floor area</i>
<i>Farm Sales Outlet</i>	1/45 m ² <i>net floor area</i>
<i>Fitness Centre</i>	1/6 <i>persons capacity</i>
<i>Food Processing Plant</i>	1/90 m ² <i>net floor area</i> + 1/30 m ² <i>net floor area of accessory office net floor area</i>

Use	Minimum Parking Space Requirement
<i>Fuel Depot</i>	1/30 m ² net floor area
<i>Funeral Home</i>	1/20 m ² net floor area
<i>Garden Nursery</i>	1/20 m ² net floor area
<i>Golf Course</i>	4/hole, plus 1/25 m ² net floor area of all buildings
<i>Golf Driving Range</i>	1.5/tee
<i>Heavy Equipment Sales and Rental</i>	1/45 m ² net floor area
<i>Home Improvement Centre</i>	1/30 m ² net floor area
<i>Hospital</i>	2/bed, according to designed capacity
<i>Hotel</i>	1/guest room plus 1 per 10m ² of net floor area of any restaurant, dining room, lounge, tavern, banquet hall, meeting room, retail store or any other area, used to accommodate the public
<i>Industrial Uses</i>	1/90 m ² net floor area, plus 1/30m ² net floor area of accessory office
<i>Institutional Uses</i>	Unless otherwise specified on Table 5.4, , 1/20 m ² nfa
<i>Kennel</i>	Minimum 3 spaces OR 1/25 m ² net floor area whichever is greater
<i>Laundromat</i>	1/20 m ² net floor area
<i>Library</i>	1/20 m ² net floor area
<i>Long Term Care Facility</i>	0.5/bed, plus 1/20m ² net floor area of any accessory use
<i>Marina</i>	1/ boat mooring and 2/ boat launching ramp, plus any required for accessory uses other than boat storage areas or boat storage sheds
<i>Medical Office</i>	5 spaces OR 1/20 m ² net floor area, whichever is greater
<i>Mobile Home Dealership</i>	1/20 m ² net floor area
<i>Modular Home Dealership</i>	1/20 m ² net floor area
<i>Museum</i>	1/20 m ² net floor area
<i>Personal Service Shop</i>	1/20 m ² net floor area
<i>Place of Amusement</i>	1/20 m ² net floor area
<i>Place of Worship</i>	1/5 seats or 1/3m of bench

Use	Minimum Parking Space Requirement
	space OR 1/20 m ² gross floor area devoted for public use, whichever is greater
<i>Private Club</i>	1/20 m ² net floor area
<i>Public Utility</i>	1/ 90 m ² of net floor area, plus 1 per 30 m ² net floor area accessory office
<i>Race Track</i>	1/6 persons of capacity
<i>Recreation and Community Centre</i>	1/6 persons of capacity
<i>Recreation Centre, Commercial</i>	1/6 persons of capacity, plus 1/20m ² net floor area of any accessory use
<i>Recreation Vehicle Sale and Service Establishment</i>	1/20m ² net floor area of accessory office
<i>Restaurant</i>	1/10 m ² net floor area OR 1/3 persons seating capacity, whichever is greater
<i>Restaurant, Take-Out</i>	3 spaces plus 1/10 m ² net floor area
<i>Retail Store</i>	1/20 m ² net floor area
<i>School</i>	Elementary – 2/classroom Secondary – 6.5/classroom University/College – 1/100 m ² net floor area + 1/5 students Trade – 1/30 m ² nfa and accessory offices, plus 1/every 15 students
<i>Service Shop</i>	1/20 m ² net floor area
<i>Service Trade</i>	1/20 m ² net floor area
<i>Shopping Centre</i>	1/20 m ² net floor area
<i>Special Needs Facility</i>	Unless otherwise defined, 1/4 beds, according to designed capacity
<i>Stadium</i>	1/6 persons of capacity
<i>Stockyard</i>	1/30 m ² net floor area
<i>Tavern</i>	1/ 10 m ² net floor area OR 1/3 persons seating capacity, whichever is greater
<i>Theatres</i>	1/4 seats
<i>Transport Terminal</i>	1/90 m ² net floor area
<i>Veterinary Clinic</i>	1/24 m ² net floor area
<i>Warehouse</i>	1/90 m ² , plus 1/30 m ² net floor

Use	Minimum Parking Space Requirement
	<i>area of accessory office</i>
<i>Wayside Pit or Quarry</i>	<i>1/30m² net floor area of accessory office</i>
Any other use not specified in this table	<i>1/20m² net floor area</i>

5.4 GENERAL RESIDENTIAL PARKING PROVISIONS

5.4.1 Location of Parking

The parking of *motor vehicles* associated with a *residential use* is only permitted within a *parking structure*, *surface parking area*, *private garage*, *carport* or on a *driveway* accessing an individual *dwelling unit*, a *private garage* or a *carport*. No vehicle may be parked on an unsurfaced area of any *front* or *exterior side yard*.

5.4.2 General Parking Provisions for Ground Oriented Residential Dwelling Units (Single detached, Semi-detached, Duplex and Townhouse Dwellings) in a Residential Zone

- Subject to Section 5.2.4 of this By-law, within a *front* or *exterior side yard*, *motor vehicle* parking is only permitted on a *driveway*. Parking of *motor vehicles* shall only be permitted within the maximum *driveway* widths.
- A *driveway* associated with a ground-oriented residential *dwelling* shall provide direct access to a *private garage* or *parking space*.
- Subject to the provisions for circular *driveways*, only one *driveway* is permitted per *lot*.

5.4.3 Driveways in Residential Zones

5.4.3.1 Maximum and Minimum Driveway Width

- The minimum *driveway* width shall be 3.0 metres.
- The minimum *driveway* width providing access to a *mobile home park* or internal access to a *mobile home site* shall be 6.0 metres.
- The maximum width of a *driveway* at the *street line* shall be 6.1 m.

5.4.3.2 Entrances for *Driveways*

- a) Driveways used for providing access for the parking of *motor vehicles*, shall:
 - i) Not be located within a *sight triangle*, except that, where a *lot* is occupied by a *semi-detached dwelling unit*, the *driveway* shall be located along the *front lot line* or *exterior side lot line*, at the location furthest removed from the intersection; and,
 - ii) Comply with any applicable regulations of the City of Greater Sudbury or the Provincial Ministry of Transportation pertaining to entrances onto *public roads*.

5.4.3.3 Provisions for Circular Driveways

- a) On *lots* within any Residential (R) *Zone* that have a *lot frontage* less than 30.0 metres, only one *driveway* from a *public road* onto the *lot* is permitted. If such a *lot* has a frontage of 30.0 metres or greater, a second *driveway* maybe permitted, provided:
 - i) The *main building* is *setback* at least 15.0 metres from the *street line*;
 - ii) The *driveways* are at least 7.0 metres apart, at the *street line*;
 - iii) The second *driveway* connects the *public road* to the other *driveway* that provides direct access from the *public road*;
 - iv) No more than 50% of the area of the *front yard* is used for *driveway* purposes;
 - v) The maximum width of each *driveway* at the *street line* shall be 4.0 metres; and,
 - vi) The second *driveway* is not onto an *arterial road*.

5.4.4 Parking Structures

Parking structures shall comply with the provisions for the *main building* in accordance with this By-law. No *setbacks* or *yards* shall be *required* for any portion of a *parking structure* if it is constructed completely below the *established grade*. This exemption shall also apply to ventilation shafts and housings, stairways and other similar facilities associated with below *grade parking structures* that extend from below *established grade*.

5.4.5 Parking of Commercial Vehicles on Residential Lots

- a) The parking or storage outdoors of one *commercial vehicle* per *dwelling unit* is permitted on any *Residential lot*, provided that such *vehicle*:
 - i) Has a registered gross *vehicle* weight of 4,500 kilograms or less and a height of 2.2 metres or less.
 - ii) Is owned or operated by the owner or occupant of the *dwelling unit*.
- b) Notwithstanding Section 5.4.5(a) above:
 - i) In all Residential (R) *Zones*, Rural Shoreline (RS) and Seasonal Limited Service (SLS) *Zones*, the parking of a *commercial vehicle* that is used for the primary purpose of transporting passengers for remuneration shall not be permitted.
 - ii) If the *commercial vehicle* is a school bus, it may exceed a registered gross *vehicle* weight of 4,500 kilograms and may exceed the height of 2.2 metres within the Agricultural (A) and Rural (RU) *Zones*.

5.4.6 Outdoor Storage of Unlicensed Vehicles

No part of any *lot* in a Residential (R) *Zone* shall be used for the parking or storage outdoors of any *vehicle*, other than a *recreation vehicle*, where such *vehicle* does not bear a valid license plate and currently valid validation tag, except for not more than 1 such *vehicle* in an interior *yard*.

5.5 RESIDENTIAL PARKING REQUIREMENTS

5.5.1 All Zones Excluding the Downtown Commercial (C6) Zone

The number of *parking spaces required* for *residential uses* in all Zones excluding the Downtown Commercial (C6) Zone shall be calculated in accordance with the standards set out in Table 5.5, below:

Table 5.5: Residential Parking Requirements For All Zones Except the Downtown Commercial (C6) Zone

Use	Minimum Parking Space Requirement
<i>Bed and Breakfast Establishment</i>	1/ <i>guest room</i> plus the <i>parking required</i> for the <i>dwelling unit</i>
<i>Crisis Residence</i>	1/4 beds
<i>Dwelling Unit, Accessory</i>	1/ <i>dwelling unit</i>
<i>Retirement Home</i>	4 spaces, plus 0.5 <i>parking spaces</i> for each of the first 30 <i>guest rooms</i> , plus 0.25 <i>parking spaces</i> for each additional <i>guest rooms</i> plus 1/20 m ² gfa used for medical, health or personal services
<i>Dwelling, Boarding House</i> <i>Rooming House</i>	1/ <i>dwelling unit</i> plus 0.75 <i>parking spaces</i> per <i>accessory guest room</i>
<i>Dwelling, Multiple</i> <i>Dwelling, Row</i>	1.5/ unit
<i>Dwelling, Mobile Home</i> <i>Dwelling, Seasonal</i> <i>Dwelling, Semi-Detached</i> <i>Dwelling, Single Detached</i> <i>Dwelling, Street Townhouse</i> <i>Dwelling, Duplex</i> <i>Dwelling, Linked</i>	1/ unit
<i>Garden Suite</i>	Zero
<i>Long Term Care Facility</i>	0.5/ bed plus 1/20 m ² gfa used for medical, health or personal services

5.5.2 Downtown Commercial (C6) Zone

- a) The number of *parking spaces required* for *residential uses* shall be calculated in accordance with the standards set out in Table 5.6, below.

TABLE 5.6: Residential Parking Requirements For the C6 Zone

Use	Minimum Parking Space Requirement
<i>Boarding house dwelling or rooming house</i>	1/ dwelling unit, plus 0.25/ guest room
<i>Dwelling units</i>	1/ dwelling unit
<i>Hotels</i>	0.5/ guest room

- b) Notwithstanding Table 5.6 above, the conversion of a *building* or part thereof in the Downtown Commercial (C6) Zone that is 5 years of age or older from the date of approval for *dwelling units*, *boarding house dwellings* or *rooming house* shall not require any *parking spaces*.

5.6 LOADING

5.6.1 Restriction on Use of Land, Buildings and Structure

No *person* shall use any land, *building* or *structure* in any Residential (R), Commercial (C), Institutional (I) or Industrial (M) Zone for any purpose permitted by this By-law, unless *loading spaces* are provided in accordance with the provisions of this Section of the By-law.

5.6.2 Calculation of Loading Requirements

The *loading space* requirements for more than one *use* on a single *lot* or for a *building* containing more than one *use*, shall be the sum total of the *loading space* requirements for each of the *uses*, unless otherwise noted.

5.6.3 Loading Space Requirements

On a *lot* used for a *multiple dwelling*, an *industrial use*, public use, *commercial use* or a *warehouse*, unobstructed *indoor* or outdoor *loading spaces* shall be provided and maintained on the same *lot*, in accordance with the provisions of this Section.

The number of *loading spaces required* on a *lot* shall be based on the number of *dwelling units*, or the *floor area*, of all of the *buildings* on the *lot* for which *loading spaces* are *required* in accordance with the standards set out in Tables 5.7 and 5.8, below:

TABLE 5.7: Loading Spaces for Specific Uses

Use	Loading Spaces Required
<i>Multiple Dwelling</i> containing 50 or more <i>dwelling units</i>	1
<i>Automotive Sales Establishment</i>	1

TABLE 5.8: Loading Spaces for All Other Uses

Gross Floor Area	Loading Spaces Required
Less than 300 m ² gfa	0
300 m ² to 4,500 m ² gfa	1
Over 4,500 m ² gfa	1 additional <i>loading space</i> for each additional 9,000 m ² gfa or part thereof

Notwithstanding Table 5.8, above, no more than 1 *loading space* shall be *required* for all *net floor area* on a *lot* devoted to *office* uses.

5.6.4 Dimensions of Loading Spaces

Each *loading space* shall be a minimum of 3.6 metres wide, 9.0 metres long and have a minimum vertical clearance of 4.2 metres.

5.6.5 Location of Required Loading Spaces

Required loading spaces shall:

- a) Be located on the same *lot* for the *use* or *building* for which it is required;
- b) Be located within 15.0 metres of the *use* or *building* for which it is required;
- c) Not be permitted in the *front yard* or *exterior side yard*;
- d) In a Residential (R) *Zone*, be set back a minimum of 10.0 metres from any *street line* and 3.0 metres from an *interior side* or *rear lot line*; and,
- e) In a Commercial (C), Institutional (I) or Industrial (M) *Zone*, be set back a minimum of 10.0 metres from any *street line* or residential *zone* boundary, but may be permitted within this area if the *loading space* is located entirely within a *structure* on a floor above the *first storey* or below *finished grade*.

- f) Are designed to permit the manoeuvring of *vehicles* on the lot so as not to obstruct, or otherwise cause a traffic hazard on adjacent *roads*, and to allow *vehicles* access from and egress to a *road* in a forward motion;

5.6.6 Exclusive Use of a Loading Space

Any *required loading space* shall be unobstructed and available for loading purposes and used exclusively for that purpose at all times, unless otherwise specified in this By-law.

5.7 QUEUEING LANES

5.7.1 Queuing Lane Requirements

Where *drive through service facilities* are permitted, *queuing lanes* are *required* and shall be exclusive of any other *parking space* and *aisle* requirements contained within this By-law and shall be provided in accordance with the provisions of this Part.

5.7.2 Queuing Space Requirements

The minimum *queuing space* requirements within a designated *queuing lane* shall be in accordance with the standards set out in Table 5.9, below:

TABLE 5.9: Queuing Space Requirements

Use Associated with Drive-Through Service Facility	Minimum Required Ingress Spaces	Minimum Required Egress Spaces
<i>Financial institution</i>	4	1
<i>Restaurant</i>	12	2
<i>Motor Vehicle Service Station or Gas Bar</i>	3	n/a
<i>Car Wash – automated</i>	10	2
<i>All Other Uses</i>	3	1

5.7.3 Location of Ingress and Egress Spaces

Required ingress spaces shall be located before the first point of contact and required egress spaces shall be located after the final point of contact.

5.7.4 Length of Queuing lane

The length of the *queuing lane* associated with the *drive-through service facility* shall be the total number of required ingress spaces and egress spaces.

5.7.5 Multiple Queuing Lane Requirements

Where multiple *queuing lanes* are provided on a *lot*, the *queuing space* requirements shall be provided for each individual *queuing lane* in compliance with the provisions of Section 5.7 of this By-law.

5.7.6 Size of Queuing Space

All *queuing spaces* shall be rectangular in shape, with a minimum width of 3.0 metres and a minimum length of 7.0 metres.

5.7.7 Delineation of Queuing Lane Requirements

Queuing lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers, and shall be independent of the balance of the *parking area*.

5.7.8 Location of Queuing Lanes, Order Boxes and Wall Opening(s) Associated with a Drive-through Service Facility

No *queuing lanes* associated with a drive through service facility shall be located closer than 15.0 metres from any Residential Zone.

No order boxes or wall openings associated with a drive through service facility shall be located closer than 30.0 metres from any Residential Zone.

5.8 BICYCLE PARKING

- a) A bicycle *parking space* shall have a minimum width of 0.6 m and length of 1.8 metres and shall be located:
 - (i) adjacent to a structural element or in a rack securely anchored to the ground, to which the bicycle can be secured, or
 - (ii) within a lockable enclosed storage space.

- b) An *outdoor bicycle parking space* may be located in any *yard* and shall be located in order to provide convenient access to main entrances or well-used areas.
- c) Required *bicycle parking spaces* may be located in parking areas, *indoors* or in a *landscaped open space* area but no *bicycle parking space* shall impede access to a *building*.
- d) The number of *bicycle parking spaces required* for *uses* shall be calculated in accordance with the standards set out in Table 5.10, below:

Table 5.10: Bicycle Parking Requirements

Use	Minimum Parking Space Requirement
<i>Multiple dwelling with 6 or more dwelling units</i>	<i>0.5/dwelling unit</i>
<i>Rooming house</i>	<i>0.25/guest room</i>
<i>Commercial Recreation Centre; Office; Personal Service Shop; Place of Amusement; Retail Store; Restaurant; Service Shop; Service Trade; Shopping Centre</i>	<i>2 spaces on a lot, plus 1 space per 500 m² gross floor area to a maximum requirement of 24/lot</i>
<i>Institutional, excluding school</i>	<i>2 spaces on a lot, plus 1 space per 500 m² gross floor area to a maximum requirement of 24/lot</i>
<i>School</i>	<i>Elementary and Secondary – 1/10 students; University/College – 0.5/guest room or dormitory room and 1/300 m² of gross floor area for any other building.</i>

PART 6: RESIDENTIAL ZONES

6.1 GENERAL PROHIBITION

No *person* shall, within any Residential Zone, *use* or permit the *use* of any land, or *erect, alter, enlarge, use* or maintain any *building* or *structure* for any *use* other than as permitted in Tables 6.1 and in accordance with the standards contained in Tables 6.2, 6.3, 6.4, 6.5, 6.6 and 6.7, the General Provisions contained in Part 4 and the Parking and Loading provisions contained in Part 5 of this By-law.

6.2 PERMITTED USES

Uses permitted in a Residential Zone are denoted by the symbol 'X' in the column applicable to that Zone and corresponding with the row for a specific permitted *use* in Table 6.1. A number(s) following the symbol 'X', zone heading, or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire Zone. Conditions are listed below on the Permitted Use Table, Table 6.1.

Residential Zones

Low Density Residential One

Low Density Residential Two

Medium Density Residential

High Density Residential

Residential Mobile Home

R1-1, R1-2, R1-3,

R1-4, R1-5, R1-6

R2-1, R2-2, R2-3

R3 and R3-1

R4

RMH

Table 6.1 – Permitted Uses

USE	R1 (All)	R2-1	R2-2	R2-3	R3 and R3-1	R4	RMH
<i>Bed and Breakfast Establishment</i>	X(2)	X (2)	X (2)	X (2)	X (2)		
<i>Boarding House Dwelling</i>					X		
<i>Convenience Store</i>					X (4)	X (4)	
<i>Day Care Centre</i>					X	X	X (5)
<i>Duplex Dwelling</i>		X	X	X	X		
<i>Group Home Type 1</i>	X(3)	X (3)	X (3)	X (3)	X (3)		
<i>Linked Dwelling</i>		X	X	X	X		
<i>Long Term Care Facility</i>						X	
<i>Mobile Home Dwelling</i>							X (6)
<i>Mobile Home Park</i>							X

USE	R1 (All)	R2-1	R2-2	R2-3	R3 and R3-1	R4	RMH
<i>Multiple Dwelling</i>				X (1)	X	X	
<i>Personal Service Shop</i>					X (4)	X (4)	
<i>Private Home Daycare</i>	X	X	X	X	X	X	
<i>Retirement Home</i>						X	
<i>Rooming House</i>					X	X	
<i>Row Dwelling</i>				X (1)	X	X	
<i>Semi-Detached Dwelling</i>			X	X	X		
<i>Single Detached Dwelling</i>	X	X	X	X	X		X
<i>Townhouse Dwelling</i>				X (1)	X		

SPECIAL PROVISIONS

1. Maximum number of *dwelling units* permitted on a *lot* – 4.
2. Permitted within a *single detached dwelling* only. Maximum number of *guest rooms* – 2.
3. Permitted within a *single detached dwelling* only. Maximum number of beds – 10.
4. Not more than one *personal service shop* and one *convenience store*, not exceeding 150.0 m² in total *net floor area*, *accessory to*, completely enclosed within and accessible only from inside a *multiple dwelling* located on a *lot* containing at least 100 *dwelling units*.
5. If located in a *mobile home park*.
6. If mounted on a permanent foundation.

6.3 ZONE STANDARDS

No person shall within any Urban Residential Zone use or permit the use of any *lot* or erect, alter, use any *building* or *structure* except in accordance with the following zone standards. A number(s) following the zone standard, zone heading or description of the standard, indicates an additional Zone requirement. These additional standards are listed at the end of Tables 6.2, 6.3, 6.4, 6.5, 6.6 and 6.7.

Table 6.2 – Standards for the Low Density Residential One (R1) Zone

Zone	Minimum Lot Area	Minimum Lot Frontage	Minimum Lot Depth	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Exterior Side Yard	Maximum Lot Coverage	Maximum Height
R1-1	4000.0 m ²	45.0 m	30.0 m (6)	6.0 m (2)	7.5 m (4)	1.2 m (3)	4.5 m (2)	40% (5)	11.0 m
R1-2	1300.0 m ²	36.0 m	30.0 m (6)	6.0 m (2)	7.5 m (4)	1.2 m (3)	4.5 m (2)	40% (5)	11.0 m
R1-3	1000.0 m ²	30.0 m	30.0 m (6)	6.0 m (2)	7.5 m (4)	1.2 m (3)	4.5 m (2)	40% (5)	11.0 m
R1-4	665.0 m ²	18.0 m (7)	30.0 m (6)	6.0 m (2)	7.5 m (4)	1.2 m (3)	4.5 m (2)	40% (5)	11.0 m
R1-5	465.0 m ²	15.0 m (1)(7)	30.0 m (6)	6.0 m (2)	7.5 m (4)	1.2 m (3)	4.5 m (2)	40% (5)	11.0 m
R1-6	400.0 m ²	12.0 m (1)(7)	30.0 m (6)	6.0 m (2)	7.5 m (4)	1.2 m	4.5 m (2)	40% (5)	11.0 m

SPECIAL PROVISIONS

1. *Corner lots* will have the minimum *lot frontage* plus an additional 2.0 metres.
2. (i) *Abutting* a primary arterial road – 15.0 metres;
(ii) *Abutting* a secondary or tertiary arterial road – 7.5 metres;
3. Plus 0.6 metres for each *full storey* above the *first storey abutting* such yard.
4. *Abutting* a primary arterial road – 15.0 metres.
5. For partially or privately *served lots* – 25%.
6. Minimum *lot depth* for *lots abutting* a primary arterial road – 45.0 metres.
7. In addition to the minimum *lot frontage*, no *lot* shall have a *front lot line* less than 10.5 metres in length, measured at the *street line*.

Table 6.3 – Standards for Low Density Residential Two Zone: R2-1 and R2-2

Dwelling Type	Minimum Lot Area	Minimum Lot Frontage	Minimum Lot Depth	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Exterior Side Yard	Maximum Lot Coverage	Maximum Height
<i>Single Detached Dwelling</i>	465.0 m ²	15.0 m (5)	30.0 m (4)	6.0 m (1)	7.5 m (2)	1.2 m (3)	4.5 m (1)	40%	11.0 m
<i>Semi-detached Dwelling Linked Dwelling</i>	275.0 m ² per unit	9.0 m per unit (5)	30.0 m (4)	6.0 m (1)	7.5 m (2)	1.2 m (3)	4.5 m (1)	40%	11.0 m
<i>Duplex Dwelling</i>	230.0 m ² per unit	15.0 m (5)	30.0 m (4)	6.0 m (1)	7.5 m (2)	1.2 m (3)	4.5 m (1)	40%	11.0 m

SPECIAL PROVISIONS

1. (i) *Abutting a primary arterial road* – 15.0 metres.
(ii) *Abutting a secondary or tertiary arterial road* – 7.5 metres.
2. *Abutting a primary arterial road* – 15.0 metres.
3. Plus 0.6 metres for each *full storey* about the *first storey abutting* such yard, except that no *interior side yard* shall be required where *semi-detached dwellings* on adjacent lots are attached together by a common wall extending along the *side lot line* separating such common wall or a direct extension thereof shall be set back not less than 1.2 metres from the *side lot line* separating such lots.
4. Minimum *lot depth* for lots *abutting* a primary arterial road – 45.0 metres.
5. In addition, no lot shall have a *front lot line* less than the following in length, measured at the *street line*:
 - (i) 10.5 metres for a *single detached dwelling* or *duplex dwelling*; and,
 - (ii) 6.5 metres per unit for a *semi-detached dwelling* or *linked dwelling*.

Table 6.4 – Standards for Low Density Residential Two Zone: R2-3

Dwelling Type	Minimum Lot Area	Minimum Lot Frontage Per Unit	Minimum Lot Depth	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Exterior Side Yard	Maximum Lot Coverage	Minimum Landscaped Open Space	Maximum Height
<i>Single Detached Dwelling</i>	No minimum	12.0 m	30.0 m (7)	6.0 m (1)(4)	7.5 m (2)	1.2 m (3)(5)	4.5 m (1)(5)	50%	10%	11.0 m
<i>Semi-detached Dwelling Linked Dwelling</i>	162.0 m ² per unit	9.0 m per unit	30.0 m (7)	6.0 m (1)(4)	7.5 m (2)	1.2 m (3)(5)	4.5 m (1)(5)	50%	10%	11.0 m
<i>Duplex Dwelling</i>	162.0 m ² per unit	12.0 m	30.0 m (7)	6.0 m (1)(4)	7.5 m (2)	1.2 m (3)(5)	4.5 m (1)(5)	50%	10%	11.0 m
<i>Townhouse Dwelling (6)</i>	140.0 m ² per unit	6.0 m per unit	30.0 m (7)	6.0 m (1)(4)	7.5 m (2)	1.2 m (3)(5)	4.5 m (1)(5)	50%	10%	11.0 m
<i>Row Dwelling (6)</i>	140.0 m ² per unit	18.0 m	30.0 m (7)	6.0 m (1)(4)	7.5 m (2)(8)	1.2 m (3)(5)(8)	4.5 m (1)(5)(8)	50%	10%	11.0 m
<i>Multiple Dwelling (6)</i>	140.0 m ² per unit	18.0 m	30.0 m (7)	6.0 m (1)(4)(8)	7.5 m (2)(8)	1.2 m (3)(5)	4.5 m (1)(5)	50%	10%	11.0 m

SPECIAL PROVISIONS

- Abutting a primary arterial road – 15.0 metres.*
 - Abutting a secondary or tertiary arterial road – 7.5 metres.*
- Abutting a primary arterial road – 15.0 metres.*
- Plus 0.6 metres for each *full storey* about the *first storey abutting* such yard, except that no *interior side yard* shall be required where *semi-detached dwellings* on adjacent lots are *attached* together by a common wall extending along the *side lot line* separating such common wall or a direct extension thereof shall be set back not less than 1.2 metres from the *side lot line* separating such lots.
- Exception for *legal existing dwellings* – where the *existing front yard* is less than that required, the minimum required *front yard* shall be the average of the *setbacks* of the two closest adjacent *dwellings*.

5. Exception for *legal existing dwellings* – where the *existing exterior side yard* is less than that required, it shall be considered the minimum required for that side of the *lot*, provided that the *height* of the *dwelling* is not increased.
6. Containing not more than 4 *dwelling units*.
7. For *lots abutting* a primary arterial road – 45.0 metres.
8. For *row dwellings* a minimum *privacy yard* depth of 7.5 m shall be provided *abutting* the full length of at least one exterior wall of each *dwelling unit*.

Table 6.5 – Standards for Medium Density Residential (R3 and R3-1) Zones

Dwelling Type	Minimum Lot Area	Minimum Lot Frontage	Minimum Lot Depth	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Exterior Side Yard	Maximum Lot Coverage	Minimum Landscaped Open Space	Maximum Height
<i>Single Detached Dwelling</i>	400.0 m ²	12.0 m	30.0 m (8)	6.0 m (1)	7.5 m (3)	1.2 m (2)	4.5 m (1)	40%	30%	11.0 m
<i>Semi-detached Dwelling or Linked Dwelling</i>	200.0 m ² per unit	9.0 m per unit	30.0 m (8)	6.0 m (1)	7.5 m (3)	1.2 m (2)	4.5 m (1)	40%	30%	11.0 m
<i>Duplex Dwelling</i>	200.0 m ² per unit	12.0 m	30.0 m (8)	6.0 m (1)	7.5 m (3)	1.2 m (2)	4.5 m (1)	40%	30%	11.0 m
<i>Day Care Centre</i>	400.0 m ²	12.0 m	30.0 m (8)	6.0 m (1)	7.5 m (3)	1.2 m (4)	4.5 m (1)	40%	30%	11.0 m
<i>Townhouse Dwelling</i>	150.0 m ² per unit	6.0 m per unit	30.0 m (8)	6.0 m (1)(5)	7.5 m (3)(5)	1.2 m (2)	4.5 m (1)(5)	40%	30%	11.0 m
<i>Row Dwelling</i>	150.0 m ² per unit	18.0 m	30.0 m (8)	6.0 m (1)(5)	7.5 m (3)(5)	1.2 m (4)(10)	4.5 m (1)(5)	40%	30%	11.0 m
<i>Boarding House Dwelling or Rooming House</i>	540.0 m ²	18.0 m	30.0 m (8)	6.0 m (1)	7.5 m (3)	1.2 m (4)	4.5 m (1)	40%	30%	11.0 m
<i>Multiple Dwelling</i>	110.0 m ² per unit (9)	18.0 m	30.0 m (8)	6.0 m (1)	7.5 m (3)	1.2 m (4)(10)	4.5 m (1)	40% (6)	30%	11.0 m (11)

SPECIAL PROVISIONS

1. (i) *Abutting a primary arterial road* – 15.0 metres.
(ii) *Abutting a secondary or tertiary arterial road* – 7.5 metres.
2. Plus 0.6 metres for each *full storey* above the *first storey abutting such yard*.
3. *Abutting a primary arterial road* – 15.0 metres.
4. Plus 0.6 metres for each *full storey* above the *first storey abutting such yard*.
5. A minimum *privacy yard* depth of 7.5 m shall be provided *abutting* the full length of at least one exterior wall of each *dwelling unit*. No two adjacent groups of *row dwellings* or *townhouse dwellings* shall be in one line at the minimum *front yard setback*, the minimum *exterior side yard setback*, or, in the case of a *through lot*, at the minimum *rear yard setback*. Furthermore, the minimum difference in *setbacks* for adjacent groups of *row dwellings* shall be 1.5 metres. A maximum of 8 *dwelling units* shall be permitted in a *building* containing *row dwellings* or *townhouse dwellings*.
6. Maximum *lot coverage* in an R3-1 Zone - 50 percent.
7. For a *building* greater than 8.0 metres in *height* – 5.0 metres.
8. Minimum *lot depth* for *lots abutting a primary arterial road* – 45.0 metres.
9. Maximum of 30 *dwelling units* per *building* in a R3 Zone, no maximum number of *dwelling units* per *building* in a R3-1 Zone..
10. Row and *multiple dwellings* - minimum *court* required between opposing walls of one or more multiple or *row dwellings* on the same *lot*:
 - (i) 15.0 metres, where both walls contain balconies or windows into a habitable room;
 - (ii) 7.5 metres, where only one of such walls contains balconies or habitable room windows; or,
 - (iii) 3.0 metres, where neither of such walls contains balconies or habitable room windows, or in the case of opposing *building* corners.
11. Maximum *height* in an R3-1 Zone – 19.0 metres.

Table 6.6 – Standards for High Density Residential (R4) Zone

Dwelling Type	Minimum Lot Area	Minimum Lot Frontage	Minimum Lot Depth	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Exterior Side Yard	Maximum Lot Coverage	Minimum Landscaped Open Space	Maximum Height
<i>Row Dwelling</i>	65.0 m ² per unit	30.0 m	45.0 m	10.0 m (1)(3)	7.5 m (3)	1.2 m (2)(6)	4.5 m (1)(3)	50%	30%	11.0 m
<i>Multiple Dwelling</i>	65.0 m ² per unit	30.0 m	45.0 m	10.0 m (1)	10.0 m (5)	10.0 m (5)(6)	10.0 m (1)	50%	30%	63.0 m
<i>Day Care Centre</i>	1350.0 m ²	30.0 m	45.0 m	6.0 m (1)	7.5 m	1.2 m (4)	4.5 m (1)	50%	30%	11.0 m
<i>Retirement Home</i>	1350.0 m ²	30.0 m	45.0 m	10.0 m (1)	7.5 m	10.0 m (5)	10.0 m (1)	50%	30%	20.0 m
<i>Rooming House</i>	1350.0 m ²	30.0 m	45.0 m	6.0 m (1)	7.5 m	1.2 m (4)	4.5 m (1)	50%	30%	11.0 m
<i>Long Term Care Facility</i>	1350.0 m ²	30.0 m	45.0 m	10.0 m (1)	7.5 m	10.0 m (5)	10.0 m (1)	50%	30%	20.0 m

SPECIAL PROVISIONS

1. *Abutting a primary arterial road* – 15.0 metres.
2. 3.0 metres where the end wall of a unit *abuts* such *interior side yard* and contains no *balcony* or *habitable room* windows, and 7.5 metres in all other cases.
3. A minimum *privacy yard* depth of 7.5 metres shall be provided *abutting* the full length of at least one exterior wall of each *dwelling unit*. No two adjacent groups of *row dwellings* shall be in one line at the minimum *required front yard setback*, the minimum *required exterior side yard setback* or, in the case of a *through lot*, at the minimum *required rear yard setback*. Furthermore, the minimum difference in *setbacks* for adjacent groups of *row dwellings* shall be 1.5 metres. A maximum of 8 *dwelling units* shall be permitted in a *building* containing *row dwellings*.
4. Plus 0.6 metres for each *full storey* above the *first storey abutting* such *yard*.
5. Plus an additional 1.0 metre for each *storey* directly adjacent to such *yard* in excess of five *storeys* above *grade*.

6. Row and *multiple dwellings* - minimum *court* required between opposing walls of one or more multiple or *row dwellings* on the same *lot*:
- (i) 15.0 metres, where both walls contain balconies or windows into a habitable room;
 - (ii) 7.5 metres, where only one of such walls contains balconies or habitable room windows; or,
 - (iii) 3.0 metres, where neither of such walls contains balconies or habitable room windows, or in the case of opposing *building* corners.

Table 6.7 – Standards for Residential Mobile Home (RMH) Zone

Use	Minimum Lot Area	Minimum Lot Frontage	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Exterior Side Yard	Maximum Lot Coverage	Maximum Height
<i>Mobile Home Parks</i>	1.0 ha	30.0 m	15.0 m	7.5 m (1)	7.5 m	15.0 m	30%	4.0 m
<i>Mobile Home Site</i> (3)	1,330 m ² (2)	15.0 m	3.5 m (1)	3.5m (1)	1.2 m	3.5m (1)	35%	4.0 m

SPECIAL PROVISIONS

1. (i) *Abutting* a primary arterial road – 15.0 metres;
(ii) *Abutting* a secondary or tertiary arterial road – 7.5 metres.
2. For *mobile home* sites serviced with a *public sanitary sewer system* and a *public water system*, minimum *dwelling* site area – 400.0 m².
3. Maximum number of *mobile home* sites permitted in a *mobile home* park shall be limited to the maximum sites for the sub-zones as zoned on Schedule “A” and set out below:

Sub-zone	Maximum Sites	Sub-zone	Maximum Sites
RMH-1	203	RMH-5	37
RMH-2	14	RMH-6	47
RMH-3	30	RMH-7	14
RMH-4	32		

PART 7: COMMERCIAL ZONES

7.1 GENERAL PROHIBITION

No *person* shall, within any *Commercial Zone*, *use* or permit the *use* of any land, or *erect, alter, enlarge, use* or maintain any *building* or *structure* for any *use* other than as permitted in Tables 7.1 and 7.2, in accordance with the standards contained in Table 7.3 the General Provisions contained in Part 4 and the Parking and Loading provisions contained in Part 5 of this By-law.

7.2 PERMITTED USES

Uses permitted in a *Commercial Zone* are denoted by the symbol 'X' in the column applicable to that *Zone* and corresponding with the row for a specific permitted *use* in Table 7.1 (Parts A and B). A number(s) following the symbol 'X', *zone* heading, or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire *Zone*. Conditions are listed below on the Permitted Use Tables 7.1 and 7.2 below:

Commercial Zones

Local Commercial	C1
General Commercial	C2
Limited General Commercial	C3
Office Commercial	C4
Shopping Centre Commercial	C5
Downtown Commercial	C6
Resort Commercial	C7

Table 7.1 – Permitted Residential Uses

USE	C1	C2	C3	C4	C5	C6	C7
Single Detached or Semi-detached or Linked or Duplex dwelling	X(11) (13)						
Duplex dwelling			X(11)	X(11)			
Boarding House Dwelling or Rooming house						X(11)	
Multiple Dwelling		X (10)(11)	X (10)(11)	X (11)		X (11)	
Row Dwelling				X(11)			
Townhouse Dwelling				X(11)			

Table 7.2 – Permitted Non-Residential Uses

USE	C1	C2	C3	C4	C5	C6	C7
Accessory Outdoor Display and Sales		X	X		X		
Animal Shelter		X					
Art Gallery		X		X		X	
Assembly Hall		X			X	X	X
Auctioneers Establishment		X				X	
Audio/Visual Studio		X				X	
Automotive Leasing Establishment		X					
Automotive Lube Shop		X			X		
Automotive Repair Shop		X			X		
Automotive Sales Establishment		X					
Automotive Service Station		X			X		
Bake Shop		X			X	X	
Banquet Hall		X					
Bus Terminal		X			X	X	
Business Office		X	X	X	X (3)	X	
Camping Ground or Establishment							X
Car Wash		X			X		
Carnival					X (4)		
Commercial or Public Garage		X(15)					
Commercial Tourist Facility							X
Commercial School		X (2)			X (2)(3)	X (2)	
Convenience Store	X (1)	X	X	X	X (3)	X	X
Custom Print or Copy Shop		X		X	X(3)	X	
Day Care Centre	X (1)	X	X	X	X	X	
Drive-Through Service Facility		X (9)			X (9)		

USE	C1	C2	C3	C4	C5	C6	C7
Dry Cleaning Establishment		X				X	
Funeral Home		X		X			
Gas Bar		X			X		X (8)
Home Improvement Centre		X (12)					
Hotel		X		X		X	X
Institutional Use		X		X	X (3)	X	
Marina							X
Medical Office	X (1)	X	X	X	X (3)	X	
Mobile Home Dealership		X					
Modular Home Dealership		X					
Parking Lot		X		X		X	
Personal Service Shop	X (1)	X	X	X	X (3)	X	X (8)
Pet Grooming Establishment	X (1)	X		X		X	
Place of Amusement		X (5)			X (3)	X	
Private Club		X		X	X (3)	X	X
Professional Office		X	X	X	X (3)	X	
Recreation Centre, Commercial		X			X (3)	X	X
Recreation Vehicle Sales and Service Establishment		X			X (7)		X (7)(8)
Restaurant		X	X	X	X	X	X
Retail Store		X	X		X	X(14)	X (8)
Scientific or Medical Laboratory		X		X		X	
Service Shop		X		X	X	X	
Service Trade		X				X	
Tavern		X			X	X	X (8)
Taxi Stand		X					
Theatre		X			X	X	
Veterinary Clinic		X					

SPECIAL PROVISIONS

1. Maximum *net floor area* for non-residential uses – 150.0 m² per *lot*.
2. If contained *indoors* and does not include the on-site *use* or parking of *commercial* or construction equipment.
3. If contained within a *shopping centre*.
4. A temporary *carnival accessory* to a *shopping centre*.
5. Provided that no pinball arcade contains more than 20 game machines or is located closer than 300.0 metres to an established *public school*.
6. Maximum *gross floor area* – 300.0 m².
7. Restricted to *small recreation vehicles* only.
8. Provided the *use*, *building*, or *structure* is incidental, subordinate, exclusively devoted to and located on the same *lot* as the *principal use*, *building* or *structure* and, and in the case of a *building* or *structure*, may or may not be *attached* to the *main building* on the same *lot*.

9. Maximum number of drive-through service facilities on one lot – 2.
10. Maximum 30 *dwelling units* per *building* and maximum net *residential density* of 60 units per hectare with or without permitted non-residential uses provided that the *lot* is fully serviced with municipal water and sanitary services.
11. No *dwelling unit* shall be located within a portion of a *building* that is used for an *animal shelter*, *automotive body shop*, *automotive repair shop*, *automotive service station*, *automotive sales establishment*, *pet grooming establishment*, *service shop*, *recreation vehicle sales and service establishment*, or *veterinary clinic*.
12. Accessory outdoor storage is permitted subject to Section 4.28 of this By-law.
13. Any *dwelling* containing not more than 2 *dwelling units* on a *lot* with or without non-residential uses.
14. Not including an *automotive repair shop* accessory to an *automotive accessories store*.
15. Only where such use constitutes a *legal existing use*.

7.3 ZONE STANDARDS

No person shall within any *Commercial Zone* use or permit the use of any *lot* or erect, alter, use any *building* or *structure* except in accordance with the following *zone* standards. A number(s) following the *zone* standard, *zone* heading or description of the standard, indicates an additional *Zone* requirement. These additional standards are listed at the end of Table 7.3 below:

Table 7.3 – Standards for Commercial Zones

Zone	Minimum Lot Area	Minimum Lot Frontage	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Exterior Side Yard	Maximum Lot Coverage	Maximum Height	Minimum Landscaped Open Space	Other Provisions
C1 (Fully serviced lots)	650.0 m ²	18.0 m	6.0 m (1)	7.5 m (4)	1.2 m (2)(3)	4.5 m (1)	50%	8.0 m	No minimum (17)	(5)
C1 (Partially or unserviced lots)	1,350.0 m ²	30.0 m	6.0 m (1)	7.5 m (4)	1.2 m (2)(3)	4.5 m (1)	30%	8.0m	No minimum (17)	(5)
C2	1,350.0 m ² (20)	30.0 m	6.0 m (1)	7.5 m (4)	0.0 m (9)	4.5 m (1)	50% (8)	15.0 m	5%	(6)(10)
C3	900.0 m ²	30.0 m	6.0 m (1)	7.5 m (4)	0.0 m(9)	4.5m (1)	50%	8.0 m	5%	(6)
C4	540.0 m ²	18.0 m	6.0 m	7.5 m	(14)	4.5 m (13)	50%	34.0 m	No minimum (17)	(10)(15)(16)
C5	No minimum	100.0 m	10.0 m (1)	10.0 m (1)	10.0 m	10 m (1)	50%	20.0 m	15%	(6)(7)
C6	No minimum	No minimum	No minimum	No minimum	(12)	No minimum	100%	No maximum (11)	No minimum (17)	n/a
C7	1.0 ha	45.0 (18)	10.0 m (4)	10.0 m (4)	10.0 m	10.0 m (4)	30%	15.0m	No minimum (17)	(6)(19)

SPECIAL PROVISIONS

- Abutting a primary arterial road – 15.0 metres.*
 - Abutting a secondary or tertiary arterial road – 7.5 meters.*
- Where the *interior lot line abuts a residential lot* or Residential Zone – 1.8 metres.
- Plus an additional 0.6 metres for each *full storey* above the *first storey abutting such yard*.
- Abutting a primary arterial road – 15.0 metres.*
- Maximum one *main building* per lot
 - For non-residential uses – maximum *net floor area* of 150.0 m² per lot.

6. Minimum *required setback* between *buildings* – 3.0 metres.
7. (i) *Maximum gross floor area* – 100% of the *lot area*.
(ii) Minimum *required gross floor area* – 10,000 m² per *lot*, exclusive of *parking structures* or *indoor parking areas*.
8. Maximum *lot coverage* where a *lot* is serviced with a *private sewage disposal system* – 30%.
9. Where the *interior lot line abuts a residential lot* or *Residential Zone boundary* – 3.0 metres.
10. A *maximum gross floor area* of 2.0 times the *lot area* will apply.
11. A minimum *building height* of 8.0 metres applies.
12. (i) Exclusively for residential – 1.2 metres plus 0.6 metres for each additional *storey* above the first, except that where there are no windows to habitable rooms facing such *side yard*, no *setback* shall be required;
(ii) Mixed *use buildings* of residential and non-residential *uses* – no *side yard* shall be required for non-residential *storey*, however, residential *storey* shall require a *setback* from the *interior side lot line* of 1.8 metres plus 0.6 metres for each additional *storey* above the first, except that where there are no windows to habitable rooms facing such *side yard*, no *setback* shall be required;
(iii) Uses other than those included in Special Provision 12(i) and 12(ii) – no minimum.
13. *Abutting an arterial road* – 9.0 metres.
14. (i) Exclusively for residential – 1.2 meters, plus 0.6 metres for each additional *storey* above the first.
(ii) Mixed *use buildings* containing residential and non-residential *uses*:
 - a) Where the *interior side lot line abuts a residential lot* or *Residential Zone* – 3.0 metres, plus an additional 0.6 metres for each *storey* in excess of 3 *storeys*; or
 - b) Where the *interior side lot line* does not *abut a residential lot* or *Residential Zone*, no *side yard* shall be required for non-residential *storey*, however, residential *storey* shall require a *setback* from the *interior side lot line* of 1.8 metres plus 0.6 metres for each additional residential *storey*.
15. No two adjacent groups of *row dwellings* shall be in one line at the minimum *front yard setback*, the minimum *corner side yard setback*, or, in the case of a *through lot*, at the minimum *rear yard setback*. Furthermore, the minimum difference in *setbacks* for adjacent groups of *row dwellings* shall be 1.5 metres, and not more than 8 *dwelling units* shall be permitted within a *row dwelling*.
16. Where a *building* contains both residential and non-residential *uses*, *residential uses* shall be located above non-residential *uses*.
17. Except as *required* by Section 4.15 of this By-law.
18. The minimum total *water frontage* required for all *shorelines* of a *waterfront lot* or any other *lot abutting* a navigable water body shall be 60.0 metres.

19. *Maximum gross floor area – 50% of the lot area.*
20. *Minimum lot area where a lot is serviced with a private sewage disposal system – 9,000.0 m².*

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PART 8: INDUSTRIAL ZONES

8.1 GENERAL PROHIBITION

No *person* shall, within any *Industrial Zone*, *use* or permit the *use* of any land, or *erect, alter, enlarge, use* or maintain any *building or structure* for any *use* other than as permitted in Table 8.1 and in accordance with the standards contained in Table 8.2, the General Provisions contained in Part 4 and the Parking and Loading Provisions contained in Part 5 of this By-law.

8.2 PERMITTED USES

Uses permitted in an *Industrial Zone* are denoted by the symbol 'X' in the column applicable to that *Zone* and corresponding with the row for a specific permitted *use* in Table 8.1. A number(s) following the symbol 'X', *zone* heading, or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire *Zone*. Conditions are listed below on the Permitted Use Table 8.1 below:

Industrial Zones

Business Industrial	M1-1
Mixed Light Industrial/Service Commercial	M1
Light Industrial	M2
Heavy Industrial	M3
Mining Industrial	M4
Extractive Industrial	M5
Disposal Industrial	M6

Table 8.1: Permitted Uses for Industrial Zones

USE	M1-1	M1	M2	M3	M4	M5	M6
<i>Abattoir</i>				X			
<i>Accessory Outdoor Display and Sales</i>	X	X					
<i>Accessory Outdoor Storage</i>		X	X	X	X	X	X
<i>Accessory Retail Store</i>	X(3)	X(3)	X(3)	X(3)	X(3)		
<i>Aggregate Transfer Site</i>				X	X	X	
<i>Agricultural Use</i>					X	X	
<i>Animal Shelter</i>		X					
<i>Auctioneers Establishment</i>	X	X					
<i>Audio/Visual Studio</i>	X	X	X				
<i>Automotive Accessories Store</i>	X	X					
<i>Automotive Body Shop</i>			X	X			
<i>Automotive Leasing Establishment</i>	X	X					
<i>Automotive Lube Shop</i>	X	X	X	X			
<i>Automotive Repair Shop</i>		X	X	X			
<i>Automotive Sales Establishment</i>	X	X					
<i>Automotive Service Station</i>	X	X	X	X			
<i>Banquet Hall</i>	X	X					
<i>Building Supply and Lumber Outlet</i>			X	X			
<i>Bulk Retail Outlet</i>	X	X					
<i>Bus Terminal</i>	X	X					
<i>Commercial or Public Garage</i>		X	X	X			
<i>Commercial Self- Storage Facility</i>	X	X	X	X			
<i>Contractor's Yard</i>			X	X			
<i>Convenience Store</i>	X	X	X	X			
<i>Dry Cleaning Establishment</i>	X	X	X	X			
<i>Extractive Use</i>					X		
<i>Food Processing Plant</i>		X	X	X			
<i>Forestry Use</i>					X	X	
<i>Fuel Depot</i>				X			
<i>Garden Centre</i>	X	X	X				
<i>Heavy Equipment Sales and Rental</i>			X	X			

USE	M1-1	M1	M2	M3	M4	M5	M6
Home Improvement Centre	X	X	X				
Hotel	X	X					
Impounding Yard		X	X	X			
Industrial Use				X	X(1)		
Industrial Use, Light	X	X	X				
Mobile Home Dealership			X				
Modular Home Dealership			X				
Office	X						
Parking Lot	X	X					
Personal Service Shop	X	X					
Pit						X	
Place of Worship	X						
Private Club	X	X					
Public Utility	X	X	X	X			X
Public Works Yard		X	X	X			
Quarry						X	
Recreation Vehicle Sales and Service Establishment		X	X				
Recreation Centre, Commercial	X	X					
Rental Store	X	X	X	X			
Restaurant	X	X	X				
Salvage or Wrecking Yard				X			X
Scientific or Medical Laboratory	X	X	X	X			
School, Commercial	X(2)	X	X	X			
Service Trade	X	X	X	X			
Sewage Facility							X
Transport Terminal			X	X			
Vehicle Repair Shop		X	X	X			
Vehicle Sales and Rental Establishment			X	X			
Veterinary Clinic	X	X					
Warehouse	X	X	X	X			
Waste Disposal Area							X

SPECIAL PROVISIONS

1. *Accessory* to a permitted *extractive use* only.
2. If contained *indoors* and does not include the on-site *use* or parking of *commercial* or construction equipment.
3. Only if *accessory* and clearly secondary to an *industrial use*, *light industrial use*, *service trade* or *trade school* and wherein products manufactured, produced or processed on the *premises* are kept or displayed for wholesale or retail sale, or wherein orders are taken for the delivery of such products

8.3 ZONE STANDARDS

No *person* shall within any *Industrial Zone* *use* or permit the *use* of any *lot* or *erect*, *alter*, *use* any *building* or *structure* except in accordance with the following *zone* standards. A number(s) following the *zone* standard, *zone* heading or description of the standard, indicates an additional *Zone* requirement. These additional standards are listed at the end of Table 8.2 below:

Table 8.2: Standards for Industrial Zones

Zone	Minimum Lot Area	Minimum Lot Frontage	Minimum Lot Depth	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Exterior Side Yard	Maximum Lot Coverage	Maximum Height	Minimum Landscaped Open Space	Other
M1 and M1-1	1,500m ²	30.0 m (1)	50.0 m	9.0 m (2)	6.0 m (4)	3.0 m (3)	9.0 m (2)	50%	12.0 m	5% (16)	(5)
M2	1,500m ²	30.0 m (1)	50.0 m	9.0 m (2)	6.0 m (7)	3.0 m (8)	9.0 m (2)	50%	15.0 m	5%	(5)
M3	1,500m ²	30.0 m (6)	50.0 m	9.0 m (2)	6.0 m (7)	3.0 m (8)	9.0 m (2)	60%	30.0 m (9)	5%	
M4	1.0 ha	90.0 m	90.0 m	15.0 m (10)	15.0 m (4)(i)	15.0 m (3)(i)	15.0 m (10)	No maximum	30.0 m (9)	No minimum (14)	(11)(12)
M5	No minimum	No minimum	No minimum	15.0 m	15.0 m	15.0 m	15.0 m	No maximum	30.0 m	No minimum (14)	(11)(12)(13)
M6	2.0 ha	45.0 m	No minimum	15.0 m	15.0 m	15.0 m	15.0 m	50%	20.0 m	No minimum (14)	(15)

SPECIAL PROVISIONS

1. For *lots* having frontage on an *arterial road* – 45.0 metres.
2. *Abutting* a *primary arterial road* – 15.0 metres.
3. On at least one side of the *lot*, except that:
 - (i) No *interior side yard* shall be required adjacent to a railway right-of-way; and
 - (ii) Where an *interior side lot line abuts* a Residential Zone, the minimum *interior side yard* width required shall be 9.0 metres.
4. Except that:
 - (i) No *rear yard* shall be required adjacent to a railway right-of-way;
 - (ii) Where the *rear lot line abuts* a road other than a *primary arterial road* or a Residential Zone, the minimum *rear yard* width required shall be 9.0 metres; and
 - (iii) *Abutting* a *primary arterial road* – 15.0 metres.
5. Minimum *required* setback between *buildings* – 3.0 metres.
6. For *lots* having frontage on an *arterial road* – 50.0 metres.
7. Except that:
 - (i) No *rear yard* shall be required adjacent to a railway right-of-way; and
 - (ii) Where the *rear lot line abuts* a Residential (R) Zone, the minimum *interior side yard* width required shall be 15.0 metres.
8. On at least 1 side of the *lot*, except that:
 - (i) No *interior side yard* shall be required adjacent to a railway right-of-way; and
 - (ii) Where an *interior side lot line abuts* a Residential Zone, the minimum *interior side yard* width required shall be 15.0 metres.
9. No *height* restriction shall apply to any *building* or *structure* located more than 150.0 metres from a Residential (R) Zone.
10. *Abutting* a *primary* or *secondary arterial road* – 90.0 metres.
11. Location and Fencing of Excavations – any open excavation associated with, or pertaining to an *extractive use* shall;
 - (i) Be located not closer than 30.0 metres to a *street line* or 15.0 metres to any other *lot line*; and
 - (ii) Be fully encircled by a continuous *fence* or other barrier not less than 1.8 metres in *height*, located not closer than 10.0 metres to any part of such excavation.
12. No part of any *extractive use*, except for an *accessory business office*, shall be established or erected closer than 150.0 metres to a Residential (R) Zone.

13. No *accessory industrial use* shall be permitted in an M5 Zone except for the washing, screening, sorting, drying, stockpiling, crushing, blending or other such primary processing, excluding roasting or smelting, of ores minerals or aggregates originating from an *extractive use* to which the said *industrial use* is *accessory*.
14. Except as *required* in Section 4.15 of this By-law.
15. No part of any *salvage yard*, *waste disposal area* or *sewage facility* shall be established or erected closer than 150.0 metres to a Residential Zone.
16. Minimum *required landscaped open space* in an M1-1 Zone – 10 percent.

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PART 9: RURAL ZONES

9.1 GENERAL PROHIBITION

No *person* shall, within any Rural Zone, use or permit the use of any land, or erect, alter, enlarge, use or maintain any *building* or *structure* for any use other than as permitted in Tables 9.1 and 9.2, in accordance with the standards contained in Table 9.3 the General Provisions contained in Part 4 and the Parking and Loading provisions contained in Part 5 of this By-law.

9.2 PERMITTED USES

Uses permitted in a Rural Zone are denoted by the symbol 'X' in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 9.1 (Parts A and B). A number(s) following the symbol 'X', zone heading, or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed below on the Permitted Use Tables 9.1 and 9.2 below:

Rural Zones

Agricultural	A
Rural	RU
Rural Shoreline	RS
Seasonal Limited Service	SLS

Table 9.1 – Part A (Residential Uses)

USE	A	RU	RS	SLS
<i>Single Detached Dwelling</i>	X (1)	X (1)	X (1)	
<i>Mobile Home Dwelling</i>	X (1)(2)	X (1)(2)	X (1)(2)	
<i>Bed and Breakfast Establishment</i>	X (7)	X (7)	X(7)	
<i>Seasonal Dwelling</i>		X (1)(3)	X (1)(3)	X (1)
<i>Private Cabin</i>		X (4)	X (4)	X (4)
<i>Private Home Daycare</i>	X	X	X	

Table 9.2 – Part B (Non-Residential Uses)

USE	A	RU	RS	SLS
<i>Agricultural Use</i>	X (6)	X (6)		
<i>Animal Shelter</i>	X	X		
<i>Forestry Use</i>	X (6)	X (6)		
<i>Garden Nursery</i>	X	X		
<i>Kennel</i>	X (6)	X (6)		
<i>Public Utility</i>	X	X		
<i>Veterinary Clinic</i>	X	X		

SPECIAL PROVISIONS

1. Maximum number of *dwelling units* permitted on a *lot* – 1.
2. If mounted on a permanent foundation.
3. If on a *legal existing waterfront lot*.
4. Maximum number of *private cabins* – 1. *Maximum gross floor area* of 30.0 m² on any *lot accessory* to a permitted *seasonal dwelling* only.
6. No non-residential *building* or *structure* directly associated with a *kennel* or with the cutting or sawing of timber shall be established or erected closer than 300.0 metres to a *residential building* or Residential (R) Zone.
7. Permitted within a *single detached dwelling* only. Maximum number of *guest rooms* – 2.

9.3 ZONE STANDARDS

No *person* shall within any *Zone* use or permit the use of any *lot* or *erect, alter, use any building* or *structure* except in accordance with the following *zone standards* in Tables 9.3 and 9.4. A number(s) following the *zone standard, zone heading* or description of the standard, indicates an additional *Zone* requirement. These additional standards are listed at the end of Table 9.4 below:

Table 9.3 – Standards for All Rural Zones

	Minimum Lot area	Minimum Lot Frontage	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Exterior Side Yard	Maximum Lot Coverage	Maximum Height	Other
A	30.0 ha	90.0 m	10.0 m (1)	10.0 m (1)	10.0 m (3)	10.0 m (2)	10% (4)(8)	21.0 m (5)	(6)
RU	2.0 ha	90.0 m	10.0 m (1)	10.0 m (1)	10.0 m (3)	10.0 m (2)	10% (4)(8)	21.0 m (5)	(6)
RS	8,000 m ²	45.0 m	10.0 m (1)	7.5 m (1)	3.0 m	4.5 m (7)	10% (8)	11.0 m	
SLS	8,000 m ²	45.0 m	10.0 m	10.0 m	3.0 m	10.0 m (2)	10% (8)	11.0 m	

SPECIAL PROVISIONS

1. For lots *abutting* a primary arterial road – 15.0 metres.
2. (i) *Legal existing* lots having an area of 0.4 ha or less:
 - a) For lots *abutting* a primary arterial road – 15.0 metres;
 - b) For lots *abutting* a secondary or tertiary arterial road – 7.5 meters;
 - c) For lots *abutting* any other road – 4.5 metres.
- (ii) All other lots:
 - a) For lots *abutting* a primary arterial road – 15.0 metres.
3. On a legal existing lot having an area of 0.8 ha or less – 3.0 metres
4. This provision shall not apply with respect to any greenhouse constructed primarily of translucent materials and uses solely for growing plants in conjunction with an agricultural use or a garden nursery.
5. Residential uses – 11.0 metres.
6. Minimum required setback between buildings – 3.0 metres.
7. (i) For lots *abutting* a primary arterial road – 15.0 metres;
(ii) For lots *abutting* a secondary or tertiary arterial road – 7.5 metres.
8. Maximum *lot coverage* for legal existing lots having an area of 0.41 hectares or less – 25 percent.

PART 10: OTHER ZONES

10.1 GENERAL PROHIBITION

No *person* shall, within any *Other Zones*, *use* or permit the *use* of any land, or *erect, alter, enlarge, use* or maintain any *building or structure* for any *use* other than as permitted in Table 10.1 and 10.2, in accordance with the standards contained in Table 10.3, the General Provisions contained in Part 4 and the Parking and Loading Provisions contained in Part 5 of this By-law.

10.2 PERMITTED USES

Uses permitted in any *Other Zone* are denoted by the symbol 'X' in the column applicable to that *Zone* and corresponding with the row for a specific permitted *use* in Table 10.1 (Parts A and B). A number(s) following the symbol 'X', *zone* heading, or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire *Zone*. Conditions are listed below on the Permitted Use Tables 10.1 and 10.2 below:

Other Zones

Institutional	I
Park	P
Open Space – Conservation	OSC
Open Space – Private	OSP
Open Space – Recreation	OSR
Open Space – Waterbody	OSW
Environmental Protection	EP
Future Development	FD

Table 10.1 – Part A (Residential Uses)

USE	I	P	OSC	OSP	OSR	OSW	EP	FD
<i>Group Home Type 1</i> <i>Group Home Type 2</i>	X							
<i>Special Needs Facility</i>	X							
<i>Single Detached Dwelling</i>								X(2)

Table 10.2 – Part B (Non-Residential Uses)

USE	I	P	OSC	OSP	OSR	OSW	EP	FD
Agricultural Use			X (3)	X (3)	X (3)		X (3)	X (3)
Camping Ground or Establishment					X (6)			
Cemetery	X	X						
Day Care Centre	X							
Golf Course					X			
Golf Driving Range					X			
Institutional Use	X							
Library	X	X						
Museum	X	X						
Parking Lot		X						
Park	X	X	X	X	X		X (3)	X
Private Camp					X			
Private Club	X				X			
Recreation Centre, Commercial					X			
Recreation and Community Centre	X	X						
Refreshment Pavilion	X(4)	X (4)	X (4)		X (5)			
Restaurant	X(4)	X(4)			X (5)			
Uses accessory to a permitted use on appertaining lands						X (1)		

SPECIAL PROVISIONS

1. Subject to Section 4.41 of this By-law.
2. Only on a *legal existing lot*.
3. No *buildings* or *structures* are permitted.
4. Only if *accessory to a park use*.
5. Only as an *accessory use*.
6. Only *non-commercial*.

10.3 ZONE STANDARDS

No person shall within any Other Zone use or permit the use of any lot or erect, alter, use any building or structure except in accordance with the following zone standards. A number(s) following the zone standard, zone heading or description of the standard, indicates an additional Zone requirement. These additional standards are listed at the end of Table 10.3 below:

Table 10.3 – Standards for All Other Zones

Zone	Minimum Lot area	Minimum Lot Frontage	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Exterior Side Yard	Maximum Lot Coverage	Minimum Landscaped Open Space	Maximum Height	Other
I	900.0 m ² (1)	30.0 m	10.0 m (2)	10.0 m (3)	10.0 m (3)	10.0 m (2)	50% (4)	15%	50.0 m	(5)
P	No Minimum	6.0 m	10.0 m	10.0 m	10.0 m	10.0 m	20%	40 %	No Maximum	(5)
OSC	No Minimum	6.0 m	10.0 m	10.0 m	10.0 m	10.0 m	20%	80%	10.0 m	(5)
OSP	No Minimum	No Minimum	10.0 m	10.0 m	10.0 m	10.0 m	5%	40%	10.0 m	(5)
OSR	1.0 ha	60.0 m	10.0 m	10.0 m	10.0 m	10.0 m	20%	60%	10.0 m	(5)
OSW	Subject to Section 4.41 of this By-law.									
EP	n/a	No Minimum	10.0 m	10.0 m	10.0 m	10.0 m	0%	100%	10.0 m	
FD	4.0 ha	No Minimum	6.0 m (6)	7.5 m (2)	1.2 m (7)	4.5 m (8)	5% (9)	60%	10.0 m	(5)

SPECIAL PROVISIONS

1. For partially or privately *serviced lots* – 1,350.0 m².
2. For *lots abutting* a primary arterial road – 15.0 metres.
3. For a *building* greater than 20.0 metres in *height* – 20.0 metres.
4. For partially or privately *serviced lots* – 30%.
5. Minimum *required setback* between any *buildings* – 3.0 metres.
6. (i) For *lots abutting* a primary arterial road – 15.0 metres;
(ii) For *lots abutting* a secondary or tertiary arterial road – 7.5 metres.
7. Plus 0.6 metres for each *full storey* about the *first storey abutting* such yard.
8. (i) For *lots abutting* a primary arterial road – 15.0 metres;
(ii) For *lots abutting* a secondary or tertiary arterial road – 7.5 metres.
9. Lot coverage shall not apply with respect to any greenhouse constructed primarily of translucent materials and used solely for growing plans in conjunction with an agricultural use or a *garden nursery*.

**PART 11:
EXCEPTIONS**

SECTION 1 SPECIAL RESIDENTIAL ZONES

(1) SPECIAL LOW DENSITY RESIDENTIAL ONE ZONES - R1-1

**(a) R1-1(1) (SINGLE RESIDENTIAL - SPECIAL HIGH WATERMARK
SETBACK)
Waters Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(1) on the *Zone Maps*, all provisions of this by-law applicable to R1-1 Zones shall apply subject to the following modification:

- (i) No *person* shall *erect a residential building* closer than 20 metres to the high watermark of a *navigable waterbody*.

**(b) R1-1(2) (ESTATE SUBDIVISION)
Garson Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(2) on the *Zone Maps*, all provisions of this by-law applicable to R1-1 Zones shall apply subject to the following modifications:

- (i) The minimum *setback* for all *buildings* and structures from Donnelly Drive and O'Neil Drive shall be 12 metres.
- (ii) the minimum *interior side yard* width shall be 6 metres;
- (iii) the minimum *lot area* shall be 10,000m².

(c) R1-1(3) (PUMPHOUSE)

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(3) on the *Zone Maps*, all provisions of this by-law applicable to R1-1 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a pumphouse.
- (ii) Notwithstanding the *lot area* and frontage requirements of the R1-1 Zone, Part II, Plan 53R-12330 shall be a permitted *lot*.
- (iii) The location of the *existing* pumphouse shall be permitted.

(d) R1-1(4) Dryden Township

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(4) on the *Zone Maps*, all provisions of this By-law applicable to R1-1 Zones shall apply subject to the following modifications:

- (i) The minimum *lot area* shall be 10,000 m².
- (ii) The minimum *setback* from the *high water mark* of the Wanapitei River shall be 15 metres.
- (iii) The *existing street line* of Part 3, Plan 53R-15700 shall be considered the minimum *lot frontage*.
- (iv) The easterly boundary of Part 3, Plan 53R-15700 shall be considered an *interior lot line*.

(e) R1-1(5) Dryden Township

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(5) on the *Zone Maps*, all provisions of this By-law applicable to R1-1 Zones shall apply subject to the following modifications:

- (i) The minimum *lot area* shall be 8,000 m².
- (ii) The minimum *setback* from the *high water mark* of the Wanapitei River shall be 15 metres.
- (iii) The *existing street line* of Part 3, Plan 53R-15700 shall be considered the minimum *lot frontage*.
- (iv) The easterly boundary of Part 3, Plan 53R-15700 shall be considered an *interior lot line*.

**(f) R1-1(6) (LOT FRONTAGE RAMSEY LAKE UNSERVICED)
McKim AND Neelon Townships**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(6) on the *Zone Maps*, all provisions of this by-law applicable to R1-1, Zones shall apply subject to the following modifications:

- (i) Minimum *lot area* 8,000 m²;
- (ii) For *lots abutting a waterbody* the minimum *water frontage* shall be 45 metres.

**(g) R1-1(7) (SINGLE RESIDENTIAL - SPECIAL LOT FRONTAGE)
Garson Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(7) on the *Zone Maps*, all provisions of this by-law applicable to R1-1 Zones shall apply subject to the following modification:

- (i) The minimum *lot area* shall be 11,100m².
- (ii) The minimum *lot frontage* shall be 75 metres.

**(h) R1-1(8) (ESTATE SUBDIVISION)
Blezard Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(8) on the *Zone Maps*, all provisions of this by-law applicable to R1-1 Zones shall apply subject to the following modifications:

- (i) The minimum *lot area* for those *lots* located on Part 1, Plan 53R-15429 and Part 1, Plan 53R-16637 shall be 1 hectare.
- (ii) The minimum *water frontage* shall be 45 metres.
- (iii) No *dwelling* shall be erected closer than 20 metres from the high watermark of Whitson Lake.
- (iv) All *lots abutting a shoreline* are designated as an area of "Site Plan Control" pursuant to Section 41 of the Planning Act, R.S.O. 1990, Chapter P. 13.

**(i) R1-1(9) (WATERBODY SETBACK & LOT FRONTAGE)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(9) on the *Zone Maps*, all provisions of this By-law applicable to R1-1 Zones shall apply subject to the following modifications:

- (i) Minimum *lot area* - 1 hectare;

(ii) A minimum *building* or *structure waterbody setback* of 30 metres shall be provided from the high watermark of a *navigable waterbody*. Within this area of *waterbody setback* the *existing* vegetation and natural soil mantle shall be maintained in a natural state, except where traversed by access paths or walkways, or to accommodate a sewage disposal system in accordance with the requirements of a Certificate of Approval for a subsurface sewage disposal system.

(iii) The minimum *lot frontage* shall be 38 metres.

**(j) R1-1(10) (LOT FRONTAGE AND AREA)
Garson Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(10) on the *Zone Maps*, all provisions of this by-law applicable to R1-1, *Zones* shall apply subject to the following modifications:

(i) Minimum *lot area* 8,900 m²;

(ii) Minimum *lot frontage* 90 metres.

**(k) R1-1(11) (PRIVATE CABIN)
Dill Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(11) on the *Zone Maps*, all provisions of this by-law applicable to "R1-1" *Zones* shall apply subject to the following modifications:

(i) In addition to the *uses* permitted in a R1-1 *Zone*, a *private* cabin within an *existing* garage to be used for sleeping accommodation only shall be permitted.

**(l) R1-1(12) (WANAPITEI LAKE PERMANENT RESIDENTIAL)
MacLennan Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(12) on the *Zone Maps*, all provisions of this by-law applicable to "R1-1" *Zones* shall apply subject to the following modifications:

- (i) Any one of the following *dwelling*s shall be permitted on a *lot*:
 - (a) a *single detached dwelling*;
 - (b) a *mobile home dwelling* mounted on a permanent foundation; or
 - (c) a *seasonal dwelling* on a *legal existing waterfront lot*
- (ii) Nothing in this by-law shall apply to prevent the use of a *legal existing lot* for a permitted *single detached dwelling* or a permitted *mobile home dwelling* where a registered right-of-way over *private* land or an *existing* access road over *Crown Land* provides access from the *existing lot* to a *public road*.

**(m) R1-1(13) (NO FRONTAGE ON A PUBLIC ROAD)
Cleland Township**

Notwithstanding any other provision of this By-law to the contrary, within any area designated R1-1(13) on the *Zone Maps*, all provisions of this By-law applicable to R1-1 *Zones* shall apply subject to the following modification:

- (i) A *single dwelling* with *accessory buildings* and structures may be erected on a *lot* despite the *lot* not having frontage onto a *public road*.

(2) SPECIAL LOW DENSITY RESIDENTIAL ONE ZONES R1-2

**(a) R1-2(1) (SCHOOL BUS OPERATION)
Graham Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-2(1) on the *Zone Maps*, all provisions of this by-law applicable to R1-2 *Zones* shall apply subject to the following modification:

- (i) in addition to the *uses* permitted in a R1-2 *Zone*, the following *uses* are permitted:
 - (a) a bus *parking area*, repair garage and related *accessory uses*.

(3) SPECIAL LOW DENSITY RESIDENTIAL ONE ZONES - R1-3

(4) SPECIAL LOW DENSITY RESIDENTIAL ONE ZONES - R1-4

**(a) R1-4(1) (REDUCED STREET FRONTAGE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned R1-4(1) on the *Zone Maps*, all provisions of this By-law applicable to R1-4(1) *Zones* shall apply subject to the following modification:

- (i) Minimum *lot frontage* 16.3m

(5) SPECIAL LOW DENSITY RESIDENTIAL ONE ZONES - R1-5

**(a) R1-5(1) (SPECIAL SETBACKS)
Rayside Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(1) on the *Zone Maps*, all provisions of this by-law applicable to the R1-5 *Zones* shall apply subject to the following modification:

- (i) No *building* or *structure* shall be permitted within 33 metres (108.27 ft.) of the northerly *lot line*.

**(b) R1-5(2) (LANDSCAPING CONTRACTOR)
Waters Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned R1-5(2) on the *Zone Maps*, all provisions of this by-law applicable to R1-5 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a landscaping contractor's business and related *accessory uses* which, among other *uses*, may include a maintenance shop, a rental shop, an *office* and storage.
- (ii) That the only permitted *building* shall be the *existing building* restricted to its *existing* size.

(c) R1-5(3) (BANQUET HALL - CATERING)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(3) on the *Zone Maps*, all provisions of this by-law applicable to R1-5 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a privately owned *banquet hall* facility and related *accessory uses* which may include facilities for catering off-premises functions.
- (ii) A minimum of 61 *parking spaces* shall be provided.
- (iii) The maximum net hall *floor area* shall be 538 m². Net hall *floor area* shall be measured from interior wall faces and shall include those areas used to accommodate the public. Net hall *floor area* shall not include washrooms, hallways, stairways, kitchens and bar areas required for the management and operation of the *banquet hall* facility.
- (iv) *Yards* shall be provided in accordance with Schedule "A" to the *Site Plan Control Agreement* registered on September 10th, 1993 under Instrument #768239.

(d) R1-5(4) (LEINALA SUBDIVISION)
Broder Township

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(4) on the *Zone Maps*, all provisions of this by-law applicable to R1-5 Zones shall apply subject to the following modification:

- (i) All *buildings* shall be set back a minimum of 15 metres from the highwater mark of St. Charles Lake.

(e) R1-5(5) (5 LOTS ON RIGHT-OF-WAY)
McKim & Neelon Townships

Notwithstanding any other provision hereof to the contrary, within any area zoned R1-5(5) on the *Zone Maps*, all provisions of this By-law applicable to R1-5 Zones shall apply subject to the following modifications:

- (i) That the only permitted *uses* shall be single *dwelling*s and related *accessory uses*;

- (ii) That road frontage shall not be required where access to a *lot* is provided by a registered right of way;
- (iii) That a *lot* with *public road* frontage shall have a minimum road frontage of 7.6m;
- (iv) That the minimum *lot* size shall be 1028m²;
- (v) That for purposes of determining *building setbacks*, the north *lot line* shall be deemed to be the *front lot line*;
- (vi) Minimum *building setbacks* for single *dwellings* and garages;
 - 12.19 m from the north boundary of Part 1, 53R-14209
 - 7.62 m from the south boundary of Part 1, 53R-14209
 - 4.5 m from a *side lot line*
- (vii) Minimum *building setback* for other *accessory buildings*:
 - 12.19 m from the north boundary of Part 1, 53R-14209
- (viii) The lands described as Parcel 624 SES in Lot 1, Concession 3, McKim Township are designated as a Site Plan Control Area, pursuant to Section 41 of the Planning Act;

(f) R1-5(6) (INCREASED FRONTAGE AND AREA)

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(6) on the *Zone Maps*, all provisions of this By-law applicable to R1-5 *Zones* shall apply subject to the following modifications:

- (i) The minimum *lot areas* and frontages shall be as follows:
 - (a) on Parts 2 and 3, Plan 53R-16042:
 - minimum *lot area* – 1.9 hectares
 - minimum *lot frontage* – 39 metres
 - (b) on Part 4, Plan 53R-16042:
 - minimum *lot area* – 1.8 hectares
 - minimum *lot frontage* – 25 metres

**(g) R1-5(7) (DANCE STUDIO)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(7) on the *Zone Maps*, all provisions of this by-law applicable to R1-5 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an R1-5 *zone*, a dance studio is also a permitted *use*.

**(h) R1-5(8) (NOISE ATTENUATION STRUCTURES)
Garson Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(8) on the *Zone Maps*, all provisions of this by-law applicable to R1-5 Zones shall apply subject to the following modifications:

- (i) A *structure* which is erected for the exclusive purpose and *use* of providing noise attenuation may be located in a *required* exterior *yard* or any other *yard*.

**(i) R1-5(9) (DANCE STUDIO)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(9) on the *Zone Maps*, all provisions of this by-law applicable to R1-5 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a R1-5 *Zone*, a *day care centre* and a dance studio shall be permitted.

**(j) R1-5(10) (BED AND BREAKFAST ACCOMMODATION FACILITY)
Dowling Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(10) on the *Zone Maps* all provisions of this by-law applicable to R1-5 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a R1-5 *Zone*, a 'bed and breakfast tourist accommodation facility' comprised of a maximum of one (1) *dwelling unit*, a maximum of six (6) *accessory guest rooms* and related *accessory uses* shall be permitted.
- (ii) the *existing main building* is restricted to its *existing* size and location.

**(k) R1-5(11) (LEINALA SUBDIVISION)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(11) on the *Zone Maps*, all provisions of this by-law applicable to R1-5 Zones shall apply subject to the following modifications:

- (i) All *buildings* shall be set back a minimum of 20 metres from the *high water mark* of Middle Lake.

**(l) R1-5(12) (DWELLING WITH CHIROPRACTOR'S OFFICE)
Waters Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(11) on the *Zone Maps*, all provisions of this by-law applicable to R1-5 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a R1-5 Zone, a chiropractor's *office* together with a single *dwelling* within the same *building* shall be permitted.
- (ii) The chiropractor's *office* shall be restricted to a maximum *net floor area* of 150m².

(6) SPECIAL LOW DENSITY RESIDENTIAL ONE ZONES - R1-6

(7) SPECIAL LOW DENSITY RESIDENTIAL TWO ZONES - R2-1

(8) SPECIAL LOW DENSITY RESIDENTIAL TWO ZONES - R2-2

**(a) R2-2(1) (MEDICAL OFFICE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(1) on the *Zone Maps*, all provisions of this by-law applicable to R2-2 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a medical doctor's *office* for one practitioner.
- (ii) The *existing building*, as located, is permitted.
- (iii) 5 *parking spaces* shall be provided.

**(b) R2-2(2) (SINGLE DWELLING AND BEAUTY SALON)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(2) on the *Zone Maps*, all provisions of this by-law applicable to R2-2 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a beauty parlour, a chiropractic office and one *dwelling unit*.

**(c) R2-2(3) (UNION OFFICES)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(3) on the *Zone Maps*, all provisions of this by-law applicable to R2-2 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be union *offices*, training facilities and meeting rooms.

(d) R2-2(4) Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(4) on the *Zone Maps*, all provisions of this by-law applicable to R2-2 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an R2-2 Zone, business or *medical offices*, excluding *medical offices*, shall also be permitted;
- (ii) No outdoor storage shall be permitted.
- (iii) All provisions of the By-law applicable to *home occupations* shall apply.

(e) R2-2(5) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(5) on the *Zone Maps*, all provisions of this by-law applicable to R2-2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:
 - (a) Two *dwelling units* on the main floor within the *existing building*;

- (b) The manufacture and storage of ice cubes and blocks within the lower floor of the *existing building*, and the wholesale and retail of these products.
- (ii) The minimum depth shall be the dimensions of Lots 16, 17 and 18 as shown on Plan M-135.
- (iii) The location of the *existing building* is permitted.

**(f) R2-2(6) (ROOMING HOUSE, BOARDING HOUSE DWELLING)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(6) on the *Zone Maps*, all provisions of this by-law applicable to R2-2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a single *dwelling* or a *duplex dwelling* or a *boarding house dwelling* or a *rooming house* restricted to the size and location of the *existing building*.

**(g) R2-2(7) (PRIMARY ARTERIAL SETBACK)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(7) on the *Zone Maps*, all provisions of this by-law applicable to R2-2 Zones shall apply subject to the following modification:

- (i) Notwithstanding any other provision to the contrary, no *buildings* shall be permitted within 15 m of Regional Road 73 (known as Maley Drive).

**(h) R2-2(8) REAR YARD SETBACK
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(8) on the *Zone Maps*, all provisions of this by-law applicable to R2-2 Zones shall apply subject to the following modifications:

- (i) The minimum *rear yard* depth (*setback*) shall be 100 feet.

**(i) R2-2(9) (ATTACHED DUPLEXES)
Balfour Township**

Within any area designated R2-2(9) on the Zone Map, all provisions of the by-law applicable to R2-2 Zones shall apply subject to the following modifications:

- (i) a *duplex dwelling* shall be permitted on Lot 67, Plan M-91 and no interior north *side yard* shall be required;
- (ii) a *duplex dwelling* shall be permitted on Lot 74, Plan M-91 and no interior south *side yard* shall be required.

**(j) R2-2(10) (TWO DWELLING UNITS AND ELECTRICAL CONTRACTING BUSINESS)
Neelon Township**

Within any area designated R2-2(10) on the Zone Map, all provisions of this by-law applicable to R2-2 Zones shall apply subject to the following modification:

- (i) in addition to the *uses* permitted in an R2-2 zone an office and accessory uses related to the *premises* of an electrical contracting business shall be permitted.

**(k) R2-2(11) (FRONT YARD DEPTH)
Balfour Township**

Within any area designated R2-2(11) on the Zone Map, all provisions of this by-law applicable to R2-2 Zones shall apply subject to the following modification:

- (i) The minimum front yard depth shall be 8 metres.

**(l) R2-2(12) (FRONT YARD PARKING)
Garson Township**

Within any area designated R2-2(12) on the Zone Map, all provisions of this by-law applicable to R2-2 Zones shall apply subject to the following modification:

- (i) Required parking spaces shall not be closer than 3 metres from any road.

(9) SPECIAL LOW DENSITY RESIDENTIAL TWO ZONES - R2-3

**(a) R2-3(1) (SPECIAL RESIDENTIAL FACILITY)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(1) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a special residential facility providing for the non-medical treatment of drug and alcohol related problems and having a maximum occupancy of 16 residents and necessary staff.
- (ii) The minimum *required front yard* shall be 3.35 metres.
- (iii) The minimum *required rear yard* shall be 2.29 metres.
- (iv) A minimum of 9 *parking spaces* shall be provided.

(b) R2-3(2) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(2) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* and the *maximum gross floor areas* which may be dedicated to each *use* shall be as follows:
 - (a) rehearsal hall and accessory workshop and administrative *offices* - 6,950 sq. ft.
 - (b) *commercial* enclosed storage space - 24,400 sq. ft.
 - (c) woodcraft manufacturing and accessory retail *uses* - 2,600 sq. ft.
 - (d) *offices* excluding *medical offices* - 2,600 sq. ft.
- (ii) The *existing building* as located is permitted.
- (iii) A minimum of 7 *parking spaces* shall be provided.
- (iv) Parking may be provided in the *required front yard*.

(c) R2-3(3) (ROOMING HOUSE AND BOARDING HOUSE DWELLINGS)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(3) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in an R2-3 Zone, *rooming house* and *boarding house dwellings* shall also be permitted.

(d) R2-3(4) (FLORIST SHOP)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(4) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a *florist* shop and *uses accessory* thereto.
- (ii) The *existing building* and *lot* are permitted.
- (iii) No *parking spaces* are required.

(e) R2-3(5) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(5) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:
 - (a) *offices*, including *business offices* for *light industrial uses*;
 - (b) a detoxification centre with a *maximum gross floor area* of 371.6 m²;
 - (c) a referral treatment consultative facility for a *public hospital* with a *maximum gross floor area* of 650.3 m²; and,
 - (d) related *accessory uses*.

**(f) R2-3(6) (LITTLE ITALY)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(6) on the *Zone Maps*, all provisions of this by-law applicable to R2-3(6) *Zones* shall apply subject to the following modifications:

- (i) The minimum frontage, depth and area for each *lot* shall be as shown on Plans M-1051, M-1052 and M-1053.
- (ii) The only permitted *uses* shall be as follows:
 - (a) Plan M-1051 - Lots 1 to 5, 7 to 10, 12 to 32, 34, 35 and 37 to 41 - only *single detached dwellings* and their *accessory uses*.
 - Lots 11, 33 and 36 - only an overhead pipeline
 - (b) Plan M-1052 - Lots 1 to 26, 31 to 37, 40, 43 to 52, 54 to 65 - only *single detached dwellings* and their *accessory uses*.
 - Lots 27 to 30, 39, 41 and 42 - only *private garages*
 - Lot 38 - only storage and warehousing
 - (c) Plan M-1053 - Lots 1 to 29, 31 to 53, and 55 to 71 - only *single detached dwellings* and their *accessory uses*.
 - Lot 30 - only a grocery store
 - Lot 54 - only a refrigerated *trailer* for the storage of food in conjunction with the grocery store located on Lot 30, Plan M-1053.

(g) R2-3(7) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(7) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an R2-3 zone, all "C2" *uses* shall also be permitted.

**(h) R2-3(8) (12 GUEST ROOMS)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(8) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an R2-3 zone, a *residential building* containing a maximum of 12 *guest rooms*, designed for residents thereof, who require homecare, personal support services and/or nursing assistance, as well as common kitchen and eating facilities, shall be permitted.
- (ii) *Required parking spaces* for seniors' *guest room* accommodations shall be provided at a ratio of 0.5 *parking spaces* per *guest room*.

**(i) R2-3(9) (ENTERTAINMENT PRODUCTION FACILITY)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(9) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 Zones shall apply subject to the following modifications:

- (i) The only *uses* permitted shall be as follows:
 - (a) The *uses* permitted in an R2-3 zone; or
 - (b) Within an *existing building*, one *dwelling unit* and/or a film/*theatre*/television entertainment production facility consisting of a scenery design and production studio. An *office* which is *accessory* to a film/*theatre*/television entertainment production facility.

- (1) No *loading spaces* shall be required.
- (2) Two *parking spaces* shall be provided for an *existing building* containing a film/*theatre*/television production facility.
- (3) The *existing yards*, frontage and area shall be permitted.

(j) R2-3(10) (WAREHOUSING AND OFFICES)
McKim Township

Notwithstanding any other provision to the contrary, within any area zoned R2-3(10) on the *Zone Maps*, all provisions of this By-law applicable to R2-3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *warehouse*, offices and related *accessory uses*.
- (ii) The *existing building*, as located, is permitted.
- (iii) a minimum of 14 *parking spaces* be provided and that their location in part of the *front yard* and *corner side yard* be permitted.

(k) R2-3(11) (BUSINESS OFFICE)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(11) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an R2-3 Zone, a *business office* not exceeding a *net floor area* or 230m² shall also be permitted. A *business office* shall not be permitted in conjunction with any other permitted *use*.
- (ii) Two *parking spaces* shall be provided when the *existing building* is occupied by a *business office*.
- (iii) Part II Section 6 Subsection (1) shall not apply.

**(l) R2-3(12) (BOOKKEEPING OFFICE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(12) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an R2-3 Zone, the *office* of a bookkeeping company shall also be a permitted *use*.
- (ii) a maximum of 3 *parking spaces* shall be provided.

**(m) R2-3(13) (TRIPLEX)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(13) on the *Zone Maps*, all provisions of this by-law applicable to R2-3(13) Zones shall apply subject to the following modifications:

- (i) That a *multiple dwelling* containing not more than three (3) *dwelling units* shall be permitted.
- (ii) That a minimum three (3) *parking spaces* shall be required, to be permitted in a *required exterior yard*, including the *sight triangle*.

**(n) R2-3(14) (RECORDING STUDIO)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(14) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a R2-3 Zone, a recording studio together with a single *dwelling unit* shall be permitted;
- (ii) A minimum of 3 *parking spaces* shall be provided for the recording studio and single *dwelling unit*.

**(o) R2-3(15) (SAUNA SUPPLIES AND HANDYMAN SERVICE TRADE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(15) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a R2-3, *zone* the retailing of *sauna* supplies and *indoor* storage for a handyman *service trade* shall also be permitted.

**(p) R2-3(16) (MULTIPLE DWELLING)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(16) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 *Zones* shall apply subject to the following modifications:

- (i) The only permitted uses shall be a *single detached dwelling* a *duplex dwelling* or a *multiple dwelling* containing not more than three *dwelling units*.
- (ii) A minimum of 2 *parking spaces* shall be provided, which may be permitted in the *required front yard*.

**(q) R2-3(17) (DUPLEX DWELLING)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(17) on the *Zone Maps*, all provisions of this by-law applicable to R2-3 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *single detached dwelling* or a *duplex dwelling*.
- (ii) *Required* parking shall be permitted in the *required corner side yard*.

(10) SPECIAL MEDIUM DENSITY RESIDENTIAL ZONES - R3

**(a) R3.D9(1) (50 TOWNHOUSE UNITS)
Balfour Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3.D9(1) on the *Zone Maps*, all provisions of the by-law applicable to R3 *Zones* shall apply subject to the following modification:

- (i) A minimum *setback* of 30 metres shall be maintained from the CPR right-of-way for all *main buildings*.

(b) R3.D17.3(2) (MULTIPLE FAMILY DWELLINGS)
Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3.D17.3(2) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modification:

- (i) All *yards* shall be a minimum of 7.5 m (24.7 feet).

(c) R3.D36(3) (34 UNIT MULTIPLE DWELLING)
Balfour Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3.D36(3) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modification:

- (i) A maximum of 34 *dwelling units* shall be permitted in a *building*.

(d) R3(4) Balfour Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3(4) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* on Part 1, 53R-18001 will be a parking and access onto Montpelier Road.

(e) R3.D113(5) (6 UNIT APARTMENT BUILDING)
Levack Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3.D113(5) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be an apartment *dwelling* containing a maximum of six (6) *dwelling units* and related *accessory uses*.
- (ii) A minimum of seven (7) *parking spaces* shall be provided.
- (iii) The *existing lot, building and yards* are permitted.

(f) R3.D45(6) (SPECIAL CARE AND SENIORS DWELLINGS)
Blezard Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3.D45(6) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a R3 Zone, the following *uses* shall be permitted:
- a *special needs facility* containing a maximum of 60 beds,
 - a *residential building* containing a maximum of 120 *guest rooms* designed for seniors or residents thereof who may require nursing and/or home care, as well as a common kitchen and eating facilities,
 - a *convenience store* or *personal service shop* which is *accessory* to, and contained within, a permitted residential *dwelling*.

The following parking requirements shall also apply:

- (a) A *special needs facility* shall provide 1 *parking space* per 4 beds.
- (b) A *residential building* with *guest rooms* shall provide 0.5 *parking spaces* for each of the first 30 *guest rooms*, plus 0.25 spaces for each additional *guest room*.
- (c) A *convenience store* and a *personal service shop* shall provide 1 *parking space* per 30 m² of *net floor area*.

(g) R3.D35(7) (MULTIPLE DWELLINGS)
Dowling Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3.D35(7) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be apartment *dwellings* and related *accessory uses*.
- (ii) The minimum easterly *side yard* width shall be 6 metres.
- (iii) The minimum *rear yard* depth shall be 75 metres.

**(h) R3(8) (OFFICES)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(8) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) The size and location of the *existing building* is permitted.
- (ii) The only permitted *uses* shall be a travel agency, a real estate *office* and an insurance *office* with a staff of one or more.
- (iii) One of the *required parking spaces* shall be permitted in the *required front yard*.
- (iv) The maximum *net floor area* shall be 141 m².

**(i) R3(9) (OFFICE AND 1 DWELLING UNIT)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(9) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be an *office* on the main floor together with a residential *dwelling unit* on the lower floor.

**(j) R3.D13(10) (12-UNIT TOWNHOUSE COMPLEX)
Rayside Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3.D13(10) on the *Zone Maps*, all provisions of this by-law applicable to the R3, Zones shall apply subject to the following modification:

- (i) The only permitted *use* shall be a 12-unit townhouse complex with a maximum *building height* of one (1) *storey*, and related *accessory uses*.

**(k) R3(11) (MULTIPLE RESIDENTIAL)
Waters Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(11) on the *Zone Maps*, all provisions of this By-law applicable to R3 Zones shall apply subject to the following modifications:

(i) The maximum number of *dwelling units* shall not exceed 120.

(ii) The maximum *height* shall not exceed 4 *storeys*.

(l) R3.D36(12) and R3.D48(12) (ROOMING HOUSE & SUPPORT SERVICES) Waters Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3.D36(12) or R3.D48(12) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a R3 Zone, *rooming house, medical office, convenience store and personal service shop* uses shall be permitted.
- (ii) A maximum *building height* of 4 *storeys* shall be permitted.
- (iii) There shall be no maximum number of *dwelling units* per *building*.
- (iv) A minimum *building setback* of 30 metres shall be provided from the northerly property line of Part 8, Plan 53R-8177.
- (v) *Privacy yards* shall be set back a minimum of 25 metres from the easterly property line of Part 8, Plan 53R-8177.
- (vi) No *rooming house* shall contain more than 50 *guest rooms* and only 1 *rooming house* shall be permitted within the total area zoned R3-1.D36(12) and R3-1.D48(12).

**(m) R3.D18(13) (SIX UNIT BUILDING AND DANCE STUDIO)
Hanmer Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3.D.18(13) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be an apartment *dwelling* containing not more than six *dwelling units*, a dance studio, a *day care centre* and *accessory uses*.

(n) R3(14) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3(14) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *multiple dwelling* containing a maximum of 5 *dwelling units* and related *accessory uses*.
- (ii) Only one *residential building* shall be permitted.

**(o) R3(15) (LEINALA SUBDIVISION)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(15) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modifications:

- (i) The minimum *lot frontage*, depth and area shall be as follows:
 - (a) Minimum frontage - 30 metres
 - (b) Minimum depth - 30 metres
 - (c) Minimum *lot area per dwelling unit* - 277.8 m²
- (ii) The maximum *building height* shall not exceed 2 *storeys*.
- (iii) The minimum *building setback* from all *lot lines* shall be 7.5 metres.
- (iv) Minimum *building separation* - 15 metres.

**(p) R3(16) (STREET TOWNHOUSE DWELLINGS) (97-197Z)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(16) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *street townhouse dwellings* and their *accessory uses*.

(q) R3(17) (ROW DWELLINGS)
Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3(17) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) A maximum of 25 *row dwelling units* shall be permitted;
- (ii) That a *privacy yard* of 6 metres shall be provided *abutting* the full length of at least one exterior wall of each *dwelling unit* within a *row dwelling*.

(r) R3(18) (MULTIPLE RESIDENTIAL 12 DWELLING UNITS)
Hanmer Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3(18) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) The maximum number of multiple dwellings shall be two (2) multiple dwellings;
- (ii) The maximum building height shall be two (2) storeys;
- (iii) A maximum 12 dwelling units shall be permitted;
- (iv) the following minimum building setbacks shall apply:
 - 1. rear yard – 10 m;
 - 2. interior side yard - 3 m.

(s) R3(19) (FOUR DWELLING UNITS)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3(19) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) the *lot line* abutting Martindale Road shall be deemed the *front lot line*;
- (ii) A maximum of four *dwelling units* shall be permitted;

- (iii) An opaque *fence* shall be provided along the south boundary of the property.

**(t) R3(20) (TRIPLEX)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(20) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *single detached dwelling*, a duplex dwelling or a *multiple dwelling* containing a maximum of three *dwelling units*, and any use permitted in all zones under Section 4.40;
- (ii) A minimum of one *parking space* per *dwelling unit* shall be provided, which may include one *parking space* in the *required front yard*.

**(u) R3(21) (FOURPLEX)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(21) on the *Zone Maps*, all provisions of this by-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) The maximum number of dwelling units shall be four;

(11) SPECIAL MEDIUM DENSITY RESIDENTIAL ZONES - R3-1

**(a) R3-1(1) (MOTEL)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(1) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a licensed *hotel* containing not more than 100 *guest rooms* and the following *accessory uses*:
 - (a) meeting rooms not to exceed 175 square metres in *floor area* in total;

- (b) *restaurant* facilities not to exceed 140 square metres of *net floor area* in total, exclusive of any kitchen or other areas used for the storage and/or preparation of food and/or beverages;
 - (c) licensed liquor lounges not to exceed 67 square metres in total;
 - (d) retail, *office* or service rental space not to exceed 84 square metres in total.
 - (ii) Not less than 160 *parking spaces* shall be provided. *Parking spaces* may be provided in a *required yard* provided such *parking spaces* are at least 3 metres from the *lot line*.
 - (iii) Minimum *setback* from Paris Street - 10.5 metres
 - (iv) Minimum *setback* from *rear lot line* - 7.5 metres
- (b) **R3-1(2) (APARTMENTS & OFFICES)**
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(2) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be:
 - (a) *offices*, business and/or professional
 - (b) medical or dental clinics and laboratories
 - (c) *multiple dwellings* and their related *accessory* uses.
- (ii) *Office*, clinic and laboratory uses shall not exceed a total *gross floor area* of 3,902 m².
- (iii) The maximum *height* of *main buildings* shall be 3 *storeys*.
- (iv) That part of Parcel 29738 lying in the south-half of Lot 6, Concession 2, Township of McKim shall be used for no purpose other than landscaping and/or outdoor amenity space.

(c) R3-1(3) (HOTEL)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(3) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a *hotel* which may consist of the following:
 - (a) a maximum of 88 guest *suites*;
 - (b) meeting rooms not exceeding 103 m² of *net floor area*;
 - (c) a *restaurant* not exceeding 150 m² of *net floor area*.
- (ii) Minimum *yards* shall be provided as follows:
 - (a) *Front yard* - 9.0 metres
 - (b) *Corner side yard* - 4.0 metres
 - (c) *Interior side yard* - 1.8 metres
 - (d) *Rear yard* - 7.5 metres
- (iii) A minimum of 85 *parking spaces* shall be provided.

(d) R3-1(4) (ALL R3-1 USES AND HOTELS)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(4) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an R3-1 Zone, a *hotel* shall also be permitted.
- (ii) On *lots* used exclusively for *hotels*, a minimum of 5% *landscaped open space* shall be provided.

**(e) R3-1(5) (LEINALA SUBDIVISION)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(5) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *multiple dwellings* and their related *accessory uses*.
- (ii) The minimum *lot frontage*, depth and area shall be as follows:
 - (a) Minimum frontage - 30 metres
 - (b) Minimum depth - 30 metres
 - (c) Minimum *lot area per dwelling unit* - 277.8 m²
- (iii) All *buildings* shall be set back a minimum of 7.5 metres from all *lot lines*.
- (iv) The *building height* shall not exceed 5 storeys.
- (v) The minimum *building separation* on the *lot* shall be 15 metres.

**(f) R3-1(6) (ROOMING HOUSE & BOARDING HOUSE DWELLINGS)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(6) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in an R3-1 Zone, *rooming houses* and *boarding house dwellings* shall also be permitted.

(g) R3-1(7) (CONVERSION OF EXISTING SCHOOL TO RESIDENTIAL)

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(7) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modification:

- (i) The maximum number of *storeys* for an addition to the *existing 2 storey building* shall be 7 storeys.

(h) R3-1(8) Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(8) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *row dwellings* and *multiple dwellings* and their related *accessory uses*.
- (ii) The maximum number of *dwellings* to be permitted on the entire site shall not exceed 176.
- (iii) The maximum *height* of any *main building* shall not exceed 2 *storeys*.
- (iv) The minimum *setback* from any *lot line* shall be 7.5 metres.

**(i) R3-1(9) (FINNISH REST HOME)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(9) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *retirement home* complex consisting of but not necessarily restricted to apartments, nursing home, chronic care facility, *special needs facility*, recreational facilities and related *accessory uses*.
- (ii) The built form may consist of *multiple dwellings*, *row dwellings* and institutional *buildings* such as a nursing home.
- (iii) The *development* shall not exceed 340 units or 425 beds or a combination thereof. The formula for determining capacity shall be on the basis of 1.25 beds being the equivalent of 1 unit.

1.25 beds = 1 unit
- (iv) The maximum *height* of *main buildings* shall not exceed 3 *storeys*.
- (v) Automobile parking shall be provided on the basis of 1 *parking space* per 4 units or equivalent.

- (vi) The following *building setbacks* shall apply:
- (a) No *building* for residential purposes shall be located closer than 60 metres from the centre line of the Canadian Pacific Railway right-of-way.
 - (b) 9 metres from Fourth Avenue except for a bus shelter or a waste disposal storage *building*.
 - (c) 7.5 metres from all other exterior *lot lines* and there shall be no minimum *setback* for internally shared property lines.
 - (d) The *existing* frontage on Fourth Avenue is recognized.

(j) R3-1(10) Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(10) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modifications:

- (i) Not more than 2 *multiple dwellings* shall be permitted, containing not more than 30 *dwelling units* each.
- (ii) The maximum *height* of the *main building* shall not exceed 2 *storeys*.

**(k) R3-1.D94(11) (RESIDENTIAL AND OFFICES)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1.D94(11) on the *Zone Maps*, all provisions of this By-law applicable to R3-1 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an R3-1 Zone, a maximum of four *offices* are permitted on the main floor of the *building*, provided that the only *medical offices* permitted shall be the *offices* of neurosurgeons, cardiovascular thoracic surgeons, orthopedic surgeons or cardiologists.
- (ii) A minimum of 16 *parking spaces* shall be provided on the subject property, 2 of which shall be permitted within the *required front yard*, and a further 10 *parking spaces* shall be provided within the

required front yard, encroaching on the Linda Street road allowance in accordance with a Licensing Agreement with the *City of Sudbury*.

**(l) R3-1(12) (INSTITUTIONAL PARKING)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(12) on the *Zone Maps*, all provisions of the By-law applicable to R3-1 Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in an R3-1 Zone, a *parking lot accessory* to an *institutional use* located on *abutting* Lot 56, Plan 1-S is permitted.

**(m) R3-1(13) (NON-PROFIT OR CHARITABLE INSTITUTION)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(13) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modification:

- (i) The only permitted *use* shall be the *offices* of a *non-profit or charitable institution* being comprises of a maximum 4,000 square feet of *net floor area* for *office use* and a maximum of 32 beds for *non-profit or charitable institution* guest accommodation, and related *accessory* uses.

(n) R3-1(14) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(14) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modification:

- (i) No *buildings* or *structures* shall be permitted on Part 28, Plan 53R-17044.

**(o) R3-1(15) (SEWING & UPHOLSTERY BUSINESS)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(15) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an R3 Zone, a sewing and upholstery business shall also be permitted subject to the following:
 - (a) a minimum of 50% of the *building* is used for *residential use*; and,
 - (b) non-residential *uses* shall not exceed a total of 100m² of *gross floor area*.

**(p) R3-1(16) (LEINALA SUBDIVISION)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(16) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *multiple dwellings* and their related *accessory uses*.
- (ii) The minimum *lot frontage*, depth and area shall be as follows:
 - (a) minimum frontage - 30 metres
 - (b) minimum depth - 30 metres
 - (c) minimum *lot area* per *dwelling unit* - 277.8 m²
- (iii) All *buildings* shall be set back a minimum of 7.5 metres from all *lot lines* and a minimum of 20 metres from the *high water mark* of Middle Lake.
- (iv) The maximum *building height* shall be 5 storeys.
- (v) The minimum *building separation* on a *lot* shall be 15 metres.

**(q) R3-1(17) (SEWING AND UPHOLSTERY BUSINESS)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(17) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a R3-1 zone, a sewing and upholstery business shall also be permitted subject to the following:

- (a) a minimum of 50 percent of the *building* is used for *residential use*;
- (b) non-residential *uses* shall not exceed a total of 100 m² of *gross floor area*.

(r) R3-1(18) (OFFICE AND PHOTO STUDIO)

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(18) on the *Zone Maps*, all provisions of this by-law applicable to R3-1 *Zones* shall apply subject to the following modifications:

- (ii) In addition to the *uses* permitted in a R3-1 zone, offices and photographic studios shall also be permitted subject to the following:
 - (a) a minimum of 50% of the building is used for residential use; and
 - (b) office use and photographic studios shall not exceed a total of 100 m² of gross floor area.

**(s) R3-1(19) (RETIREMENT HOME)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(19) on the *Zone Maps*, all provisions of this by-law applicable to R3 *Zones* shall apply subject to the following modifications:

- (i) In addition to the uses permitted in a R3 Zone, a retirement home shall be a permitted use.

(12) SPECIAL HIGH DENSITY RESIDENTIAL ZONES - R4

**(a) R4(1) (APARTMENT BUILDING AND OTHER USES)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated R4(1) on the *Zone Maps*, all provisions of this by-law applicable to R4 *Zones* shall apply subject to the following modification:

- (i) The only permitted use on Parcel 30818 S.E.S. shall be a multiple dwelling containing not more than 196 dwelling units and related accessory uses;

(ii) The only permitted *uses* on Parcel 35079 S.E.S. shall be the following:

- (a) *offices*;
- (b) *service trades*;
- (c) *personal services*;
- (d) *retail stores*;
- (e) *bakeries*;
- (f) *uses accessory* to the above *uses*.

(ii) The minimum *building setback* from Caswell Drive shall be 19.8 m;

(iii) The maximum *commercial* floor space on Parcel 35079 shall be 975.5 m²;

(b) R4.D87(2) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated R4.D87(2) on the *Zone Maps*, all provisions of this by-law applicable to R4 Zones shall apply subject to the following modification:

(i) The *main building* shall not exceed 8 *storeys* in *height*.

(13) SPECIAL RESIDENTIAL MOBILE HOME ZONES - RMH

**(a) RMH-1(1) (203 SITE MOBILE HOME TRAILER PARK,
CONVENIENCESTORE AND ADMINISTRATIVE OFFICES)
Hanmer Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RMH-1(1) on the *Zone Maps*, all provisions of this by-law applicable to RMH Zones shall apply subject to the following modifications:

(i) Part 9, Section 9.3, Table 9.4, Special Provision (11), shall not apply.

(ii) Maximum number of *mobile home sites* permitted within the limits of Part 2 of Plan 53R-13652 and of Plan M-533 save and except for Parts 4, 5 and 8 of 53R-13652 shall be 203;

(iii) That a *convenience store*, an *administrative office* and a *maintenance garage* shall only be permitted as *accessory uses* to that of the *mobile home park* and shall be located wholly within the limits of Parts 3, 4, 5 and 8 of Plan 53R-13652.

- (iv) That the maintenance garage and storage of not more than 3 *trailers* shall be located wholly within the limits of Part 1 of Plan 53R-13652.

SECTION 2 SPECIAL COMMERCIAL ZONES

(1) SPECIAL COMMERCIAL ZONES LOCAL COMMERCIAL C1

(a) C1(1) (SW CORNER R.R.#15 & MONTEE PRINCIPALE) Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated C1(1) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a *convenience store*, service station, *restaurant*, and two *dwelling units*.

(b) C1(2) (LAURIER ST. - CONVENIENCE STORE) Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated C1(2) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a *convenience store*, a *single detached dwelling* and a greenhouse.

(c) C1(3) (RAYMOND CRESCENT - MEDICAL CENTRE) Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated C1(3) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modification:

- (i) Notwithstanding Subsection (2) of Section 1 of Part IV, the only permitted *use* shall be a *dwelling unit* with or without a *medical office*.

**(d) C1(4) (SILKSCREENING BUSINESS)
Hanmer Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(4) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

- (i) the *maximum gross floor area* permitted shall not exceed 900m²
- (ii) the permitted *use* is restricted to the business of embroidery, silk screening and *accessory retail uses*.
- (iii) no *accessory buildings*, shipping containers, or *trailers* used for storage purposes shall be permitted.
- (iv) the *required rear yard set back* shall be 1.7m
- (v) the *required number of parking spaces* shall be 15
- (vi) the *required landscaping* to be provided shall be 10%
- (vii) an opaque *fence* along the north boundary of the site will be provided in lieu of the *required 1.5 metre planting strip*

**(e) C1(5) (OFFICE USE ADDED)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(5) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a C1 Zone, an *office* shall also be permitted.

**(f) C1(6) (GAS BAR - CONVENIENCE STORE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(6) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C1 zone, a *take-out restaurants* without a drive-through shall be permitted."

- (ii) A minimum of ten (10) *parking spaces* shall be provided for the *take-out restaurants use*.

(g) C1(7) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C1(7) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be three *dwelling units* and a bookstore and dressmaking establishment. The three residential *dwelling units* are permitted with or without the *commercial uses*.
- (ii) The *commercial uses* shall not occupy more than 22.3 m².
- (iii) The *existing building* as located is permitted.
- (iv) A minimum of 3 *parking spaces* shall be provided.

**(h) C1(8) (GAS BAR)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(8) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *gas bar* and related *accessory uses* which may include the sale of automotive accessories and an *accessory convenience store*.

(i) C1(9) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C1(9) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a confectionary store, five residential *dwelling units* and a *laundromat*.
- (ii) The *maximum gross floor area* of the confectionary store shall be 142 m² and the *maximum gross floor area* of the *laundromat* shall be 58 m².
- (iii) The *existing building* as located is permitted.
- (iv) A minimum of 12 *parking spaces* shall be provided.

**(j) C1(10) (AUTO GLASS AND TRIM SHOP)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(10) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C1 Zone, an auto glass and trim shop shall also be permitted.
- (ii) The *existing* northerly *side yard* shall be maintained for the addition.
- (iii) A minimum of 4 *parking spaces* shall be provided.

**(k) C1(11) (HARDWARE STORE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(11) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a C1 Zone, a *hardware store* shall also be permitted.

**(l) C1(12) (DOG GROOMING AND 2 DWELLING UNITS)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(12) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be:
 - (a) a dog grooming shop wherein all activities related to such business are performed *indoors*; and
 - (b) two *dwelling units*.
- (ii) A minimum of 2 *parking spaces* shall be provided.

(m) C1(13) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C1(13) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

(i) All *uses* permitted in a C1 zone shall be permitted except that a *laundromat* shall not be permitted.

(ii) A minimum of 10 *parking spaces* shall be provided.

**(n) C1(14) (RESTAURANT)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(14) on the *Zone Maps*, all provisions of this by-law applicable to C1 *Zones* shall apply subject to the following modification:

(i) The only permitted *use* shall be a *restaurant* restricted to its *existing* size and location.

(o) C1(15) (RESERVED)

(p) C1(16) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C1(16) on the *Zone Maps*, all provisions of this by-law applicable to C1 *Zones* shall apply subject to the following modifications:

(i) The only permitted *uses* shall be:

(a) A *convenience store, personal service shops*, not to exceed a total *maximum gross floor area* of 223 m².

(b) Storage *uses accessory* to a permitted *commercial use*, not to exceed a total *maximum gross floor area* of 112 m².

(c) Any *dwelling* containing not more than 2 *dwelling units*, with or without permitted non-residential uses.

(ii) A minimum of 15 *parking spaces* shall be provided.

(q) C1(17) Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated C1(17) on the *Zone Maps*, all provisions of this by-law applicable to C1 *Zones* shall apply subject to the following modification:

(i) The only permitted *uses* shall be a *convenience store, a restaurant* not to exceed a total of 24m² of *gross floor area*, one *dwelling unit* and their related *accessory uses*.

(r) C1(18) Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated C1(18) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be *offices* and a bookstore.

(s) C1(19) Broder Township

Notwithstanding any other provision hereof to the contrary, within any area designated C1(19) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C1 Zone, the following *uses* shall also be permitted:
- (a) an *automotive service station*;
 - (b) a *gas bar*;
 - (c) a *hotel*;
 - (d) an eat-in *restaurant*.

**(t) C1(20) (SECONDHAND RETAIL STORE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(20) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:
- one *dwelling unit*
 - a secondhand *retail store*
 - *offices* excluding the following *offices*: a bank, a courier service, a real estate *office*, an insurance *office* and *medical offices*,
 - any *use* permitted in all *Zones* under Section 4.40 of Part 4 hereof.
- (ii) The maximum *net floor area* to be occupied by a non-residential *use* shall not exceed 135 m² within the *existing building*.

Six *parking spaces* shall be *required* for the *existing building* when the *structure* is occupied by a non-residential *use*.

**(u) C1(21) (SERVICE STATION)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(21) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a *convenience store* and an *automotive service station*, and this *use* shall not be interpreted to permit the sale of vehicles or the parking and/or storage of trucks.

**(v) C1(22) (MUSIC SCHOOL)
Blezard Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned C1(22) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modification:

In addition to the *uses* permitted in a C1 Zone, a *music school* with *accessory* retail and entertainment booking agency *uses* shall be a permitted *use*.

**(w) C1(23) (ADDITIONAL USES)
Dowling Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(23) on the *Zone Maps*, all provisions of this By-law applicable to C1 Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a C1 Zone, *offices* shall be permitted.

**(x) C1(24) (ADDITIONAL USES)
Hanmer Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(24) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zone shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a Local *Commercial* zone, *retail stores, bake shops, restaurants* and *dwellings* located above permitted non-residential *uses* shall be permitted.

**(y) C1(25) (SERVICE SHOP)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(25) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a "C1" zone, a *service shop* shall also be permitted.

(z) C1(26) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C1(26) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C1 Zone, business and *medical offices* and *service trades* restricted to a retail ceramics equipment and supply business, a *service shop*, or the business *premises* of a furrier, weaver, interior decorator or locksmith shall be permitted.

(aa) C1(27) MacLennan Township

Notwithstanding any other provision hereof to the contrary, within any area designated C1(27) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

- (i) In addition to those *uses* permitted in a C1 Zone, a *post office*, a *restaurant accessory* to a *convenience store* and a fishing tackle shop shall be permitted *uses*.

**(bb) C1(28) MEDICAL OFFICE
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(28) on the *Zone Maps*, all provisions of this by-law applicable to C1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be:
 - 1. a *medical office* with a *net floor area* of 278 m²;

2. any *dwelling* containing not more than 2 *dwelling units* with or without permitted non-residential uses.

- (ii) A minimum of 10 *parking spaces* shall be provided;
- (iii) No landscape strip shall be required adjacent to the *front lot line*;
- (iv) Where the *interior side lot lines* *abut* a residential zone, a minimum 0.5 metre wide landscape strip containing an opaque *fence* shall be provided.

(2) SPECIAL COMMERCIAL ZONES- GENERAL COMMERCIAL C2

(a) C2(1) (PUBLIC ELECTRICITY UTILITY)

Notwithstanding any other provision hereof to the contrary, within any area designated C2(1) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a *public* electrical utility and its related *accessory uses*.
- (ii) The minimum *yard* depth from the easterly *lot line* of Parcels 6583 and 21605 Sudbury East Section shall be 0.6 metres.
- (iii) The minimum *interior side yard* shall be 1.2 metres where the *interior lot line* *abuts* a residential lot or Residential Zone, and no minimum in any other case.
- (iv) A minimum of four (4) *parking spaces* shall be provided.
- (v) A *planting strip* shall not be required.
- (vi) The location of *required parking spaces* shall not be restricted.

(b) C2(2) (DRILLING COMPANY) Capreol Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(2) on the *Zone Maps*, all provisions of this by-law applicable to the C2 zone shall apply subject to the following modifications:

- (ii) In addition to the *uses* permitted in a C2 zone, a drilling company shall also be permitted.

- (iii) That open storage areas used solely for the *accessory* storage of goods or materials shall be permitted in any *yard*, other than a *required yard*, provided that any such open storage area is separated from all *lot lines* by a continuous opaque barrier not less than 1.8 m in *height*, except that no such barrier shall be *required* where a permitted open storage area *abuts* a railway right-of-way.

(c) C2(3) (COMMERCIAL/RESIDENTIAL MIXED USE)
Balfour Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(3) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) Not more than 5 *dwelling units* are permitted in the *existing building* provided that:
 - (a) an *outdoor recreation area* of 16.7 metres (55 ft.) by 7.6 metres (25 ft.) is provided and is separated from a *parking area* by a *fence* of 1.5 metres (4.9 ft.) in *height*.
- (ii) The maximum *building height* shall be one *storey*.

(d) C2(4) (GENERAL COMMERCIAL RESTRICTED)
Balfour Township

Within any area designated C2(4) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The *maximum gross floor area* of all *buildings* shall not exceed 4645 metres square.

(e) C2(5) (COMMERCIAL MINI STORAGE)
Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(5) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C2 Zone, a mini-storage and rental facilities shall be permitted.

**(f) C2(6) (COUNTRY SQUARE SHOPPING CENTRE)
Balfour Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(6) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The *maximum gross floor area* for the combined lands described as Parts 1, 2, and 3, Plan 53R-13338 shall net a total of 9,662 square metres (104,000 square feet).

**(g) C2(7) (BINGO HALL - FUNERAL PARLOUR)
Balfour Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(7) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be:
- a bingo hall;
 - a funeral parlour;
 - a *special needs facility*;
 - a *residential building* containing *guest rooms* designed for seniors or residents thereof who may require nursing and/or home care, as well as a common kitchen and eating facilities.
- (ii) A non-residential *use* shall not be permitted in conjunction with a *residential use* or a *special needs facility* as described by Clause (i) of this paragraph.

**(h) C2(8) (IMPOUND YARD)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(8) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) In addition to the uses permitted in a C2 zone, an *impounding yard* shall be permitted provided that the *impounding yard* is *setback* a minimum of 35 metres from the *front lot line*.

**(i) C2(9) (CAR WASH AND CAR DEALERSHIP)
Balfour Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(9) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *car wash* and the retail sale of automobiles.
- (ii) A minimum of 6 *parking spaces* shall be provided.

**(j) C2(10) (CARPENTERS UNION TRAINING FACILITY)
Rayside Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(10) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following:

- (i) The only permitted *uses* shall be a *trade school/training facility* and *accessory office uses*

**(k) C2(11) (COMMERCIAL WAREHOUSE)
Rayside Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(11) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C2 zone, a *warehouse* shall be permitted provided that the *warehouse use* is within an enclosed *building* and is not in the form of shipping or storage containers.
- (ii) 5 *parking spaces* are *required* for a *warehouse use*.

**(l) C2(12) (RESTAURANT)
Rayside Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(12) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) Notwithstanding Part IV Section 6(2) the only permitted *use* shall be a *restaurant*.

**(m) C2(13) (AUTOMOTIVE REPAIR SHOP)
Balfour Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(13) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The only permitted *use* shall be an *automotive repair shop*.

**(n) C2(14) (RESTAURANT)
Balfour Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(14) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) Notwithstanding Part IV, Section 2, Subsection (2), the only permitted *use* shall be a *restaurant*.

**(o) C2(15) (MOTEL)
Balfour Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(15) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a *motel* and related *accessory* uses.

**(p) C2(16) (SENIORS COMPLEX - RESIDENTIAL/COMMERCIAL)
Waters Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(16) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* on Part 1, Plan 53R-16585 saving and excepting Part 2, Plan 53R-17181, shall be as follows:
 - (a) A maximum of 60 *guest rooms* designed for residents thereof who require nursing and/or homecare together with centralized kitchen and dining facilities; and
 - (b) A maximum of 80 *dwelling units*.

- ii) The only permitted *uses* on Part 2, Plan 53R-16585 saving and excepting Part 1, Plan 53R-17181, shall be as follows:
 - (a) A maximum of 25 *guest rooms* designed for seniors or residents thereof who require nursing and/or homecare together with centralized kitchen and dining facilities.
 - (b) *Personal service shops, offices, retail stores and a restaurant*, provided that the total *floor area* shall not exceed 1,339 square metres.
 - iii) The only permitted *uses* on Parts 1 and 2, Plan 53R-17181, shall be as follows:
 - (a) *Personal service shops, offices, retail stores and a restaurant*, provided that the total *floor area* shall not exceed 334 square metres.
 - iv) Parking for any residential component on the site shall be provided in accordance with the following:

seniors' *guest rooms*: 0.5 spaces for each of the first 30 *guest rooms* plus 0.25 spaces for each additional *guest room*

apartment units: 1.5 spaces per *dwelling unit*
 - v) All of the permitted uses shall be allowed within a single interconnected *building*, containing not more than 3 *storeys*.
 - vi) The *interior side yard* width requirements of the By-law shall not apply to prevent the connection of the *residential building* to the *commercial building*.
 - vii) No *rear yard* shall be required on Parts 1 and 2, Plan 53R-17181.
 - viii) The minimum *lot depth* of Parts 1 and 2, Plan 53R-17181 shall be 34.6 m.
- (q) **C2(17) (HIGHWAY COMMERCIAL SPECIAL - RESIDENTIAL APTS.)**

Waters Township

Notwithstanding any other provision of this by-law to the contrary, within any area designated C2(17) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

(i) *Uses Permitted*

- (a) any *use* permitted in a C2 Zone; and,
- (b) *row dwellings* with or without a permitted *commercial use* up to a maximum of eighteen (18) units.

(r) C2(18) (HIGHWAY COMMERCIAL SPECIAL - RESIDENTIAL APTS.)

Graham Township

Notwithstanding any other provision of this by-law to the contrary, within any area designated C2(18) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

(i) *Uses Permitted*

- (a) any *use* permitted in a C2 Zone; and,
- (b) *row dwellings* and apartment *dwellings* with or without a permitted *commercial use* up to a maximum of twelve (12) units.

(s) C2(19) (SANITATION BUSINESS)
Denison Township

Notwithstanding any other provision of this by-law to the contrary, within any area designated C2(19) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) In addition to those *uses* permitted in a C2 zone, a sanitation *business office* and related *accessory* equipment and supply storage and *accessory vehicle* garage and parking shall be permitted.

(t) C2(20) (HOTEL WITH 22 DWELLING UNITS)
Neelon Township

Notwithstanding any other provision of this by-law to the contrary, within any area designated C2(20) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *tavern* and *banquet hall* facilities, a *restaurant*, a *personal service shop* and 22 *dwelling units*, all within the *existing building*.
- (ii) Notwithstanding Part IV, Section 3(o), a minimum of 31 *parking spaces* shall be provided.

**(u) C2(21) (4,500 SQ. FT. COMMERCIAL BUILDING)
Dowling Township**

Notwithstanding any other provision of this by-law to the contrary, within any area designated C2(21) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *offices*, *personal service shops*, *retail stores* and a bank;
- (ii) The minimum *lot frontage* shall be 32 m.

**(v) C2(22) (FUNERAL HOME)
Hanmer Township**

Notwithstanding any other provision of this by-law to the contrary, within any area designated C2(22) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *funeral home*, retail flower and gift sales accessory to a *funeral home* and related accessory *uses*.

**(w) C2(23) (FUNERAL HOME)
Bleazard Township**

Notwithstanding any other provision of this by-law to the contrary, within any area designated C2(23) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be an *funeral home*, retail flower and gift sales accessory to a *funeral home* and related accessory *uses*.

(x) C2(24) (SPECIAL LOT FRONTAGE)
Blezard Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(24) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The easterly limits of Lots 12 and 13, Plan M-276 shall be the *front lot line*.
- (ii) A 10 foot (3 m) wide landscape strip shall be provided along the easterly limits of Lots 12 and 13, Plan M-276.

(y) C2(25) (SENIORS GUEST ROOMS)
Blezard Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(25) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) In addition to those *uses* permitted in a C2 Zone, a *retirement home* shall be permitted.
- (ii) The *street line* adjoining Municipal Road # 80 shall be the *front lot line*.
- (iii) A *rear yard* shall not be required for a *residential building* where a *rear lot line abuts* those lands described as being Deemed Plan of Subdivision 53M-1103.
- (iv) The following parking requirements shall also apply:
- (v) A *retirement home* shall provide 1 *parking space* per 4 beds.
- (vi) A *residential building* comprised *guest rooms* shall provide 0.5 *parking spaces* for each of the first 30 *guest rooms*, plus 0.25 spaces for each additional *guest room*.

(z) C2(26) (MAKE YOUR OWN WINE)
Blezard Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(26) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The only permitted *use* shall be a health food store and related *accessory uses*

(aa) C2(27) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(27) on the *Zone Maps*, all provisions of this by-law applicable to C2 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *medical office, veterinary clinic, automotive repair shop* excluding body repairs, one *dwelling unit* for the owner or an employee in conjunction with a permitted *use*, but not in a separate *building*, wholesale and retail of cleaning materials, *office* and headquarters of a janitor service company, storage *warehouse*.
- (ii) No *building* shall be permitted within 220 feet of the north limit of the Kingsway or within 20 feet of any other *lot line*.

**(bb) C2(28) (AUTOMOTIVE DEALERSHIP)
Hanmer Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(28) on the *Zone Maps*, all provisions of this by-law applicable to C2 *Zones* shall apply subject to the following modification:

- (i) The only permitted *uses* shall be an automotive dealership for used car sales and any *use* permitted in all *Zones*. For the purposes of the lands designated C2(28) an automotive dealership shall mean a *vehicle sales or rental establishment* engaged in the sale or rental of *non-commercial vehicles* other than *recreation vehicles*.

**(cc) C2(29) (RENOVATION BUSINESS & ACCESSORY STORAGE)
Blezard Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(29) on the *Zone Maps*, all provisions of this by-law applicable to C2 *Zones* shall apply subject to the following:

- (i) the permitted *uses* be limited to a renovation business with *accessory* enclosed storage and *accessory* retail, and one *dwelling unit*;
- (ii) a minimum *rear yard setback* of 7.2 metres;

- (iii) a minimum *front yard setback* of 9.1 metres;
- (iv) the *required* number of *parking spaces* shall be 9.

**(dd) C2(30) (CO-OPERATORS INSURANCE BUILDING)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(30) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a one *storey building* not exceeding 6,600 square feet in *gross floor area*, containing the *offices*, conference room, wholesale storage area and exhibition area for a tobacco company, or *offices* but excluding *medical offices*.
- (ii) A minimum of 14 *parking spaces* shall be provided.
- (iii) Minimum *yards* as follows:
 - 1. *Front yard* - 7.6 m
 - 2. *North Side yard* - 7.9 m
 - 3. *South Side yard* - 6.0 m

(ee) C2(31) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(31) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *offices*, retail *uses*, personal services, *restaurants* and related *accessory uses*.
- (ii) The *building height* shall not exceed one *storey* and the *maximum gross floor area* shall not exceed 1,162 m².
- (iii) The minimum *front yard* shall be 36.5 metres and the minimum *north side yard* shall be 1.8 metres.

(ff) C2(32) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(32) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The maximum *height* of *buildings* shall not exceed 3 *storeys*.

**(gg) C2(33) (SERVICE STATION)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(33) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be an *automotive service station* and a *car wash*.
- (ii) Any *buildings* shall be located a minimum distance of 20 metres from the most southerly corner, and a minimum distance of 0.3 metres from the northwesterly boundary.

**(hh) C2(34) (DECORATING CONSULTANT)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(34) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be:
 - (a) a decorating consulting *office* and related *accessory uses* including the retail sale of items associated with a decorating consulting *offices*;
 - (b) one *single detached dwelling* and related *accessory uses*.
 - (c) A *retail store*, an *office* and a *personal service shop*.
- (ii) The minimum *building setback* from the north boundary of Parcel 12302 shall be 0.8 m.
- (iii) Parking for the consulting business shall be provided at a ratio of 1 *parking space* per 27 m² of *gross floor area*.

(ii) C2(35) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(35) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:

- (a) *offices, excluding medical offices;*
 - (b) *retail uses;*
 - (c) *personal services;*
 - (d) *service shops;*
 - (e) *related accessory uses.*
- (ii) The total *gross floor area* of all *buildings* shall not exceed 900 m² and the total *gross floor area* for the *retail uses* *personal services* and *service shops* combined shall not exceed 75 m².
 - (iii) The minimum number of *parking spaces* shall be 27.

**(jj) C2(36) (SENATOR HOTEL)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(36) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* on Lots 102 to 106 inclusive and closed lane on Plan 33-S, shall be a *hotel* with not more than 97 *guest rooms* and *accessory* banquet rooms, meeting rooms, *dining room* and lounge facilities.
- (ii) The only permitted *uses* on Lots 94, 95 and 96, Plan 12-S, shall be a 2 *storey parking structure*.
- (iii) The *hotel* shall not exceed 6 *storeys* in *height*.
- (iv) The minimum *setback* for the *hotel* from the northerly *lot line* shall be 7.9 m, from the easterly *lot line* shall be 16.7 m, and no *setback* shall be required from the westerly *lot line* and southerly *lot line*.
- (v) No *setbacks* shall be required for the *parking structure* located on Lots 94, 95 and 96, Plan 12-S.
- (vi) Not less than 129 *parking spaces* shall be provided.

(kk) C2(37) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(37) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be *offices* and their related *accessory uses*.
- (ii) A minimum *interior side yard* of 2.1 metres shall be provided.

(II) C2(38) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(38) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be *business* and *medical offices, dwelling units* and *accessory uses*.

(mm) C2(39) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(39) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) All C2 *uses* are permitted except *restaurants*, take-out or drive-in *uses*, liquor licensed facilities or entertainment related *uses*.
- (ii) A minimum of 91 *parking spaces* shall be provided.

**(nn) C2(40) (CLARIDGE CENTRE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(40) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:
 - (a) *office* and *wholesale uses*, and any *manufacturing uses* permitted in an M1 Zone;
 - (b) *retail uses* not exceeding 1,560 m² of total *gross floor area*;
 - (c) *restaurants* not exceeding a total *gross floor area* of 715 m².
- (ii) The maximum total *gross floor area* for all *buildings* on the site shall not exceed 5,589 m²;
- (iii) The *existing buildings*, as located, are permitted;
- (iv) The maximum *height* of the *building* located on Part 5, 53R-7282 shall not exceed 6 *storeys*.

**(oo) C2(41) (AUTO BODY REPAIR SHOP)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(41) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be an *automotive body shop* and *automotive repair shop*.
- (ii) No outside storage is permitted.

(pp) C2(42) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(42) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:
 - (a) the sales, installation, display and storage of aluminum building products on the main floor of the *existing building*;
 - (b) five residential *dwelling units* located above the permitted *commercial uses*.
- (ii) The *existing building* as located is permitted.
- (iii) A minimum of 13 *parking spaces* shall be provided.
- (iv) No *loading spaces* are required.

**(qq) C2(43) (RESTAURANT)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(43) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The *maximum gross floor area* shall not exceed 1,396 square metres.
- (ii) The only permitted *uses* shall be as follows:

- (a) *retail , personal service shops* and general business not to exceed 943 square metres in *gross floor area*;
- (b) *restaurant* not to exceed 176.5 square metres in *gross floor area*; and,
- (c) *offices* and storage.
- (iii) The *existing building*, as located, is permitted.
- (iv) No *loading space* is required.
- (v) A minimum of 48 *parking spaces* shall be provided.

**(rr) C2(44) (OFFICE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(44) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be *offices*.

(ss) C2(45) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(45) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be *offices, retail , personal service shops, service trades* and their related *accessory uses*.

(tt) C2(46) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(46) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:
 - (a) *retail uses* not to exceed a *gross floor area* of 874 m²;
 - (b) *office uses* not to exceed a *gross floor area* of 446 m²;
 - (c) *storage uses* not to exceed a *gross floor area* of 414m²;
 - (d) *restaurant* not to exceed a *gross floor area* of 112 m²;
 - (e) the maximum total *gross floor area* shall not exceed 1,733 m²

- (ii) A minimum of 64 *parking spaces* shall be provided.

**(uu) C2(47) (LASALLE COURT MALL)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(47) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) All C2 *uses* shall be permitted except for the following *uses* which shall not be permitted:
 - (a) an *animal shelter*;
 - (b) an *automotive repair shop*;
 - (c) an *automotive service station*;
 - (d) an *automotive sales establishment*;
 - (e) a *car wash*;
 - (f) a *small recreation vehicle* sales or rental establishment;
 - (g) a *taxi stand*;
 - (h) a *veterinarian clinic*.
- (ii) The maximum *height* of *buildings* shall not exceed 1 *storey*.
- (iii) A minimum of one *parking space* per 18.5 square metres of *net floor area* shall be provided.

(vv) C2(48) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(48) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:
 - 1. On Parcels 13368 & 12896 S.E.S., *retail stores*, *service shops*, *personal services*, *offices*, excluding *medical offices*, a *bakery*, one *dwelling unit*, and their related *accessory uses*.
 - 2. On Pt.2, SR-2220, a *parking lot* and related *accessory uses*.
- (ii) The *maximum gross floor area* for all *commercial uses* shall not exceed 542.5 m²;
- (iii) A minimum of 27 *parking spaces* shall be provided.
- (iv) The minimum *lot area* for Part 2, SR-2220 shall be 528 m².

- (v) A 1.8 m wide *planting strip* shall be provided along the *front lot line* of Part 2, SR-2220.

**(ww) C2(49) (SERVICE STATION)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(49) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be an *automotive service station* and related *accessory uses* which may include a *car wash* and a *convenience store*.
- (ii) The *car wash* shall be *setback* a minimum of 30 m from the north property boundary and a minimum of 3 m from O'Grady Street.

**(xx) C2(50) (RESTAURANT)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(50) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a *restaurant* with a *maximum gross floor area* of 200 m², and related *accessory uses*.
- (ii) A minimum of 26 *parking spaces* shall be provided.
- (iii) Minimum *yards* shall be provided as follows:
 - (a) *rear yard* - minimum 1.8 m
 - (b) *front yard* - minimum 7.5 m
 - (c) *south side yard*- not required
 - (d) *north side yard*- minimum 1.8 m for the *first storey*, plus 0.6 m for each additional *storey* above the first.
- (iv) A minimum 0.9 m wide *planting strip* shall be provided along the entire frontage except for the approved *driveway* entrance

(yy) C2(51) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(51) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *offices, retail stores, personal services, restaurants, a commercial dance studio, service trades* and automotive repairs including brake, electrical and upholstery repairs, but excluding auto body repair and paint shops.
- (ii) A minimum of 695 m² of *gross floor area* shall be restricted to *automotive uses*.
- (ii) *Automotive uses* shall provide 1 *parking space* for every 40 m² of *gross floor area*.

(zz) C2(52) Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(52) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:
 - (a) On Parts 1, 3, 6 and 7, Plan 53R-13657 the only permitted *uses* shall be *multiple dwellings, retail uses, restaurants, offices* or personal services and their related *accessory uses*. A *mixed use development* which includes a mixed residential and *commercial building* containing a maximum of 21 *multiple dwelling units* and not less than 2,230 square metres of *gross floor area* for *commercial use* shall be provided. The *maximum gross floor area* of *commercial use* for all *buildings* on the site shall not exceed 3,344 square metres.
 - (b) On Parts 2, 4 and 5, Plan 53R-13657 and Parts 6, 13, 14, 28 and 29, Plan 53R-13635 the only permitted *uses* shall be *multiple dwellings, retail uses, restaurants, offices* or personal services and their related *accessory uses*. A *mixed use development* which includes a mixed residential and *commercial building* containing a maximum of 20 *multiple dwelling units* and not less than 1,486 square metres of *gross floor area* of *commercial use* shall be provided. The *maximum gross floor area* of *commercial use*

for all *buildings* on the site shall not exceed 2,230 square metres.

(aaa) C2(53) Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(53) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification.

- (i) The only permitted *uses* shall be an *automotive service station*, automotive rustproofing shop and a diesel mechanic's shop.

(bbb) C2(54) Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(54) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The following modifications apply to Parts 12 to 19, inclusive, Plan 53R-12099:
 - (a) The only permitted *use* shall be a *restaurant* with a *maximum gross floor area* of 688 m².
 - (b) A minimum of 137 *parking spaces* shall be provided.
 - (c) The minimum *front yard setback* shall be 6 metres.
- (ii) The following modifications apply to Parts 1 to 11 inclusive, Plan 53R-12099:
 - (a) The total *gross floor area* of all *buildings* shall not exceed 2,340 m² and the total *gross floor area* of all *restaurants* shall not exceed 182 m².
 - (b) A minimum of 121 *parking spaces* shall be provided.

(ccc) C2(55) Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(55) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a beauty salon, a bank, a film exchange, business and *medical offices*, an interior decorator, an

art or antique shop, a printing, lithographing or publishing shop, a *pharmacy*, a laboratory, and a medical or dental clinic with a *maximum gross floor area* of 515 square metres and related *accessory uses*.

- (ii) The total *gross floor area* on the site shall not exceed 855 m².

(ddd) C2(56) Broder Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(56) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be one *single detached dwelling*, and the storage, display, sale and finishing of stone products.

**(eee) C2(57) (AUTOMOTIVE REPAIRS)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(57) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:
- automotive parts sales
 - a *automotive repair shop*, excluding body work and painting
 - the retailing of propane gas
 - related *accessory uses*.
- (ii) That a minimum of 32 *parking spaces* shall be provided.

(fff) C2(58) Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(58) on the *Zone Maps*, all provisions applicable to C2 Zones shall apply subject to the following modifications:

- (i) That the only permitted *uses* shall be the following:
- *offices*, excluding medical or dental *offices*;
 - personal services;
 - audio visual studio;
 - a *bake shop*;
 - automotive *accessory store*;
 - *day care centre*;
 - *dry cleaning establishment*;

- *service shop*;
- *scientific or medical laboratory*;
- delicatessen, excluding any sit down *restaurant* component;
- *hardware store*;
- office supplies, sales and services;
- computer sales and services;
- craft or hobby shop;
- *service trade*;
- *bulk retail store*.

(ii) That a minimum of 23 *parking spaces* shall be provided.

(ggg) C2(59) McKim Township

Notwithstanding any provision hereof to the contrary, within any area designated C2(59) on the *Zone Maps*, all provisions applicable to C2 *Zones* shall apply subject to the following modifications:

- (i) the only permitted *uses* shall be:
- a *place of amusement*, provided that no pinball arcade contains more than 20 game machines or is located closer than 300 m to an established *public school*;
 - an *automotive accessories store*;
 - a *bake shop*;
 - a *day care centre*;
 - a dry cleaning or laundering establishment;
 - a *service shop*;
 - an *office*;
 - a *personal service shop*;
 - a *restaurant*;
 - a *retail store*;
 - a *service trade*;
 - a *small recreation vehicle* sales or rental establishment;
 - any *use* permitted in all *Zones* under Section 4.40 of Part 4 hereof.
- (ii) the above noted *uses* shall only be permitted within one new *building*, containing a minimum *gross floor area* of 900 square metres.
- (iii) the minimum *interior side yard setback* shall be 1.8 m.
- (iv) the minimum *rear yard setback* shall be 4.5 m.

**(hhh) C2(60) (OFFICE USE)
McKim Township**

Within any area designated C2(60) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be an *office*.
- (ii) The maximum *building height* shall be 3 *storeys*.
- (iii) Minimum *yards* shall be provided in accordance with the following:
 - (a) From the easterly property line of Part 15, Plan 53R-15952, a minimum *building setback* of 3 metres.
 - (b) From the southerly property line of Parts 4 and 15, Plan 53R-15952, a minimum *building setback* of 3 metres.

(iii) C2(61) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(61) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) That the only permitted *uses* shall be *offices* and a maximum of 2 *dwelling units*.
- (ii) No northerly *interior side yard* shall be required.
- (iii) No *planting strip* shall be required along the northerly *side lot line*.

(jjj) C2(62) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(62) on the *Zone Maps*, all provisions applicable to C2 Zones shall apply subject to the following modifications:

- (i) That the only permitted *uses* shall be a skate and tool sharpening business, *retail stores*, *offices*, *personal service shops* and *service trades*;
- (ii) That the most northerly 60 feet of Part 3, Plan SR-1908, shall be used for no purpose other than *Landscaped Open Space*;

- (iii) That the minimum landscaped area *abutting* Lasalle Boulevard shall be a minimum of 2.4 m in width;
- (iv) That the minimum *building setback* from Lasalle Boulevard shall be 5.4 m;
- (v) That the minimum northerly *side yard* requirement (*abutting* Lot 19, Plan M-383) shall be 2 metres;
- (vi) That a minimum of 1 *parking space* shall be provided per 23.5 square metres of *net floor area*;
- (vii) *Parking areas* shall be permitted to within 0.5 metres of a Residential Zone;
- (viii) A *planting strip* 0.5 metres in width shall be required along the westerly *side lot line*, together with an opaque or non-opaque *fence*, extending to the northerly limit of the *parking area*;
- (ix) A *planting strip* 0.5 metres in width shall be required along the easterly *side lot line* extending to the northerly limit of the *parking area*, as well as the northerly and easterly *side lot lines abutting* the garbage enclosure and the northerly *side lot line abutting* the proposed *building*, together with an opaque *fence*.

(kkk) C2(63) McKim Township

Within any area designated C2(63) on the *Zone Maps*, all provisions of the by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only *uses* permitted shall be either *uses* under 1. or 2. as follows:
 - (a) *Uses* permitted in the C2 Zone;
 - (b) A *retirement home* containing a maximum of 95 *guest rooms*;
 - (c) No *use* under Sub-clause 1. shall be permitted in conjunction with the *use* described in Sub-Clause 2.

**(III) C2(64) (MEDICAL OFFICES/PHARMACY)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(64) on the *Zone Maps*, all provisions of this Bylaw applicable to C2 Zones shall apply subject to the following modifications:

- (i) *Restaurants, hotels and taverns* shall not be permitted.
- (ii) *36 parking spaces* shall be required for the *existing building*.
- (iii) Parts 1 and 2 on Plan 53R-16668 shall be used only for parking.

**(mmm)C2(65) (AUTOMOTIVE LUBRICATION SHOP, ETC.)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(65) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be:
 - an ambulance station,
 - a *place of amusement*,
 - an audio/visual studio,
 - an *automotive accessories store*,
 - an automotive lubrication shop,
 - an *office*,
 - a *bake shop*,
 - a *commercial recreation centre*,
 - a *commercial school*,
 - a *day care centre*,
 - a *service shop*,
 - an *office*,
 - a *personal service shop*,
 - a *restaurant*,
 - a *retail store*,
 - a *scientific or medical laboratory*,
 - a *service trade*,
 - any use permitted in all Zones under Section 4.40 of Part 4 hereof.
- (ii) The minimum *required rear yard* shall be 5 metres.
- (ii) A 10 metre buffer strip to be used for landscaping and drainage purposes shall be provided along that part of the west boundary of the subject property that borders Plan M-202.

(nnn) C2(66) (RESTAURANT AND DWELLING UNIT)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(66) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be one *dwelling unit*, a *restaurant* and any *use* permitted in all *Zones* under Section 4.40 of Part 4.
- (ii) The *net floor area* of a *restaurant* shall not exceed 34.8 square metres.
- (iii) Five *parking spaces* shall be provided when the subject lands are occupied by a *restaurant*.
- (iv) *Planting strips* adjacent to the north and south *lot lines* must contain an opaque *fence* and shall measure not less than 1.2 metres.

(ooo) C2(67) (FORMER SORRENTO HOTEL)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(67) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modification:

- (i) That the only permitted *uses* shall be the following:
 - a *place of amusement*, provided that no pinball arcade contains more than 20 game machines or is located closer than 300 m to an established *public school*;
 - an audio/visual studio;
 - an *automotive repair shop*;
 - an *automotive accessories store*;
 - a *bake shop*;
 - a *commercial recreation centre*;
 - a *commercial school*;
 - a *day care centre*;
 - a *hotel*;
 - an *institutional use*;
 - an *office*, provided that not more than 50% of the total *gross floor area* within the C2(67) zone is occupied by *office uses*;
 - a *personal service shop*;
 - a *tavern*;
 - a *restaurant*;

- a *retail store*;
- a *scientific or medical laboratory*;
- a *service trade*;
- a *trade school*;
- a *vehicle* rental establishment engaged in the rental primarily of *non-commercial vehicles* other than *recreation vehicles*.
- any use permitted in all *Zones* under Section 4.40 of Part 4 hereof.

**(ppp) C2(68) (LIMITED C2 USES)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned C2(68) on the *Zone Maps*, all provisions of this By-law applicable to C2 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:
 - a *place of amusement*, provided that no pinball arcade contains more than 20 game machines or is located closer than 300 m to an established *public school*;
 - an audio visual studio;
 - an *automotive accessories store*;
 - a *bake shop*;
 - a *commercial school*;
 - a *dry cleaning establishment*; pick up outlet only;
 - an *institutional use*;
 - a *service shop*;
 - an *office*;
 - a *personal service shop*;
 - a *restaurant*;
 - a *retail store*;
 - a *scientific or medical laboratory*;
 - a *service trade*; inside only;
 - a *trade school*;
 - any use permitted in all *Zones* under Section 4.40 of Part 4 hereof.
- (ii) the minimum *lot depth* shall be 40 metres;
- (iii) the minimum *rear yard* depth shall be 3 metres;
- (iii) the *parking area* shall be allowed up to within 1.5 metres of the northeasterly *interior lot line*, provided that an opaque *fence* be provided along the *lot line*;

- (iv) a landscape strip measuring a minimum of 1.8 metres in width shall be provided along the *front lot line*, and additional landscaping shall be provided at the entrance to the site as well as at the southwest corner of the site.

(qqq) C2(69) (REVISED USES)
McKim Township

Within any area zoned C2(69) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:
- (a) any combination of the following:
- an *automotive accessories store*
 - a *service shop*
 - a *personal service shop*
 - a *retail store*
 - a *commercial school*
 - an *office*
 - a *scientific or medical laboratory*
 - a *service trade*
 - an *eat-in restaurant*
- or (b) an *automotive sales establishment* without any *uses* listed in (a).

(rrr) C2(70) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(70) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be:
- a *flooring business*;
 - a *photocopying business*;
 - an *audio/visual studio*;
 - a *day care centre*;
 - a *service shop*;
 - *business and medical offices*, excluding *medical offices*;
 - *service trades* restricted to the following:
 - a *custom print or copy shop*;
 - a *dog grooming business*;

- the business *premises* of a printer, plumber, craftsman, electrician, furrier, weaver, upholsterer, interior decorator, engraver or locksmith.
 - any *use* permitted in all *Zones* under Section 4.40 of Part 4 of the By-law.
- (ii) The maximum total *gross floor area* shall not exceed 792 square metres.
- (iii) Not less than 14 *parking spaces* shall be provided.

(sss) C2(71) (LIMITED C2 USES)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(71) on the *Zone Maps*, all provisions of this by-law applicable to C2 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:
- a *place of amusement*, provided that no pinball arcade contain more than 20 game machines or is located closer than 300 m to an established *public school*;
 - an *animal shelter*;
 - an audio/visual studio;
 - an *automotive repair shop*;
 - an *automotive accessories store*;
 - an *automotive sales establishment*;
 - a *bake shop*;
 - a *commercial school*;
 - a *day care centre*;
 - a *dry cleaning establishment*;
 - an *institutional use*;
 - a *service shop*;
 - an *office*;
 - a *personal service shop*;
 - a *retail store*;
 - a *scientific or medical laboratory*;
 - a *service trade*;
 - a *trade school*;
 - a small *recreation vehicle* sales or rental establishment shall only be permitted within an *existing building*. No open storage shall be permitted in conjunction with a small *recreation vehicle* sales or rental establishment.
 - the storing, cutting, polishing, carving, warehousing and selling of *public* and *private* monuments, of any kind but

- mainly in marble, granite, Canadian and imported precious stones;
- any use permitted in all *Zones* under Section 4.40 of Part 4 hereof.

(ii) *Required parking for the existing buildings which comprise a gross floor area of 1,455m² shall be a minimum of 30 parking spaces.*

(iii) *A required outdoor parking area may abut a residential zone.*

**(ttt) C2(72) (PAPER WAREHOUSING & LIMITED C2 USES)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(72) on the *Zone Maps*, all provisions of this by-law applicable to C2 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:
- *institutional uses;*
 - *offices;*
 - *a personal service shop;*
 - *a public agency;*
 - *warehousing and storage of paper and allied products and materials which shall not exceed a maximum gross floor area of 2,415 m² within an existing building;*
 - any use permitted in all *Zones* under Section 4.40 of Part 4 hereof.

**(uuu) C2(73) (DATA STORAGE AND RESIDENTIAL UNIT)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(73) on the *Zone Maps*, all provisions of this by-law applicable to General *Commercial Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a "C2" Zone, data storage for doctors and pharmaceutical company representatives shall also be permitted.

**(vvv) C2(74) (OFFICE)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(74) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be *office*;
- (ii) The maximum *building height* shall be one *storey*;
- (iii) The *maximum gross floor area* shall not exceed 375m²;
- (iv) The minimum *rear yard* shall be 15 metres;
- (v) The minimum *interior side yards* shall be 15 metres;

**(vvv) C2(75) (Transport training school)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(75) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be as follows:
 - (a) a *trade school* offering transport training with *accessory office uses*; and,
 - (b) storage for an *institutional use*.

**(www)C2(76) (Storage and office use)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(76) on the *Zone Maps*, all provisions of this by-law applicable to the "C2", General *Commercial* zone shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a C2 zone, the warehousing or storage of goods or materials *accessory* to a *service trade* shall also be permitted.

**(xxx) C2(77) (HIGHWAY COMMERCIAL SUBDIVISION)
Balfour Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(77) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) *Hotels and taverns* shall not be permitted.
- (ii) A landscaping strip shall be provided adjacent to and for the full length of the said *lot line* for a width of not less than 3 m.

(yyy) C2(78) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(78) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a service station, *convenience store* and donut and ice cream shop.

**(zzz) C2(79) (RESTAURANT USE)
Dowling Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(79) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The only permitted *use* shall be a *restaurant* and related *accessory uses*.

(aaaa) C2(80) Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated C2(80) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *retail stores*, retail service stores, *personal service shops*, business and *medical offices*, funeral parlour, monument/memorial sales and memorial *park*, funeral supplies, furniture stores, *florist* shop, horticultural product sales, art studios, art shops, interior decorating stores, together with any *accessory buildings* and structures.

**(bbbb)C2(81) (SCHOOLS, ETC.)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(81) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be the following:
- a *school, a commercial school, a trade school, an office, a day nursery, a scientific or medical laboratory, a related accessory use.*

**(cccc)C2(82) (SINGLE DETACHED DWELLING AND SERVICE TRADES)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(82) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *single detached dwelling, service trades and accessory uses.*

**(dddd) C2(83) VEHICLE SALES
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(83) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be as follows:
- an automotive accessories store;*
 - an automotive sales establishment*
 - an automotive leasing establishment*
 - a service shop;*
 - a service trade;*
 - a warehouse;*
 - any use permitted in all Zones under Section 4.40 of Part 4 hereof.*

**(eeee) C2(84) MANUFACTURE OF PARTY NOVELTIES
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned C2(84) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C2 zone, the following *use* shall be permitted:
 - a business involved in the manufacture, wholesale, retail and storage of party novelty products.

(ffff) C2(85) Dryden Township

Notwithstanding any other provision hereof to the contrary, within any area zoned C2(85) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- i) A maximum of two *dwelling units* shall be permitted.

**(gggg) C2(86) BUILDING SUPPLY AND LUMBER OUTLET
Waters Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned C2(86) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modification:

- (i) In addition to the uses permitted in a C2 zone a *building supply and lumber outlet* shall also be permitted.

**(hhhh) C2(87) ROOMING HOUSE, DWELLING UNIT AND DATA
STORAGE
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned C2(87) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) in addition to the uses permitted in a C2 zone the following uses shall be permitted:
 - a rooming house for guest room accommodation for up to twelve persons;
 - one residential dwelling unit;

data storage;

- (ii) a minimum of 8 parking spaces shall be provided.

(3) SPECIAL LIMITED GENERAL COMMERCIAL ZONES - C3

(a) C3(1) Broder Township

Notwithstanding any other provision hereof to the contrary, within any area designated C3(1) on the *Zone Maps*, all provisions of this by-law applicable to C3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *retail stores* and *professional offices*.
- (ii) The minimum *front yard setback* shall be 8.4 metres.

(b) C3(2) (MEDICAL/DENTAL CLINIC) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C3(2) on the *Zone Maps*, all provisions of this by-law applicable to C3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the *offices* of dentists, medical doctors and other medical practitioners.
- (ii) The maximum *height* shall be one *storey*, with a full *basement*.
- (iii) Minimum *setbacks* for new *buildings* shall be as follows:
 - 1. *Setback* from north *lot line* - 8.5 metres
 - 2. *Setback* from east *lot line* - 1.8 metres
 - 3. *Setback* from south *lot line* - 1.8 metres
 - 4. *Setback* from west *lot line* - 6.0 metres

(c) C3(3) (MEDICAL CLINIC) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C3(3) on the *Zone Maps*, all provisions of this by-law applicable to C3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:

- (a) On Lot 17, M-268 and the south-half of Lot 1, M-182, *business offices, professional offices, medical offices, a medical laboratory* and a *medical pharmacy* shall be permitted.
- (b) On Parcel 11947, an *accessory parking lot* shall be permitted.
- (ii) The total *gross floor area* of all *buildings* shall not exceed 1,124 square metres.
- (iii) A minimum of 49 *parking spaces* shall be provided.

(d) C3(4) Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated C3(4) on the *Zone Maps*, all provisions of this by-law applicable to C3 *Zones* shall apply subject to the following modification:

- (i) The only permitted *uses* shall be *professional offices*, a drugstore, a *medical laboratory*, other *uses* commonly accessory to a health care centre and *trade schools*.

**(e) C3(5) (DRYWALL AND PLASTERING BUSINESS)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C3(5) on the *Zone Maps*, all provisions of this by-law applicable to C3 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a drywall and plastering business and related *accessory uses*.
- (ii) A minimum northerly *side yard* of 6 m shall be provided.

(f) C3(6) Broder Township

Notwithstanding any other provision hereof to the contrary, within any area designated C3(6) on the *Zone Maps*, all provisions of this by-law applicable to C3 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:
 - (a) *retail uses*;
 - (b) *office uses*;

- (c) personal service *uses*;
- (d) a maximum of 3 *dwelling units* in conjunction with a permitted *commercial use*.

(ii) The *main building height* shall not exceed 2 *storeys*.

(g) C3(7) Broder Township

Notwithstanding any other provision hereof to the contrary, within any area designated C3(7) on the *Zone Maps*, all provisions of this by-law applicable to C3 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:
 - (a) retail *uses*;
 - (b) office *uses*;
 - (c) personal service *uses*;
 - (d) a maximum of 6 *dwelling units* in the same *building* and located above permitted *commercial uses*.
- (ii) The maximum *height* of the *main building* shall not exceed 2 *storeys*.

(h) C3(8) Broder Township

Notwithstanding any other provision hereof to the contrary, within any area designated C3(8) on the *Zone Maps*, all provisions of this by-law applicable to C3 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be business or *professional offices*, a bird feed store, and their related *accessory uses*.
- (ii) The minimum *front yard setback* shall be 6 metres and no north *side yard setback* is required.
- (iii) One *parking space* shall be provided for every 30 m² of *net floor area*.
- (iv) A 10 foot strip of land along *arterial roads* and a five foot strip of land along residential zone boundaries and in *corner side yards* shall be provided for landscaping purposes.

**(i) C3(9) (OFFICE)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C3(9) on the *Zone Maps*, all provisions of this by-law applicable to C3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *offices*, one *dwelling unit* and related *accessory uses*.
- (ii) The *main building* shall not exceed 2 *storeys in height*.

**(j) C3(10) (DWELLING AND OFFICE/RETAIL)
McKim Township**

Within any area designated C3(10) on the *Zone Maps*, all provisions of this by-law applicable to C3 Zones shall apply subject to the following modification:

- (i) Notwithstanding Subsection (2) of Section 3 of Part IV, the only permitted *uses* shall be *offices* and *retail stores* at 419 Yale Street and a single family *dwelling* and related *accessory uses* at 423 Yale Street.

**(k) C3(11) (OFFICE AND BULK RETAIL)
Broder Township**

Within any area designated C3(11) on the *Zone Maps*, all provisions of this by-law applicable to C3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:
 - (a) *office uses*;
 - (b) *a bulk retail outlet*.
- (ii) No *planting strip* shall be required adjacent to a *residential lot* or residential zone, nor shall a landscaped area be required adjacent to a *public road* with respect to use of the *existing building*.

(l) C3(12) Broder Township

Notwithstanding any other provision hereof to the contrary, within any area designated C3(12) on the *Zone Maps*, all provisions of this By-law applicable to C3 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C3 Zone, the following *uses* shall also be permitted:

an *animal shelter*;
an audio /visual studio;
a *commercial recreation centre*;
a *commercial school*;
a *day care centre*;
a *service shop*;
a *scientific or medical laboratory*;
a *service trade*;
a *trade school*;
a *small recreation vehicle* sales or rental establishment;
a *bake shop*;
a dry cleaning or laundering establishment.

**(m) C3(13) (PARKING LOT)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C3(13) on the *Zone Maps*, all provisions of this By-law applicable to C3 Zones shall apply subject to the following modification:

- (i) The only permitted *use* shall be a *parking area*.

**(n) C3(14) (AMBULANCE STATION MALL/GAS BAR)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C3(14) on the *Zone Maps*, all provisions of this By-law applicable to C3 Zones shall apply subject to the following modifications:

- (i) On the part of the subject property described as Parts 3 to 10 inclusive, Plan 53R-16470, the following special provisions shall apply:
- (a) In addition to normal C3 *uses*, a *gas bar* without service bays shall be permitted.
- (b) That a 10 m buffer strip to be used only for landscaping and drainage purposes shall be provided along the entire west boundary of the subject property.

**(o) C3(15) (SERVICE STATION, CAR WASH)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned C3(15) on the *Zone Maps*, all provisions of this By-law applicable to C3 Zones shall apply subject to the following modification:

- (i) In addition to those *uses* permitted an *automotive service station* and related *accessory uses* including a *convenience store* and a four bay manual *car wash* shall be permitted.

**(p) C3(16) (EXISTING BUILDING/SPECIAL USES)
McKim Township**

Within any area zoned C3(16) on the *Zone Maps*, all provisions of this By-law applicable to C3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be an *office*, a *personal service shop*, a retail shop, a *retail store*, a *service shop*, and *take-out restaurants*.
- (ii) The *existing building* shall be restricted to its *existing* size and the *existing building setbacks* shall be permitted for the *existing building*.
- (iii) A minimum of 8 *parking spaces* shall be provided for the *existing building*.

(q) C3(17) (LIMITED GENERAL COMMERCIAL LIMITED USES)

Notwithstanding any other provision hereof to the contrary, within any area designated C3(17) on the *Zone Maps*, all provisions of this by-law applicable to C3 Zones shall apply subject to the following:

- (a) The only permitted *uses* shall be:
 - (i) *commercial office* space, banquet facilities and *restaurant uses* within the *existing* structure, as well as *multiple dwellings*.

(r) **C3(18) (PROFESSIONAL OFFICE/COMMERCIAL RECREATION CENTRE)**
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C3(18) on the *Zone Maps*, all provisions of this by-law applicable to C3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *professional office* excluding *medical offices*, a *commercial recreation centre* and one residential *dwelling* within the same *building*.

(s) **C3.D90(19) (REGENT ST. DEVELOPMENT)**
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C3.D90(19) on the *Zone Maps*, all provisions of this By-law applicable to C3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:
 - (a) a *single detached dwelling*;
 - (b) a *semi-detached dwelling*;
 - (c) a *duplex dwelling*;
 - (d) a *multiple dwelling*;
 - (e) *dwelling units*, with permitted non-residential *uses*;
 - (f) an *office*;
 - (g) a *personal service shop*;
 - (h) a *retail store*;
 - (i) any *use* permitted in all *Zones* under Section 4.40 of Part 4.
- (ii) For *buildings* used exclusively for residential purposes, or for mixed *use buildings* of residential and non-residential *uses*, a minimum *interior side yard* width shall be provided in accordance with the following:
 - 1.2 m, plus 0.6 m for each *full storey* above the *first storey* *abutting* such *yard*, except that no *interior side yard* shall be required where *semi-detached dwellings* on adjacent *lots* are *attached* together by a common wall extending along the *side lot line* separating such *lots*, provided that any wall which does not constitute part of such common wall or a direct extension thereof shall be located not less than 1.2 m from the *side lot line* separating such *lots*.

(t) C3(20) PROFESSIONAL OFFICE

Notwithstanding any other provision hereof to the contrary, within any area designated C3(20) on the *Zone Maps*, all provisions of this By-law applicable to C3 Zones shall apply subject to the following modifications:

(i) The only permitted *uses* shall be as follows:

- (a) business or *professional offices*;
- (b) medical or dental clinics and laboratories;
- (c) *multiple dwelling units*

(4) SPECIAL OFFICE COMMERCIAL ZONES – C4

**(a) C4(1) (BRADY SQUARE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C4(1) on the *Zone Maps*, all provisions of this by-law applicable to C4 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C4 Zone, *retail stores* shall also be permitted.
- (ii) Parking shall be provided at 50% of the required parking for any permitted *use*.

(b) C4(2) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C4(2) on the *Zone Maps*, all provisions of this by-law applicable to C4 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C4 Zone, a special residential care facility for youthful offenders, having a maximum capacity of 12 residents and necessary staff, shall also be permitted.

(c) C4(3) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C4(3) on the *Zone Maps*, all provisions of this by-law applicable to C4 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be administration *offices*, and the sale of telephone equipment, radio paging equipment, paging services, alarm systems, fax machines and related equipment.
- (ii) A minimum of 22 *parking spaces* shall be provided.

(d) C4(4) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C4(4) on the *Zone Maps*, all provisions of this by-law applicable to C4 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *offices* and related *accessory uses*.
- (ii) One *parking space* shall be provided for every 72 m² of *net floor area*.

**(e) C4(5) (MARTIAL ARTS)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C4(5) on the *Zone Maps*, all provisions of this by-law applicable to C4 *Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C4 *Zone*, a martial arts *school* and one *dwelling unit* shall be permitted.
- (ii) Three *parking spaces* shall be provided for the martial arts *school* and *dwelling unit*.
- (iii) The *existing building*, as located, is permitted.

**(f) C4(6) (MAXIMUM 4 STOREYS)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C4(6) on the *Zone Maps*, all provisions of this by-law applicable to C4 *Zones* shall apply subject to the following modifications:

- (i) The maximum *height* shall not exceed 4 *storeys*.

(g) C4(7) (LIMITED USES)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C4(7) on the *Zone Maps*, all provisions of this By-law applicable to C4 Zones shall apply subject to the following modifications:

1. The only permitted *uses* shall be:
 - (i) an *institutional use*;
 - (ii) an *office*;
 - (iii) a *scientific or medical laboratory*;
 - (iv) a medical related *retail store*;
 - (v) a *pharmacy*;
 - (vi) any *use* permitted in an R4 Zone.

(h) C4(8) (CLOTHING BOUTIQUE)

Notwithstanding any other provision to the contrary, within any area zoned C4(8) on the *Zone Maps*, all provisions of this By-law applicable to C4 Zones shall apply subject to the following modifications.

- (i) *Required parking spaces* for a permitted non-residential *use* shall be provided at a ratio of 50% of the number of *parking spaces required* under the By-law.
- (ii) A *parking area* shall be no closer than one (1) metre to the road *abutting* the south limit of the *lot*.
- (iii) The extent of a *sight triangle* adjacent to any road other than an *arterial road* shall be three (3) metres.

(i) C4(9) (ART GALLERY)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C4(9) on the *Zone Maps*, all provisions of this by-law applicable to C4 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C4 Zone, the *premises* of an *art gallery* and custom framing shall also be permitted.

(j) C4(10) (OFFICE LIMITED USES)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C4(10) on the *Zone Maps*, all provisions of this by-law applicable to C4 Zones shall apply subject to the following:

- i) The only permitted *uses* shall be:
 - (a) an *institutional use*;
 - (b) *medical offices*;
 - (c) business and *professional offices*, (excluding *medical offices*) not to exceed 50% of the net leasable area;
 - (d) a *pharmacy* not to exceed 1000 square feet;
 - (e) medical or scientific laboratory;
 - (f) any use permitted in an R3-1 zone
- ii) the maximum permitted *height* shall not exceed 7 storeys

**(k) C4(11) (SENIORS GUEST ROOMS)
McKim Township**

Notwithstanding any other provision to the contrary, within any area designated C4(11) on the *Zone Maps*, all provisions of this By-law applicable to C4 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C4 Zone, the following *uses* shall also be permitted:
 - (a) A *residential building* containing *guest rooms* designed for seniors or residents thereof who require nursing and/or home care, as well as a common kitchen and eating facilities.
 - (b) A *retail store*.
- (ii) *Parking spaces* for a permitted non-residential *use* shall be provided at a ratio of 50% of the number of *parking spaces required* under the By-law.
- (iii) *Required parking spaces* for a *residential building* containing *guest rooms* designed for residents thereof who may require nursing and/or home care shall be provided at a minimum ratio of one *parking space* per four *guest rooms* and/or *dwelling units*. All other permitted *residential uses* shall provide *required parking spaces* at a ratio of one *parking space* per *dwelling unit*.

**(l) C4(12) (CARPET RETAIL AND APPRAISAL)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C4(12) on the *Zone Maps*, all provisions of this by-law applicable to C4 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C4 zone the retail and appraisal of carpets and *accessory office uses* shall be permitted.
- (ii) One *dwelling unit* shall be permitted on the same floor as a non-residential *use*.

**(m) C4(13) (ROOMING HOUSE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C4(13) on the *Zone Maps*, all provisions of this by-law applicable to C4 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C4 zone, a *rooming house* shall be permitted.

**(n) C4(14) (DWELLING UNITS ON GROUND FLOOR)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C4(14) on the *Zone Maps*, all provisions of this by-law applicable to C4 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C4 Zone a single detached and *duplex dwelling* are permitted.

**(o) C4(15) (FLORAL GIFT SHOP)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C4(15) on the *Zone Maps*, all provisions of this by-law applicable to C4, Office *Commercial Zones* shall apply subject to the following modifications:

- (i) in addition to the *uses* permitted in a C4 zone a floral and gift shop shall be a *permitted use*.
- (ii) a maximum of 2 *parking spaces* shall be provided.

(p) C4(16) (PARKING AND CANOPIES)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C4(16) on the *Zone Maps*, all provisions of this by-law applicable to C4 Zones shall apply subject to the following modifications:

- (i) The maximum number of *multiple dwellings* shall be limited to 94 *dwelling units*.
- (ii) *Required parking spaces* shall be provided at a minimum of 1 *parking space per dwelling unit*.
- (iii) Canopies may encroach 3m into a *required interior side yard*.

(q) C4(17) (DANCE STUDIO)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C4(17) on the *Zone Maps*, all provisions of this by-law applicable to C4 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C4 Zone, a dance studio and one *dwelling unit* shall be permitted.

(r) C4.D90(18) (RETAIL AND MERCHANDISE SERVICE)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated C4.D90(18) on the *Zone Maps*, all provisions of this by-law applicable to C4 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C4 zone a *retail store* and audio visual studio shall be permitted.
- (ii) The *required front yard* shall be maintained as *landscaped open space* which may only be traversed by pedestrian walkways.

(s) C4(19) SINGLE DWELLING

Notwithstanding any other provision hereof to the contrary, within any area designated C4(19) on the *Zone Maps*, all provisions of this by-law applicable to C4 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C4 Zone, a *single detached dwelling* shall be permitted.

(5) SPECIAL SHOPPING CENTRE COMMERCIAL ZONES - C5

**(a) C5(1) (RAYSIDE-BALFOUR SHOPPING CENTRE)
Balfour Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C5(1) on the *Zone Maps*, all provisions of this by-law applicable to C5 Zones shall apply subject to the following modification:

- (i) The *maximum gross floor area* shall not exceed 14,492 square metres (155,995 sq. ft.).

**(b) C5(2) (SHOPPING CENTRE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C5(2) on the *Zone Maps*, all provisions of this by-law applicable to C5 Zones shall apply subject to the following modifications:

- (i) The maximum *height* of an opaque *fence* shall be 2.44 metres.

**(c) C5(3) (SHOPPING CENTRE)
McKim and Broder Townships**

Notwithstanding any other provision hereof to the contrary, within any area designated C5-2 on the *Zone Maps*, all provisions of this by-law applicable to C5 Zones shall apply subject to the following modifications:

- (i) The *maximum gross floor area* to be permitted on site shall be 60,850 m².
- (ii) The minimum number of *parking spaces* shall be provided in accordance with the following:
 - (a) One space per 18.58 square metres of *net floor area*, where *net floor area* is equal to *gross floor area* less any common enclosed pedestrian mall areas, minus five percent (5%) of the *gross floor area*.
- (iii) *Office uses* shall be restricted to a total *gross floor area* of 5,575 square metres.

- (iv) The maximum *building height* shall be 2 *storeys*, with one exception being that an *office* tower shall be permitted to a maximum *height* of 4 *storeys*.

(6) SPECIAL DOWNTOWN COMMERCIAL ZONE – C6

(a) C6(1)

Notwithstanding any other provision hereof to the contrary, within any area designated C6(1) on the *Zone Maps*, all provisions of this by-law applicable to C6 Zones shall apply subject to the following modifications:

- (i) Maximum of 30 *dwelling units* per *building* and maximum net density of 60 units per hectare with or without *residential uses*;
- (ii) No minimum *building height* and a maximum *building height* of 15 metres;
- (iii) A maximum gross floor area of 2.0 times the *lot area* will apply;
- (iii) In mixed use *buildings* where the *uses* are of a *building* consist of both residential and non-residential *uses*, the *residential uses* shall be located above non-residential *uses*;
- (iv) Subsection 5.5.2 paragraph b) shall not apply to the C6(1) Zone

(7) SPECIAL RESORT COMMERCIAL ZONE – C7

**(a) C7(1) (AIRPORTS)
Rayside Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C7(1) on the *Zone Maps*, all provisions of this by-law applicable to C7 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be an *airport* and a *marina*.

**(b) C7(2) (GOLF COURSE)
Creighton Township**

Notwithstanding any other provision hereof to the contrary, within any area designated C7(2) on the *Zone Maps*, all provisions of this by-law applicable to C7 Zones shall apply subject to the following modification:

- (i) No *buildings* shall be permitted within 14 m (46 feet) of a *Provincial Highway*.

(c) C7(3) (RESORT COMMERCIAL)
Denison Township & Fairbank Township

Notwithstanding any other provision hereof to the contrary, within any area designated C7(3) on the *Zone Maps*, all provisions of this by-law applicable to C7 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:
 - (a) a camping ground containing not more than 100 campsites and *accessory uses* restricted to the Remainder of Parcel 7288 in Lot 10, Concession VI, Township of Denison.

(d) C7(4) (RESORT COMMERCIAL)
Denison Township

Notwithstanding any other provision hereof to the contrary, within any area designated C7(4) on the *Zone Maps*, all provisions of this by-law applicable to C7 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:
 - (a) *a marina*
 - (b) *five seasonal dwellings*
 - (c) *accessory uses.*

(e) C7(5) (RESORT COMMERCIAL)
Lorne Township

Notwithstanding any other provision hereof to the contrary, Within any area designated C7(5) on the *Zone Maps*, all provisions of this by-law applicable to C7 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:
 - (a) *a two family dwelling*
 - (b) *a camping ground*
 - (c) *a convenience store*
 - (d) *a marina*
 - (e) *a tavern*
 - (f) *accessory uses.*

(f) C7(6) (CAMPING SITES & SEASONAL DWELLINGS INTERCHANGEABLE)
Fairbank Township

Notwithstanding any other provision hereof to the contrary, within any area designated C7(6) on the *Zone Maps*, all provisions of this by-law applicable to C7 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:
 - (a) Ten *seasonal dwellings* or ten camping sites interchangeably in any combination provided that the combined total of *seasonal dwellings* plus camping sites does not exceed ten; a *marina*; one single *dwelling*; and a *restaurant*.
 - (b) *Accessory uses*.
 - (c) For purposes of this By-law, each camping site shall be entitled to a maximum of one *recreation vehicle* and a maximum of two *accessory tents*.

(g) C7(7) CAMPGROUND
Rathbun Township

Notwithstanding any other provision hereof to the contrary, within any area designated C7(7) on the *Zone Maps*, all provisions of this by-law applicable to C7 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:
 - (a) a tent and *trailer park* for tent and *trailer* sites restricted to tents, *travel trailers* and a *laundromat*, a gas pump and a service store for the *use* of *park* occupants only, and *accessory uses*.
- (ii) The maximum number of sites shall be 60, each with a minimum width of 12.192 metres and a minimum depth of 18.288 metres.
- (iii) No site may be used for a mobile home intended to be used as year-round *dwelling*.

SECTION 3 SPECIAL INDUSTRIAL ZONES

(1) SPECIAL MIXED LIGHT INDUSTRIAL /SERVICE COMMERCIAL - M1

(a) M1(1) (INDUSTRIAL EQUIPMENT SALES/CONTRACTOR'S BUSINESS)

Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated M1(1) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modification:

- (i) The only permitted use shall be an industrial equipment sales/contractor's business which may conduct industrial equipment sales and servicing, outdoor storage, warehousing, office activities and related accessory uses.

(b) M1(2) (TRANSPORT TERMINAL, MINI-STORAGE & MACHINE SHOP)

Denison Township

Notwithstanding any other provision hereof to the contrary, within any area designated M1(2) on the *Zone Maps*, all provisions of this By-law applicable to M1 Zones shall apply subject to the following modifications:

- (i) The only permitted uses shall be the following:
 - (a) a transport terminal,
 - (b) a mini-storage and rental facility,
 - (c) a machine shop,
 - (d) any use permitted in all Zones under Section 4.40 of Part 4.
- (ii) Open storage shall be permitted only within those areas identified for storage purposes by way of a registered *Site Plan Control Agreement*.

(c) M1(3) (RESIDENCE AND AUTOMOTIVE USE WITH BODY SHOP)

Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated M1(3) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a *single detached dwelling*, a *commercial or public garage*, a body shop and any *use* permitted in all *Zones* under Section 4.40 of Part 4.

**(d) M1(4) (M.T.C. WORKS YARD)
Dryden Township**

Notwithstanding any other provision hereof to the contrary, Within any area designated M1(4) on the *Zone Maps*, all provisions of this by-law applicable to M1 *Zones* shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a *public utility* and any *use* permitted in all *Zones* under Section 4.40 of Part 4.

**(e) M1(5) (AUTOMOTIVE DEALERSHIP/REPAIRS, RECREATION
VEHICLE SALES)
Garson Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(5) on the *Zone Maps*, all provisions of this by-law applicable to M1 *Zones* shall apply subject to the following modification:

- (i) The only permitted *uses* shall be an *automotive repair shop*, a recreation *vehicle sales establishment*, an *automotive sales establishment*, one *dwelling unit* and any *use* permitted in all *Zones* under Section 4.40 of Part 4.

**(f) M1(6) (AUTO REPAIR AND BODY SHOP)
Dowling Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(6) on the *Zone Maps*, all provisions of this by-law applicable to M1 *Zones* shall apply subject to the following modification:

- (i) The only permitted *uses* shall be an *automotive repair shop*, a *automotive body shop*, storage *uses*, and related *accessory uses*.

**(g) M1(7) (AUTO BODY SHOP)
Blezard Township**

Notwithstanding any other provision of the By-law to the contrary, within any area designated M1(7) on the *Zone Maps*, all provisions of this By-law applicable to M1 *Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an "M1" *Zone*, an auto body shop shall be permitted.

**(h) M1(8) (AUTOMOTIVE REPAIR SHOP)
Levack Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(8) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be an *automotive repair shop* and related *accessory uses*.

**(i) M1(9) UNION TRAINING FACILITY
Hanmer Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(9) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *trade school/training facility* and *accessory office uses*.

(j) M1(10) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated M1(10) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be one *single detached dwelling*, *wholesale and manufacturing uses* and *offices*.

**(k) M1(11) (PUBLIC UTILITY)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(11) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a *public utility* and related *accessory uses*.
- (ii) The *setback* for any new *building* from any *street line* shall be 8 metres.

**(l) M1(12) (DEAN AVE.)
McKim Township**

Notwithstanding any other provisions hereof to the contrary, within any area designated M1(12) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be warehousing, storage and wholesale outlet *uses*.

**(m) M1(13) (COPPER CLIFF DAIRY)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(13) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a dairy and *uses accessory* thereto, however, no *buildings* may be erected on Lots 127 and 128 of Plan M-1023.
- (ii) The minimum *setback* shall be 1 metre, except that the location of the *existing building* is permitted.

**(n) M1(14) (RAILWAY LANDS)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(14) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be railway *uses* and their *accessory buildings* and structures.

**(o) M1(15) (CARPENTRY AND GLASS SHOP)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(15) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a carpentry and glass shop.
- (ii) The minimum *setback* from Alder Street shall be 6 metres.

- (iii) The minimum *setback* from the southerly property line shall be 15 metres.

**(p) M1(16) (AUDIO/VISUAL STUDIO)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(16) on the *Zone Maps*, all provisions of this by-law applicable to M1 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *use* shall be an audio/visual studio.

(q) M1(17) Broder Township

Notwithstanding any other provision hereof to the contrary, within any area designated M1(17) on the *Zone Maps*, all provisions of this by-law applicable to M1 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a trucking business, warehousing and storage, and related *accessory uses* including *accessory offices*.

**(r) M1(18) (ROOFING BUSINESS)
Dill Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(18) on the *Zone Maps*, all provisions of this by-law applicable to M1 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a roofing business, which may include the manufacture of roofing systems, together with related *accessory uses*, all within the *existing building*.

(s) M1(19) Dill Township

Notwithstanding any other provision hereof to the contrary, within any area designated M1(19) on the *Zone Maps*, all provisions of this by-law applicable to M1 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a *vehicle* sales or rental establishment.

**(t) M1(20) (TRANSPORT TERMINAL)
Dill Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(20) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a *transport terminal*, restricted to the *existing building*.

**(u) M1(21) COMMERCIAL PUBLIC GARAGE
Dill Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(21) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *commercial or public garage* and *accessory uses* restricted to the *existing non-residential buildings*.

**(v) M1(22) Mini-storage facility
Dill Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(22) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a *commercial self storage facility* and no *private* sewer or water services shall be allowed.
- (ii) The minimum *setback* from any *lot line* shall be 25 metres.

**(w) M1(23) BUILDING SUPPLY AND LUMBER OUTLET
Dill Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(23) on the *Zone Maps*, all provisions of this by-law applicable to M1 Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a *building supply and lumber outlet*, restricted to the *existing buildings* and structures.

(x) M1(24) Dill Township

Notwithstanding any other provision hereof to the contrary, within any area designated M1(24) on the *Zone Maps*, all provisions of this by-law applicable to M1 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *use* shall be the manufacture, warehousing and distribution of elastomeric piping products, *accessory office* space and related *accessory uses*, and/or *buildings*, which shall be restricted to occupying the northerly 168 metres of Parcel 22069 S.E.S.

**(y) M1(25) WINDOWS AND DOORS
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(25) on the *Zone Maps*, all provisions of this by-law applicable to M1 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the fabrication or assembly, storage and distribution of windows, doors and related *building* products, *accessory office* space and their related *accessory uses*.

**(z) M1(26) (TRUCK REFUELLING CENTRE)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned M1(26) on the *Zone Maps*, all provisions of this By-law applicable to M1 *Zones* shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a card lock facility for truck refueling and related *accessory uses* including a *convenience store*, a *restaurant* and an *automotive accessories store*.

(2) SPECIAL BUSINESS INDUSTRIAL – M1-1

**(a) M1-1(1) SETBACKS
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(1) on the *Zone Maps*, all provisions of this by-law applicable to M1-1 *Zones* shall apply subject to the following modifications:

- (i) No *buildings* shall be permitted on that part of the property in Plan 53R-13258.
- (ii) Minimum *building setbacks* on that part of the property described as Part 2, 53R-13562 shall be provided as follows:
 - (a) 12 m from the north boundary;
 - (b) 7 m from the south boundary;
 - (c) 12.8 m from the west boundary;
 - (d) 11 m from the east and southeast boundaries of Part 2, Plan 53R-13562.

**(b) M1-1(2) DETOXIFICATION CENTRE
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(2) on the *Zone Maps*, all provisions of this by-law applicable to M1-1 *Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an M1-1 Zone, a detoxification centre shall also be a permitted *use*.

**(c) M1-1(3) SHOE REPAIR AND DWELLING UNITS
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(3) on the *Zone Maps*, all provisions of this by-law applicable to M1-1 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be one of the following:
 - 1. a shoe repair business and a maximum of 3 *dwelling* units;
or
 - 2. a maximum of 4 *dwelling units*.
- (ii) No *parking spaces* shall be required.

**(d) M1-1(4) NEWGATE AVENUE
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(4) on the *Zone Maps*, all provisions of this by-law applicable to M1-1 *Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an M1 Zone, a *place of amusement* shall also be permitted.

**(e) M1-1(5) NEWGATE AVENUE
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(5) on the *Zone Maps*, all provisions of this by-law applicable to M1-1 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an M1-1 Zone, retail *uses* shall also be permitted.
- (ii) The minimum *setback* for *buildings* from Notre Dame Avenue shall be 18 metres.
- (iii) No *building* opening shall be permitted below the elevation of 850 feet C.G.D.

**(f) M1-1(6) GLASS SHOP
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(6) on the *Zone Maps*, all provisions of this by-law applicable to M1-1 Zones shall apply subject to the following modifications:

- (i) All *uses* permitted in an M1-1 Zone shall be permitted, except for the following *uses* which shall not be permitted:
 - (a) drycleaning and laundering establishments;
 - (b) *private clubs*;
 - (c) *hotels*;
 - (d) *commercial recreation centres*;
 - (e) *restaurants*.
- (ii) In addition to the *uses* permitted in an "M1-1" Zone the following *uses* shall also be permitted:
 - (a) glass repair, installation and sales;
 - (b) communication devices, installation, retail and service.

- (iii) Any manufacturing, compounding, assembling, processing, packaging, treatment etc. must be conducted wholly within a completely enclosed *building*.

**(g) M1-1(7) (UNION GAS)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(7) on the *Zone Maps*, all provisions of this by-law applicable to M1-1 *Zones* shall apply subject to the following modifications:

- (i) The minimum *setback* from Municipal Road 86 shall be 20 metres.

(h) M1-1(8) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(8) on the *Zone Maps*, all provisions of this By-law applicable to M1-1 *Zones* shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in an M1-1 *Zone*, *place of amusement, tavern and retail store uses* shall also be permitted.

**(i) M1-1(9) (SUPERMARKET)
McKim Township**

Notwithstanding any other provision of the By-law to the contrary, within any area designated M1-1(9) on the *Zone Maps*, all provisions of this By-law applicable to M1-1 *Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an M1-1 *Zone*, a supermarket shall be permitted.

(3) SPECIAL LIGHT INDUSTRIAL ZONE - M2

**(a) M2(1) (LIGHT INDUSTRIAL AND SERVICE COMMERCIAL)
Capreol Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M2(1) on the *Zone Maps*, all provisions of this by-law applicable to M2 *Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a M2 *Zone*, the *uses* permitted in a M1 *Zone* shall also be permitted.

- (ii) The minimum *lot frontage* for a *lot* having access from an *arterial road* shall be 30 m.
- (iii) The minimum *rear yard* depth shall be 30 m.

b) M2(2) STORAGE OF CONSTRUCTION EQUIPMENT AND MATERIALS
Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated M2(2) on the *Zone Maps* all provisions of this by-law applicable to M2 Zones shall apply subject to the following modification:

- (i) In addition to those *uses* permitted in a M2 Zone, the storage of *building* or construction equipment or materials shall also be permitted.

(c) M2(3) (HELICOPTER BASE AND LANDING FIELD)
Balfour Township

Notwithstanding any other provision hereof to the contrary, within any area designated M2(3) on the *Zone Maps*, all provisions of this by-law applicable to M2 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a helicopter base, helicopter landing field and their related *accessory uses*.

(d) M2(4) (SINGLE DETACHED DWELLING)
Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated M2(4) on the *Zone Maps*, all provisions of this By-law applicable to M2 Zones shall apply subject to the following modification:

- (i) The only permitted *use* shall be an *existing single detached dwelling* and its related *accessory uses* until such time as the occupancy of the *dwelling* has been discontinued. Upon discontinuance of the *use* of the *existing single detached dwelling* all *uses* permitted in an "M2" Zone shall subsequently be permitted.

(e) M2(5) (WELDING SHOP AND ACCESSORY USES)
Balfour Township

Notwithstanding any other provision hereof to the contrary, within any area zoned M2(5) on the *Zone Maps*, all provisions of this by-law applicable to M2 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a welding shop and related *accessory uses*.

**(f) M2(6) (NO OUTDOOR STORAGE)
Waters Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M2(6) on the *Zone Maps*, all provisions of this by-law applicable to M2 *Zones* shall apply subject to the following modifications:

- (i) No open storage shall be permitted.

**(g) M2(7) (AIRPORT)
Falconbridge and MacLennan Townships**

Notwithstanding any other provision hereof to the contrary, within any area designated M2(7) on the *Zone Maps*, all provisions of this by-law applicable to M2 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be an *airport*, any *public agency use* or any *use* authorized by the Sudbury Airport Community Development Corporation for its lessees or licensees, and any *use* permitted in all *Zones* under Section 4.40 of Part 4.

**(h) M2(8) (RUBBER AND PLASTICS)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M2(8) on the *Zone Maps*, all provisions of this by-law applicable to M2 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *use* shall be the manufacture and processing of rubber and plastic materials and related *accessory uses*.

**(i) M2(9) HOCKEY TRAINING FACILITY
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M2(9) on the *Zone Maps*, all provisions of this by-law applicable to M2 *Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a M2 *Zone*, a *commercial recreation centre* being a hockey training facility shall be permitted.

**(j) M2(10) (PIONEER INDUSTRIAL PARK)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned M2(10) on the *Zone Maps*, all provisions of this By-law applicable to M2 Zones shall apply subject to the following modifications:

- (i) For the purpose of this by-law, the following definition shall apply:

'Individual *Development Site*' means a part of the larger industrial park land holding used exclusively for a permitted *main use* and related *accessory uses* and rented or leased or operated independently from the balance of the land holding. Each 'individual *development site*' shall be regarded as a separate *lot* for purposes of determining *building setbacks*, *lot area*, *lot depth*, *lot frontage*, landscaping and signage permitted.

- (ii) The minimum area of an individual *development site* shall be 1 hectare (2.5 acres).
- (iii) The lands described as Parts 2, 3, 8 and 9, Plan 53R-17557 in Lot 7, Concessions 3 and 4, Neelon Township are designated as a Site Plan Control Area, pursuant to Section 41 of the Planning Act.

(4) SPECIAL HEAVY INDUSTRIAL ZONE - M3

**(a) M3(1) (EXPLOSIVES MANUFACTURING)
Garson Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M3(1) on the *Zone Maps*, all provisions of this by-law applicable to M3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be an explosives manufacturing and distribution facility and any *use* permitted in all *Zones* under Section 4.40 of Part 4.
- (ii) The minimum front, interior side and *rear yard* depth shall be 150 metres.

**(b) M3(2) (EXPLOSIVES DEPOT)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M3(2) on the *Zone Maps*, all provisions of this by-law applicable to M3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be an explosives storage, assembly and distribution centre, a truck and transport depot, maintenance and *office* complex and any *use* permitted in all *Zones* under Section 4.40 of Part 4.

**(c) M3(3) (RESIDENCE AND SALVAGE YARD)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M3(3) on the *Zone Maps*, all provisions of this by-law applicable to M3 Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *vehicle salvage yard*, a *single detached dwelling* and any *use* permitted in all *Zones* under Section 4.40 of Part 4.

**(d) M3(4) (MANUFACTURING ROOF TRUSSES AND CONCRETE PRODUCTS)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M3(4) on the *Zone Maps*, all provisions of this By-law applicable to M3 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be the manufacturing of pre-engineered roof trusses, the storage and wholesale sales of pre-manufactured concrete products including the batching and bagging of such related products, and any *use* permitted in all *Zones* under Section 4.40 of Part 4.

**(e) M3(5) (TRANSPORT TERMINAL AND MECHANICAL AND FABRICATING SHOP)
Levack Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M3(5) on the *Zone Maps*, all provisions of this by-law applicable to M3 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be:
 - (a) a *transport terminal*;
 - (b) an *industrial use*;
 - (c) a *warehouse*;
 - (d) any use permitted in all *Zones* under Section 4.40 of Part 4.

**(f) M3(6) (ALEXANDER CENTRE INDUSTRIES)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M3(6) on the *Zone Maps*, all provisions of this by-law applicable to M3 *Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an M3 *Zone*, an *extractive use* shall also be a permitted *use*.

**(g) M3(7) (CONCRETE PLANT)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M3(7) on the *Zone Maps*, all provisions of this by-law applicable to M3 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a Precast Concrete Plant, Ready-Mix Plant and related *accessory uses* including a Maintenance *Building*.
- (ii) The maximum *height* of any *building* shall not exceed 20 metres.
- (iii) The minimum *building setback* from Falconbridge Road (Municipal Road 86) shall be 23 metres and the minimum *building setback* from the southerly zoning boundary shall be 130 metres.

**(h) M3(8) (CONCRETE PLANT)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M3(8) on the *Zone Maps*, all provisions of this by-law applicable to M3 *Zones* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a concrete products manufacturing plant, related *office* and repair structure, related storage structures and *accessory uses* including outdoor storage of products, provided that:

- (a) all manufacturing is carried on within a completely enclosed structure;
 - (b) any storage of materials is not located in the *required front yard*.
 - (ii) Side and *rear yards* shall be provided in accordance with the following:
 - (a) *side yard* – 7.6 metres along western property boundary
 - (b) *rear yard* – 4.5 metres
 - (iii) Parking shall be provided in accordance with the following:
 - (a) a minimum of 16 automobile *parking spaces*;
 - (b) a minimum of 6 truck *parking spaces* measuring 6 metres by 18.2 metres;
 - (c) no *required parking spaces* shall be permitted in the minimum *required front yard*.
 - (iv) A loading zone area shall be provided measuring a minimum of 12 metres feet in width by 19.8 metres in length and shall have a vertical clearance of not less than 4.2 metres and may not occupy a *required parking space*.
- (i) **M3(9) (BIOREACTOR)**
McKim Township
- Notwithstanding any other provision hereof to the contrary, within any area designated M3(9) on the *Zone Maps*, all provisions of this by-law applicable to M3 *Zones* shall apply subject to the following modifications:
- (i) In addition to the *uses* permitted a waste processing plant for the processing of sewage, waste biomass, organic waste and dead animals shall also be permitted.
- (j) **M3(10) (VEHICLE SALES OR RENTAL)**
Waters Township

Notwithstanding any other provision hereof to the contrary, within any area designated M3(10) on the *Zone Maps*, all provisions of this by-law applicable to M3 *Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted a *vehicle sales or rental establishment*, other than an automotive dealership shall also be permitted. For the purposes of the lands designated M3(10) an automotive dealership shall mean a *vehicle sales or rental*

establishment engaged in the sale or rental of non-commercial vehicles other than recreation vehicles.

(5) SPECIAL MINING INDUSTRIAL - M4

(a) M4(1) (HEAVY EQUIPMENT SALES & SERVICE AND METALS WHOLESALE AND STORAGE) Blezard Township

Notwithstanding any other provision hereof to the contrary, within any area designated M4(1) on the *Zone Maps* all provisions of this by-law applicable to M4 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be the following:
 - (a) *heavy equipment sales and rental*;
 - (b) repairing and servicing heavy equipment;
 - (c) wholesale and storage of steel and other metals;
 - (d) any *use* permitted in all Zones under Section 4.40 of Part 4.

(b) M4(2) (SEWAGE TREATMENT FACILITY) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated M4(2) on the *Zone Maps*, all provisions of this by-law applicable to M4 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an M4 Zone, a sewage treatment facility shall also be a permitted *use*.
- (ii) The minimum *setback* from Balsam Street shall be 86 metres, and the minimum *setback* from Municipal Road 55 shall be 21 metres.

(6) SPECIAL EXTRACTIVE INDUSTRIAL - M5

(a) M5(1) (QUARRY AND REPROCESSING & RECYCLING OF ASPHALT AND CONCRETE) Neelon Township

Notwithstanding any other provision hereof to the contrary, within any area designated M5(1) on the *Zone Maps*, all provisions of this by-law applicable to M5 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a M5 Extractive Industrial Zone, the reprocessing and recycling of reusable material such as concrete and asphalt shall be permitted within the licensed area on Part 7, Plan 53R-18078;

- (ii) The only permitted *use* on Parts 1 to 6 inclusive, Plan 53R-18078 shall be *landscaped open space*.

**(b) M5(2) (PIT AND DRY MIX CONCRETE PRODUCTS PLANT)
Dowling Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M5(2) on the *Zone Maps*, all provisions of this by-law applicable to M5 *Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a M5 *Zone*, a dry mix concrete products plant and related *accessory uses* shall be permitted.
- (ii) The minimum *lot area* shall be 3.8 ha.

**(c) M5(3) (PIT WITH SPECIAL SETBACK)
Dowling Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M5(3) on the *Zone Maps*, all provisions of this by-law applicable to M5 *Zones* shall apply subject to the following modification:

- (i) No *pit* excavations or *accessory uses* shall be permitted within 200 m of the south property boundary.

**(d) M5(4) (PIT WITH SPECIAL SETBACK)
Capreol Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M5(4) on the *Zone Maps*, all provisions of this by-law applicable to M5 *Zones* shall apply subject to the following modification:

- (i) No part of any *pit* excavation shall be located closer than 150 metres from the nearest residential *dwelling*.

**(e) M5(5) (PIT/QUARRY SPECIAL SETBACK)
Dill Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M5(5) on the *Zone Maps*, all provisions of this by-law applicable to M5 *Zones* shall apply subject to the following modification:

- (i) No part of any *pit* excavation or *quarry* shall be located within 65 metres of any *residential use* on another *lot*, and within 50 metres of any street.

**(f) M5(6) (PIT/QUARRY SPECIAL SETBACK)
Dill Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M5(6) on the *Zone Maps*, all provisions of this by-law applicable to M5 Zones shall apply subject to the following modification:

- (i) No part of any *pit* excavation or *quarry* or *building* or *structure* shall be located within 200 metres of the northerly *lot line* or within 18 metres of the easterly, westerly and southerly *lot lines*.

**(g) M5(7) (PIT/QUARRY SPECIAL SETBACK)
Dill Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M5(7) on the *Zone Maps*, all provisions of this by-law applicable to M5 Zones shall apply subject to the following modification:

- (i) No part of any *pit* excavation or *quarry* or *building* or *structure* shall be located within 18 metres of any *lot line* except on Parcel 6018, SES, located in part of the north-half of Lot 3, Concession 3, Dill Township where a *setback* of 400 metres shall be required from the southerly *lot line* and 200 metres from the westerly *lot line*.
- (ii) Despite subsection (i), where a permitted pit and *quarry* is located on a *lot* that is adjacent to a *lot* on which a permitted *pit* and *quarry* is located, the *setback* requirements described in subsection (i) do not apply to the common *lot line*.

**(h) M5(8) (PIT SETBACK)
Rayside Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M5(8) on the *Zone Maps*, all provisions of this By-law applicable to M5 Zones shall apply subject to the following modification:

- (i) No *pit* extraction shall occur within 30 m of the *high water mark* of the Whitson River, within 30m of the Montee Principale road allowance or within 30 m of Plan 53R-8721.

**(i) M5(9) (QUARRY SETBACK)
Lorne Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M5(9) on the *Zone Maps*, all provisions of this By-law applicable to M5 Zones shall apply subject to the following modification:

- (i) Quarrying and related *accessory uses* shall be set back a minimum of 150 m from Part 1, on Plan SR-207.

(j) M5(10) (CEMENT MANUFACTURING PLANT)

Notwithstanding any other provision hereof to the contrary, within any area designated M5(10) on the *Zone Maps*, all provisions of this by-law applicable to M5 Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a M5 Zone, an *industrial use* engaged primarily in manufacturing or processing cement or concrete is permitted;

**(k) M5(11) (PIT AND CEMENT AND ASPHALT PLANTS)
Hanmer Township**

Notwithstanding any other provision hereof to the contrary, within any area designated M5(11) on the *Zone Maps*, all provisions of this by-law applicable to M5 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a M5 Zone, a portable cement plant and/or an asphalt plant shall be permitted as *uses accessory* to an *extractive use*.
- (ii) No excavations shall be permitted within 91.4 m (300 feet) of the centre line of the Rapid River.

**(l) M5(12) (CLASS B PIT AS ADDED USE)
Hanmer Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned M5(12) on the *Zone Maps*, all provisions of this By-law applicable to M5 Zones shall apply subject to the following modification:

- (i) Only a Class B *Pit* as defined by the Aggregate Resources Act, shall be permitted provided that the *pit* has no *accessory* crushing or screening operations.

(m) M5(13)

Notwithstanding any other provision hereof to the contrary, within any area zoned M5(13) on the *Zone Maps*, all provisions of this By-law applicable to M5 Zones shall apply subject to the following modification:

- (i) A *pit* shall not exceed 20.98 ha. in area with maximum tonnage extracted to be no more than 15,000 tonnes/year.
- (ii) A *quarry* shall not exceed 5.83 ha. in area with maximum tonnage extracted to be no more than 15,000 tonnes/year.
- (iii) The perimeter of the *pit* extraction area shall be a minimum of 300 metres from any legally established *residential use* on another *lot* and 50 metres from any street.
- (iv) The perimeter of the *quarry* extraction area shall be a minimum of 500 metres from any legally established *residential use* on another *lot* and 50 metres from any street.
- (v) Access shall be restricted to the approved residential entrance from Highway No. 69 under Ministry of Transportation permit number EN-96-54s-001.
- (vi) The location of *accessory buildings* or structures, including temporary portable site *trailers* for employees, are subject to the following minimum requirements:

Minimum <i>Front yard</i>	30 metres
Minimum <i>Side yard</i>	15 metres
Minimum <i>Rear yard</i>	15 metres
- (vii) An *accessory dwelling unit* is prohibited.

(7) SPECIAL DISPOSAL INDUSTRIAL - M6

(a) M6(1) Hanmer Township

Notwithstanding any other provision hereof to the contrary, within any area zoned M6(1) on the *Zone Maps*, all provisions of this By-law applicable to M6 Zones shall apply subject to the following modification:

- (i) Notwithstanding the *uses* permitted in an M6 Zone, the only permitted *uses* shall be as follows:
 - (a) a saw mill;

- (b) a planing mill;
 - (c) a lumber *yard* including the sale of lumber products and the customizing of vans and their sale;
 - (d) a *single detached dwelling*
- (ii) All *uses* in the M6(1) zone, shall comply with Section 4.42 *Wellhead protection areas*.

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SECTION 4 SPECIAL RURAL ZONES

(1) SPECIAL AGRICULTURAL ZONES - A

(a) A(1) (AGRICULTURAL USES ONLY) Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated A(1) on the *Zone Maps*, all provisions of this By-law applicable to A Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be an agricultural *use* and its related *accessory uses*. Within the A(1) Zone a *dwelling unit* shall not be permitted as a *main use*, nor as an *accessory use*.

(b) A(2) (UTILITY TRAILER SALES) Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated A(2) on the *Zone Maps*, all provisions of this By-law applicable to A Zones shall apply subject to the following modification:

- (i) In addition to those *uses* permitted in an A, Agricultural zone, the manufacturing of utility *trailers*, factory outlet sale of utility *trailers*, and the *accessory* sale of parts and merchandise for utility *trailers* shall be permitted.

(c) A(3) Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated A(3) on the *Zone Maps*, all provisions of this by-law applicable to A Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an A Zone, general farm machinery repairs, automotive repairs and welding shall also be permitted, within the *existing* 12 metre by 34 metre *building* located along the easterly property boundary.

(d) A(4) (ANIMAL FEED AND AGRICULTURAL SUPPLY STORE) Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated A(4) on the *Zone Maps*, all provisions of this By-law applicable to A Zones shall apply subject to the following modification:

- (i) In addition to those *uses* permitted in a A, Agricultural zone, an animal feed and agricultural supply store shall also be permitted.

(e) A(5) (DWELLING & CARPENTRY SHOP)
Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area zoned A(5) on the *Zone Maps* all provisions of this by-law applicable to A Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a A, Agricultural zone, the following *uses* are permitted:
 - (a) A detached carpentry shop together with a detached single *dwelling* on the same property in which the operator of the business resides.
 - (b) The detached carpentry shop shall not exceed 223 m² in *gross floor area*.
 - (c) No outside storage shall be permitted in connection with the carpentry shop.

(f) A(6) (SINGLE FAMILY DWELLING, WELDING AND REPAIR SHOP)
Balfour Township

Notwithstanding any other provision hereof to the contrary, within any area designated A(6) on the *Zone Maps*, all provisions of this By-law applicable to A Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a A, Agricultural zone, the following *uses* are permitted:
 - (a) A garage for welding and the repair of small engines, automobiles and trucks as a *home occupation*, an automotive sales establishment where the sale of vehicles is restricted to one automobile at any one time.
 - (b) The *home industry* provisions of Section 4.13 shall apply except that no outdoor storage shall be permitted, all welding must occur within the *accessory* garage and a total *floor area* of 119m² (1,280 sq. ft.) may be used for the *home industry* in the *accessory building*.

- (c) A maximum of four vehicles associated with the *home industry* may be parked or stored outside on the property at one time.

**(g) A(7) (COMMERCIAL OR PUBLIC GARAGE)
Hanmer Township**

Notwithstanding any other provision of this By-law to the contrary, within any area designated A(7) on the *Zone Maps*, all provisions of this By-law applicable to A Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an A Zone, a *commercial* garage, a public garage and the repair of *recreation vehicles* shall be permitted within an *existing building*.
- (ii) No open storage shall be permitted in conjunction with a *commercial or public garage*.
- (iii) The *accessory* outdoor storage of *recreation vehicles* which are under repair shall be permitted. No *accessory* outdoor storage of *recreation vehicles* which are under repair shall, however, be permitted within 50 metres of a *public road*.

**(h) A(8) (Enclosed Mini Golf)
Rayside Township**

Notwithstanding any other provision of this By-law to the contrary, within any area designated A(8) on the *Zone Maps*, all provisions of this By-Law applicable to A Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a A Zone, the following *uses* are permitted:
 - (a) An enclosed mini-golf facility.

(2) SPECIAL RURAL ZONES - RU

**(a) RU(1) (17 SINGLE DETACHED DWELLINGS & ONE MOBILE HOME)
Capreol Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(1) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be sixteen (16) *existing single detached dwellings* and one *existing mobile home dwelling* and their related *accessory uses* which shall include *home occupations*.

(b) RU(2) (FENCING CONTRACTOR'S YARD)

Notwithstanding any other provision hereof to the contrary, within any area designated RU(2) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU Zone a fencing *contractor's yard*, which may include the *accessory* retail sale of fencing supplies, shall also be permitted.
- (ii) No fencing *contractor's yard* activities shall be located closer than 183 metres from the south limit of Parcels 84 and 14998 SWS, save and except the following:
 - (a) A fencing contractor's *driveway*.
 - (b) One exiting *office* and/or maintenance *building* which may include an *accessory* outdoor retail sales area and an *accessory parking area*. The parking or storage outdoors of a *commercial vehicle* shall be prohibited with 183 metres from the south limit of Parcels 84 and 14998 SWS.
- (iii) A 20 metre natural *planting strip* shall be maintained around the perimeter of any area containing the operations of a fencing *contractor's yard*.
- (iv) A 4.5 metre *planting strip* shall be maintained along the southwesterly *interior lot line*, commencing at the south *lot line* of Parcel 14998 SWS and extending 90 metres along the southwesterly *interior lot line*."
- (v) No fencing *contractor's yard* activities shall be located closer than 91 metres from the *rear lot line* of Parts 1,2,3,4,5 and 6, 53R-18693

(c) RU(3) (BODY & REPAIR SHOP, SINGLE DETACHED DWELLING)
Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated RU(3) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a *single detached dwelling*, *automotive repair shop* and *automotive body shop*.

(d) RU(4) (MOTOR HOME DEALERSHIP)
Balfour Township

Notwithstanding any other provision hereof to the contrary, within any area zoned RU(4) on the *Zone Maps* all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:

a dealership for the sale of motor homes and *travel trailers* used for the temporary vacation living accommodation of one or more *persons*, and related *accessory uses* which among other *uses* may include *accessory repair*, *accessory sale of parts* and *accessories* and *accessory offices*.

(e) RU(5) (SALES AND SERVICING OF INDUSTRIAL PUMPS)

Notwithstanding any other provision hereof to the contrary, within any area designated RU(5) On the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply, subject to the following modification:

- (i) In addition to the *uses* permitted in an RU Zone, the sale and servicing of industrial pumps shall also be permitted.

(f) RU(6) (RESTAURANT)
Balfour Township

Notwithstanding any other provision hereof to the contrary, within any area designated RU(6) on the *Zone Maps*, all provisions of this by-law applicable to Agricultural Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *restaurant* and *accessory buildings*.
- (ii) The minimum *lot frontage* shall be 41 metres.

(g) RU(7) (POWER LINE CONTRACTING BUSINESS)
Denison Township

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(7) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) in addition to the *uses* permitted in a RU, Rural Zone, the following *uses* are permitted:
 - (a) the warehousing and storage of electrical equipment for the construction of high voltage power lines and related *accessory uses* including the repair and servicing of equipment, outdoor storage and administrative *offices*.
- (ii) the location of the *existing buildings* shall be permitted and new *buildings* must be *setback* a minimum of 50 metres from all property boundaries.
- (iii) the maximum total *gross floor area* for the subject property shall be 1,730 m².
- (iv) the property is hereby designated as a "site plan control area" pursuant to Section 40(2) of the Planning Act, as amended, and that no *development* which would bring the total *gross floor area* of the property above 801m² will be permitted unless the owners enter into an Agreement with The Regional Municipality of Sudbury regarding the facilities to be provided in accordance with the approved plan of *development*.

**(h) RU(8) (TOURIST RESORT)
Lorne Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned RU(8) on the *Zone Maps*, all provisions of this By-law applicable to RU *Zones* shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a RU, Rural Zone, a tourist resort with a maximum of 10 cabins and 5 tent sites, the owner's residence and other related *accessory uses* shall be permitted.

**(i) RU(9) (GUEST RESIDENCE)
Louise Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(9) on the *Zone Maps*, all provisions of this by-law applicable to RU *Zones* shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in an RU, Rural Zone a *single detached dwelling* with an *accessory* guest residence shall be permitted.

**(j) RU(10) (LAWN CARE BUSINESS AND APARTMENT UNITS)
Waters Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(10) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to those *uses* permitted in a RU Rural Zone a landscaping, irrigation and lawn care business and four (4) apartment *dwelling units* shall be permitted.

**(k) RU(11) (RADAR BASE)
Capreol Map 1**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(11) on the *Zone Maps* all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU Rural Zone, one hundred and one (101) *dwelling units* are permitted in the *existing buildings* together with six (6) *mobile home sites*, on those parts of Parcels 16386, 1718 and 4805 situated south of Regional Road #85.
- (ii) The only *uses* which shall be permitted in *building* number 17 on Department of Defence Station Site Plan being Drawing No. L-F4-8420-101 shall be those *uses* listed under Subsection (2) of Section 1 of Part IV.
- (iii) Other *existing buildings* on Parcels 24275, 36287, 16386, 1718, 4805 and 10543 situated south of Municipal Road #85 may **be** used for no other purpose than warehousing and storage and as *accessory office* and maintenance *uses* for the entire complex.
- (iv) No new *buildings* or structures shall be permitted.
- (v) Notwithstanding Subsection (2) of Section 4 of Part VI, *buildings* numbered 2, 3, 4, 9, 10, and 16 on Department of National Defence Station Site Plan being Drawing No. L-F4-8420-101 may be used only for residential purposes, provided that the maximum number of *dwelling units* shall not exceed 75 in total.

**(l) RU(12) (EXPLOSIVES MAGAZINE)
Hanmer Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(12) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be an explosives magazine and related *accessory uses* that are exclusively devoted to the explosives magazine.
- (ii) Notwithstanding any other provisions to the contrary, the only permitted *buildings* and structures shall be as follows:
 - (a) a truck wash facility
 - (b) two explosives magazines
 - (c) two detonator magazines
 - (d) a stick explosives packaging facility
 - (e) an ANFO packaging facility
- (iii) That no *buildings* or structures used for explosives storage shall be located on that part of Parcel 6598 lying north of the Frenchman Lake Road road allowance.

**(m) RU(13) (REDUCED LOT FRONTAGE)
Capreol Township**

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(13) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) Minimum *lot frontage* – 61.9 metres

**(n) RU(14) (PORTABLE ASPHALT PLANT)
BRODER Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(14) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a *portable asphalt plant*, *existing* related *accessory buildings* and structures, and related *accessory uses* including material stockpiles.

- (ii) *Pits and Quarries* as defined by the Pits and Quarries Control Act, are not permitted *uses*.

**(o) RU(15) (AUTO REPAIR AND SINGLE DETACHED DWELLING)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(15) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be an *automotive repair shop* and garage and a *single detached dwelling* and related *accessory uses*.

(p) RU(16) BRODER MAP 18

Notwithstanding any other provision hereof to the contrary, within any area designated RU(16) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:

- storage and warehousing of wine concentrate
- *automotive body shop* and paint shop
- beverages, wholesale and storage
- boats, storage
- ice manufacturing
- juice making
- motor replacement parts, sales and storage
- radiator repairs
- storage *warehouse*
- wine making
- *vehicle* restoration, including boats, etc.

- (ii) That the *maximum gross floor area* of all *buildings* on site shall not exceed 814 m²;

- (iii) No outside storage shall be permitted.

(q) RU(17) Broder Township

Notwithstanding any other provision hereof to the contrary, within any area designated RU(17) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be warehousing and related *accessory offices*.

(r) RU(18) (GOOD NEIGHBOUR SALVAGE)
Dill Township

Notwithstanding any other provision hereof to the contrary, within any area designated RU(18) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a single family residence, a salvage business, and related *accessory uses* which may include casting of metals, metal crushing, sale of new and used cars, a public garage for mechanical repairs and auto body work, mechanical fitness repairs, retailing of new and used auto parts, reconditioning including painting of auto parts, manufacturing of fibreglass and plastic parts and repair of fibreglass and plastic parts.
- (ii) No storage shall be permitted in the *required front yard*.

(s) RU(19) (TOURIST INFORMATION CENTRE)
Dill Township

Notwithstanding any other provision hereof to the contrary, within any area designated RU(19) on the *Zone Maps*, all provisions of this by-law applicable to Rural, RU Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a tourist information and rest stop facility, tourist promotion *offices* and other municipal *uses* but not including a municipal works *yard*.
- (ii) A minimum *front yard* of 15 metres shall be provided.

(t) RU(20) (GOLF TRAINING FACILITY)
Broder Township

Notwithstanding any other provision hereof to the contrary, within any area designated RU(20) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in an RU Zone, a *commercial recreation centre* being restricted to a golf training facility which may include a snack bar and/or a retail golf equipment shop *accessory* to a golf training facility shall be permitted.

**(u) RU(21) (CONTRACTOR'S YARD)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned RU(21) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *contractor's yard* and related *accessory uses*.
- (ii) That the only permitted *buildings* and their maximum permitted *gross floor areas* shall be as follows:
 - (a) A combined *Office* and *Shipping/Receiving Building* where the *office* portion shall have a *maximum gross floor area* of 315 m² and the *shipping/receiving* portion shall have a *maximum gross floor area* of 115.2 m².
 - (b) A 372 m² *storage building*.
 - (c) A 152.4 m² *storage building*.
 - (d) A 242.1 m² *garage building*.
- (iii) That a minimum *setback* of 15 m shall be provided along the entire east and west property boundaries where, with the exception of one *driveway* entrance, the only permitted *use* shall be *landscaped open space*.
- (iv) The subject property is an area of Site Plan Control pursuant to Section 41 of the Planning Act, R.S.O. 1990, Chapter P. 13.

(v) RU(22) DRYDEN TOWNSHIP

Notwithstanding any other provision hereof to the contrary, within any area zoned RU(22) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be an automotive repair garage and body shop and *accessory office*, together with *accessory buildings* and structures.

(w) RU(23) DILL TOWNSHIP

Notwithstanding any other provision hereof to the contrary, within any area zoned RU(23) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) A *building* for the storage of construction equipment and material may be located, erected and used on the lands zoned RU(23) provided the following requirements are met:

Maximum <i>ground floor area</i>	300 square metres
Maximum <i>height</i>	6 metres

Minimum *setbacks* from the boundaries of the land described in subsection (2):

east	4 metres
west	20 metres
north	20 metres
south	2 metres

(x) RU(24) DILL TOWNSHIP

Notwithstanding any other provision hereof to the contrary, within any area zoned RU(24) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) the only permitted *uses* shall be:
- (a) one woodworking manufacturing workshop; and
 - (b) other *uses, buildings* and structures accessory to the above-noted *use*, which may include the following:
 - (1) One *commercial* showroom.
 - (2) Two *warehouses*.
 - (3) One *dwelling unit*.
- (ii) The total maximum floor area permitted for all *buildings* shall be 2,000 m²;

(y) RU(25) CLELAND TOWNSHIP

Notwithstanding any other provision hereof to the contrary, within any area zoned RU(25) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be one *single detached dwelling*, together with *accessory buildings* and structures, subject to the following requirements:

(a)	Minimum <i>lot area</i>	2,000 m ²
(b)	Minimum <i>lot frontage</i>	22.85 m
(c)	Minimum <i>front yard</i>	11 m
(d)	Minimum <i>rear yard</i>	11 m
(e)	Minimum <i>side yards</i>	6 m
(f)	Maximum <i>height of dwelling</i>	9 m

(z) RU(26) DILL TOWNSHIP

Notwithstanding any other provision hereof to the contrary, within any area zoned RU(26) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU Rural Zone, a mechanical repair shop, not including an autobody or welding shop shall be permitted.

(aa) RU(27) (PIT AS ADDED USE)

Notwithstanding any other provision hereof to the contrary, within any area designated RU(27) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to those *uses* permitted in a RU, Rural zone, a *pit* shall be permitted provided that no extraction occurs within 300 m of Plan M-421 or within 30 m of the *high water mark* of the Whitson River.

**(bb) RU(28) (PIT AS ADDED USE)
Rayside Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(28) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) In addition to those *uses* permitted in a RU, Rural Zone, a *pit* shall be permitted provided that no extraction occurs within 30 m of the *high water mark* of the Whitson River or within 305 m of the south property boundary.

**(cc) RU(29) (NO ACCESSORY DWELLING UNIT)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(29) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) no *accessory dwelling unit* is permitted.

**(dd) RU(30) (WOODWORKING AND CARPENTRY SHOP)
Balfour Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(30) on the *Zone Maps* all provisions of this by-law applicable to RU Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a RU, Rural zone, a woodworking and carpentry shop is permitted.

**(ee) RU(31) (ANIMAL FEED STORE)
Rayside Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(31) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) That in addition to the *uses* permitted in a RU, Rural zone, the following *uses* are permitted:
 - (a) an animal feed store business and agriculturally related *accessory uses* including the sale of feed equipment.
- (ii) Parking shall be provided as follows:
 - (a) Minimum *parking space* requirement - 13 spaces.
 - (b) No parking shall be permitted in the *required front yard*.

(ff) RU(32) (DUPLEX DWELLING)
Rayside, Garson and Maclellan Townships

Notwithstanding any other provision hereof to the contrary, within any area designated RU(32) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modification:

- (i) That in addition to the *uses* permitted in a RU, Rural zone, a *duplex dwelling* is permitted.

(gg) RU(33) (RESIDENTIAL DWELLING & WOODWORKING SHOP)
Rayside Township

Notwithstanding any other provision hereof to the contrary, within any area designated RU(33) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU, Rural zone, the following *uses* are permitted:
 - (a) a detached woodworking shop in conjunction with a detached residential *dwelling* on the same property in which the operator resides.
 - (b) the proposed detached woodworking shop shall not exceed 148.64 m² in *gross floor area*.

(hh) RU(34) (SINGLE FAMILY DWELLING, WATER WELL DRILLING BUSINESS)
Balfour Township

Notwithstanding any other provision hereof to the contrary, within any area designated RU(34) on the *Zone Maps*, all provisions of the by-law applicable to RU Zones shall apply subject to the following modification:

- (i) The only the following *uses* are permitted:
 - (a) a single family *dwelling*;
 - (b) a water well drilling business in conjunction with a single family *dwelling* on the same *lot*;
 - (c) any *use* permitted in all *Zones* under Section 4.40 of Part 4 hereof

(ii) RU(35) (BEAUTY LOUNGE)
Balfour and Rayside Townships

Notwithstanding any other provision hereof to the contrary, within any area designated RU(35) on the *Zone Maps*, all provisions of this by-law applicable to Rural Zones shall apply subject to the following modifications:

- (i) That a beauty lounge/spa shall be a permitted *use*.
- (ii) That notwithstanding the provisions permitting *home occupations* five *persons* not residing in the *dwelling* may be employed.

(jj) RU(36) (RAILROAD SIDING)
Neelon and Dryden Townships

Notwithstanding any other provision hereof to the contrary, within any area designated RU(36) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a RU, Rural zone, a *private* railroad siding and associated loading areas shall be permitted.

(kk) RU(37) (MULTIPLE FAMILY BUILDING)

Notwithstanding any other provision of this by-law to the contrary, within any area designated RU(37) on the *Zone Maps* the following special provisions shall apply:

- (i) In addition to the *uses* permitted in a RU, Rural Zone, an apartment *dwelling* containing not more than seven (7) *dwelling units* shall be permitted.

(ll) RU(38) (3 UNIT MULTIPLE FAMILY BUILDING)
Dowling Township

Notwithstanding any other provision of this by-law to the contrary, within any area designated RU(38) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU, Rural Zone, a three unit apartment *building* shall be a permitted *use*.

(mm) RU(39) (PRIVATE CAMPING GROUND)
Dowling Township

Notwithstanding any other provision of this by-law to the contrary, within any area designated RU(39) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU Rural Zone, the following *uses* shall be permitted:
 - (a) One *seasonal dwelling* and related *accessory uses* not including a sleep camp, and a camping ground with a maximum of 16 camper *trailer* sites. The operation of the camping ground shall be limited to that period extending from May 15 to October 15 each year; and
 - (b) A camper *trailer* storage area *accessory* to the camping ground in accordance with an approved *Site Plan Control Agreement*.
- (ii) Other than the permitted *seasonal dwelling* and related *accessory uses*, the *required pit* privies for each of the camping sites and the communal *docking* facility, no permanent *buildings* or structures shall be permitted.

(nn) RU(40) (FORESTRY INDUSTRIAL)

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(40) on the *Zone Maps* the following special provisions shall apply:

In addition to the *uses* permitted in a RU Rural Zone, the following *uses* shall be permitted:

- (a) an *industrial use* engaged primarily in sawing, splitting or storing timber;

(oo) RU(41) (TRIPLEX DWELLING)
Capreol Township

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(41) on the *Zone Maps*, all provisions of this by-law applicable to A Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a RU, Rural Zone, the following *use* is permitted:

- (a) a triplex *dwelling*.

(pp) RU(42) (DUPLEX DWELLING)
Capreol and Broder Townships

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(42) on the *Zone Maps*, all provisions of this by-law applicable to RU, Rural Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a RU, Rural Zone, the following *use* is permitted:

- (a) a duplex *dwelling*.

(qq) RU(43) (FIREWOOD BUSINESS)
Hanmer Township

Notwithstanding any other provision of this By-law to the contrary, within any area zoned RU(43) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU, Rural Zone, the processing, storage and retail sale of firewood shall be permitted only on those lands described as being Part 3, Plan 53R-16073.

Only the retail sale of finished firewood product shall be permitted within 100 metres of Gravel Drive. All processing, sawing and splitting of firewood shall be restricted to the area lying beyond 100 metres from Gravel Drive.

The minimum *front yard* depth shall be 22 metres and the minimum *west interior side yard* width shall be 15 metres.

(rr) RU(44) (WILD GAME AND DOMESTIC FARM ANIMAL BUTCHER SHOP)
Capreol Township

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(44) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) That in addition to the *uses* permitted in a RU, Rural Zone, a wild game and domestic farm animal butchering business shall be permitted.

**(ss) RU(45) (WOODEN FLOOR CONTRACTING BUSINESS)
Bleazard Township**

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(45) on the *Zone Maps*, all provisions of this by-law applicable to RU *Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU, Rural Zone, a *business office* and showroom for a wooden floor contracting business, where the *maximum gross floor area* of the combined *business office* and showroom shall be 46 m², shall be permitted.

**(tt) RU(46) (MINING EQUIPMENT BUSINESS)
Capreol Township**

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(46) on the *Zone Maps*, all provisions of this by-law applicable to RU *Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU, Rural Zone, the following *uses* are permitted:
 - (a) the warehousing of mining equipment, sharpening of drill bits, reworking of drilling steel and drill pipe, welding and cutting, the incidental retail sale of mining equipment, and related *accessory uses*.
- (ii) No outside storage other than the parking of vehicles shall be permitted.

**(uu) RU(47) (MOBILE HOME MAINTENANCE/STORAGE)
Hanmer Township**

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(47) on the *Zone Maps*, all provisions of this by-law applicable to RU *Zones* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in as RU Rural Zone, the storage, maintenance and sale of mobile homes, *trailers*, cargo containers and storage garages shall be permitted.
- (ii) The storage, maintenance and sale of mobile homes, *trailers*, cargo containers and storage garages shall be located a minimum of 2,000 feet north of the *front lot line*, and a minimum of 2,400 feet south of the *rear lot line*. A 75 foot natural/wooded *planting strip* shall be maintained adjacent to any *lot line*, save and except for those lands described as Parts 5 & 7, Plan 53R-16869. A *driveway* may be located within a natural/wooded *planting strip*.
- (iii) Lands zoned RU(47) are designated as an area of "Site Plan Control" pursuant to Section 41 of the Planning Act, R.S.O. 1990, Chapter P. 13.

**(vv) RU(48) (RETAIL SALE OF FIREWOOD)
Hanmer Township**

Notwithstanding any other provision of this By-law to the contrary, Within any area designated RU(48) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU, Rural Zone, the processing, storage and retail sale of firewood shall be permitted.
- (ii) The southerly limit of Parcel 30461 S.E.S., save and except Parts 16, 17 and 18, Plan 53R-16669 shall be considered for the purposes of By-law administration to be the "*lot frontage*".
- (iii) A *building* may be erected on lands designated RU(48) subject to a registered right-of-way which provides access, which shall include *vehicle* access, from a *public road* to the subject lands.

**(ww) RU(49) (AUTOMOTIVE REPAIR SHOP)
Dowling Township**

Notwithstanding any other provision of this by-law to the contrary, within any area designated RU(49) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU, Rural Zone, an *automotive repair shop* shall be permitted.

**(xx) RU(50) (BED AND BREAKFAST/HEATING CONTRACTOR)
Capreol Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned RU(50) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to *uses* permitted in a Rural Zone, the following shall be permitted:
 - (a) one *dwelling unit*;
 - (b) a heating, air conditioning and ventilation contractor business including the assembly of solar panels, ducts and related components;
 - (c) a bed and breakfast with a maximum of 10 rooms for rent; and
 - (d) *uses accessory* to a fish hatchery operation which among other *uses* may include a fishing supplies *retail store*, a *restaurant*, a *commercial recreation centre* and an *office*.

**(yy) RU(51) (RETAIL SALE OF FIREWOOD)
Capreol Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(51) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU Zone, the processing, storage and retail sale of firewood shall be permitted.
- (ii) The processing, storage and retail sale of firewood shall not be located closer to a *public road* than 150 metres, and not further from a *public road* than 300 metres. A 10 metre natural *planting strip* shall be maintained around the perimeter of any firewood processing, storage or retail sales area.

**(zz) RU(52) (TACK SHOP AND RIDING SCHOOL)
Capreol Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned RU(52) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU Zone, the following *uses* shall also be permitted
 - (a) a retail tack shop which may include the retail sale of horse riding supplies such as saddles, bridles, halters, as well as barn supplies, supplements and other equine supplies;
 - (b) a *commercial riding school*;
 - (c) an *indoor riding arena*.

**(aaa) RU(53) (TRIPLEX DWELLING)
Morgan Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(53) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) In addition to those *uses* permitted in a RU Zone, a *multiple dwelling* containing not more than three (3) *dwelling units* shall be permitted.

**(bbb) RU(54) (WILD GAME BUTCHER SHOP)
Balfour and Dowling Townships**

Notwithstanding any other provision hereof to the contrary, within any area zoned RU(54) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modification:

- (i) That in addition to the *uses* permitted in a RU Zone, a single wild game butchering and hide storage business shall be permitted.

**(ccc) RU(55) (WOODWORKING SHOP)
Fairbank Township**

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(55) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a RU Zone, a woodworking shop shall be permitted.

(ddd) RU(56) WAREHOUSING
Dill Township

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(56) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a RU Zone, the *existing buildings* may be used for warehousing.

(eee) RU(57) (LAWN CARE BUSINESS AND APARTMENT UNITS)
Waters Township

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(57) on the *Zone Maps*, all provisions of this by-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to the *sues* permitted in the RU, Rural Zone, a landscaping, irrigation and lawn care business and four apartment *dwelling units* shall be permitted.

(fff) RU(58) HEAVY EQUIPMENT REPAIR SHOP
Dill Township

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(58) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a RU, Rural Zone, a heavy equipment repair shop, together with related *office* space, a storage *yard* and other *accessory uses* shall be permitted;

Maximum total *lot* coverage
- 35 percent

Minimum *front yard main buildings* and structures
- 90 metres

Minimum *rear yard principal buildings* and structures
- 90 metres

Minimum *side yards* principal *buildings* and structures
- 90 metres

Minimum *front yard* accessory *buildings* and structures
- 18 metres

Minimum *rear yard* accessory *buildings* and structures
- 18 metres

Minimum *side yards* accessory *buildings* and structures
- 9 metres

Maximum *height* of *buildings* and structures
- 11 metres

- (ii) No *accessory building* or *structure* shall be located in a rear or *side yard* on the lands described in subsection (5) within 12 metres of a street.
- (iii) No outside storage shall be permitted in a *yard* which *abuts* a *residential lot*.
- (iv) The *use* permitted by subsection (1) shall be a dry *industrial use*, the effluent of which shall be limited to domestic sewage of less than 4,500 litres per day.

**(ggg) RU(59) INTERIOR SIDE YARD
Graham Township**

Notwithstanding any other provision of this By-law to the contrary, within any area designated RU(59) on the *Zone Maps*, all provisions of this By-law applicable to RU *Zones* shall apply subject to the following modifications:

- (i) The minimum easterly interior side yard shall be 3 metres.

(3) SPECIAL RURAL SHORELINE ZONES - RS

**(a) RS(1) (RECONFIGURED LOTS)
MacLennan Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RS(1) on the *Zone Maps*, all provisions of this By-law applicable to RS *Zones* shall apply subject to the following modifications:

- (i) Nothing in this By-law shall apply to prevent the *use* of a *lot* for a permitted *single detached dwelling* or a permitted *mobile home dwelling* where a registered right-of-way over *private* land or an *existing* access road over *Crown Land* provides access from the *lot* to a *public road*.

**(b) RS(2) (SEASONAL DWELLING AND PRIVATE CABIN)
Hanmer Township**

Notwithstanding any other provision hereof to the contrary, within any area designated RS(2) on the *Zone Maps*, all provisions of this By-law applicable to RS Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be any one of the following:
 - (a) one *seasonal dwelling*, with or without one *accessory private cabin* provided that the *gross floor area* of the *private cabin* shall not exceed 103 m² and *accessory uses*, or
 - (b) one *single detached dwelling* and *accessory uses*.

**(c) RS(3) INCREASED LOT COVERAGE AND REDUCED
SETBACKS ONWATIN LAKE**

Notwithstanding any other provision hereof to the contrary, within any area designated RS(3) on the *Zone Maps*, all provisions of this By-law applicable to RS Zones shall apply subject to the following modifications:

- (i) Maximum *lot coverage* - 25%;
- (i) Minimum *interior side yard* - 1.2 m, plus 0.6 m for each *full storey* above the *first storey abutting* such *yard*.

(4) SPECIAL SEASONAL LIMITED SERVICE ZONES - SLS

**(a) SLS(1) (SEASONAL RESIDENTIAL WITH LARGE LOTS)
Hutton Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned SLS(1) on the *Zone Maps*, all provisions of this By-law applicable to SLS Zones shall apply subject to the following modifications:

- (i) Minimum *lot area* - 9,000 m²;
- (ii) Minimum *water frontage* shall be as indicated for each Part in Plan 53R-14736.

**(b) SLS(2) (SEASONAL RESIDENTIAL)
Snider Township**

Notwithstanding any other provision hereof to the contrary, within any area designated SLS(2) on the *Zone Maps*, all provisions of this by-law applicable to SLS Zones shall apply subject to the following modifications:

- (i) Minimum *water frontage* shall be as shown on Schedule "A";
- (ii) Minimum *setback* for all *main buildings* from the *high water mark* - 30 m.

**(c) SLS(3) (SEASONAL RESIDENTIAL)
Snider Township**

Notwithstanding any other provision hereof to the contrary, within any area designated SLS(3) on the *Zone Maps*, all provisions of this by-law applicable to SLS Zones shall apply subject to the following modifications:

- (i) Minimum *water frontage* - 76.2 m;
- (ii) Minimum *setback* for all *main buildings* from the *high water mark* - 30 m.

**(d) SLS(4) (FAIRBANK LAKE SEASONAL RESIDENTIAL)
Trill, Drury, Fairbank & Denison Townships**

Notwithstanding any other provision hereof to the contrary, within any area designated SLS(4) on the *Zone Maps*, all provisions of this by-law applicable to SLS Zones shall apply subject to the following modifications:

- (i) Minimum *water frontage* - 80 m;
- (ii) (ii) Minimum *setback* for *main* and *accessory buildings*, other than boathouses, pump houses and *docks* from the *high water mark* - 25 m;
- (iii) *Private* septic systems and field beds shall be set back a minimum of 30 metres from the *high water mark* of Fairbank Lake.

**(e) SLS(5) (SPECIAL SETBACKS)
MacLennan Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned SLS(5) on the *Zone Maps*, all provisions of this by-law applicable to SLS Zones shall apply subject to the following modifications:

- (i) *Private* septic systems and field beds shall be set back a minimum of 45 m from the *high water mark* of Lake Wanapitei.

**(f) SLS(6) (PARKING LOT AND DOCKING FACILITY)
Dowling Township**

Notwithstanding any other provision hereof to the contrary, within any area designated SLS(6) on the *Zone Maps*, all provisions of this by-law applicable to SLS Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *parking lot*, boat launch and *docking* facility without *buildings*;
- (ii) Minimum *lot frontage* - 0 metres.

**(g) SLS(7) (PERMANENT DWELLING)
Dill Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned SLS(7) on the *Zone Maps*, all provisions of this By-law applicable to SLS Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a SLS zone, a *single detached dwelling* shall be permitted. No *public road* frontage is required.

**(h) SLS(8) (MINIMUM FRONT YARD- MCGREGOR SUBDIVISION)
Rathbun Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned SLS(8) on the *Zone Maps*, all provisions of this By-law applicable to SLS Zones shall apply subject to the following modification:

- (i) Minimum *front yard* - 20 metres
- (i) **SLS(9) (MINIMUM LOT FRONTAGE)**
Dieppe Township

Notwithstanding any other provision hereof to the contrary, within any area zoned SLS(9) on the *Zone Maps*, all provisions of this By-law applicable to SLS Zones shall apply subject to the following modification:

- (i) Minimum frontage at the limit of the *shoreline reserve* shall be 37 metres.

SECTION 5 SPECIAL OTHER ZONES

(1) SPECIAL INSTITUTIONAL ZONES – I

(a) I(1) (ADDITIONAL USES) Capreol Township

Notwithstanding any other provision hereof to the contrary, within any area designated I(1) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

1. In addition to *institutional uses*, the following shall be permitted:

A commercial recreation centre, a rooming house, a trade school, an office.

(b) I(2) (MEDICAL OFFICE) Capreol, Waters, Blezard and McKim Townships

Notwithstanding any other provision hereof to the contrary, within any area designated I(2) on the *Zone Maps*, all provisions of this by-law applicable to the I Institutional zone shall apply subject to the following modifications:

- (i) In addition to those *uses* permitted in an "I", Institutional zone, a *medical office* shall also be permitted.

(c) I(3) (DAY CARE CENTRE, ASSEMBLY HALL & MEETING FACILITIES) Waters Township

Notwithstanding any other provision hereof to the contrary, within any area designated I(3) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be the following:
 - (a) a *day care centre* and *assembly hall* or meeting facilities for civic, social and recreational events being restricted to Part 4, Plan 53R-8177.
 - (b) a *driveway* access for any adjoining lands being restricted to Part 1, Plan 53R-12096.
 - (c) *accessory uses*.

**(d) I(4) (OFFICES)
Garson Township**

Notwithstanding any other provision hereof to the contrary, within any area designated I(4) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an I Zone, *offices*, scientific or medical laboratories and audio visual studios shall be permitted;
- (ii) No outdoor storage shall be permitted.

**(e) I(5) (ADDITIONAL USES)
Garson Township**

Notwithstanding any other provision hereof to the contrary, within any area zoned I(5) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) That in addition to the *uses* permitted in a I Institutional Zone, an audio/visual studio and an *office* shall be permitted.

**(f) I(6) (PUBLIC WORKS)
Hanmer Township**

Notwithstanding any other provision of this By-law to the contrary, within any area designated I(6) on the *Zone Maps* the following special provisions shall apply:

- (i) *Uses Permitted*
 - (a) a *public works yard*, in accordance with the requirements for open storage areas in M3 Zones; or
 - (b) any *use* permitted in an I Zone.

**(g) I(7) (MEDICAL OFFICE BUILDING)
Levack Township**

Notwithstanding any other provision of this By-law to the contrary, within any area designated I(7) on the *Zone Maps* the following special provisions shall apply:

- (i) *Uses Permitted*

- (a) a *medical office*;
- (b) a drug dispensary; or
- (c) any *use* permitted in an I Zone.

(h) **I(8) (MUNICIPAL OFFICES, RECREATION FACILITIES, TRADE SCHOOL AND OFFICES)**
Dowling Township

Notwithstanding any other provision of this By-law to the contrary, within any area designated I(8) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an I Institutional Zone, the following *uses* are permitted:
 - (a) a *trade school*
 - (b) *offices*

(i) **I(9) (CHURCH)**
Hanmer Township

Notwithstanding any other provision of this By-law to the contrary, within any area designated I(9) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a church and related *accessory uses*.

(j) **I(10) (SPECIAL NEEDS FACILITY)**
Blezard Township

Notwithstanding any other provision of this By-law to the contrary, within any area designated I(10) on the *Zone Maps*, all provisions of this By-law applicable to I Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a *special needs facility* which contains a maximum of 128 resident beds, and any *use* permitted in all Zones under Section 4.40 of Part 4 hereof.

(k) **I(11) (CARNIVAL)**
Hanmer Township

Notwithstanding any other provision of this By-law to the contrary, within any area designated I(11) on the *Zone Maps*, all provisions of this By-law applicable to I Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in an I Zone, a *carnival* which is an *accessory use* to a permitted I Zone shall be permitted.

**(l) I(12) (RECREATION CAMP)
Wisner Township**

Notwithstanding any other provision of this By-law to the contrary, within any area designated I(12) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a recreation camp which is operated by a *non-profit or charitable institution*, and any *use* permitted in all Zones under Section 4.40 of Part 4 hereof.
- (ii) The lands described as being Parcels 7619 and 7620 S.E.S. shall be considered to be a *legal existing waterfront lot*, where *lot frontage* on a *public road* is not required in order to *erect a building* provided that the *lot* has *water access* or has access to a *public road* via a *private road*.

**(m) I(13) (MASONIC TEMPLE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated I(13) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:
 - (a) not more than 13 *dwelling units*;
 - (b) *office uses*, within the *existing building* only;
 - (c) *assembly hall* and meeting rooms for *private non-profit* clubs or lodges;
 - (d) *uses accessory* to the above.

**(n) I(14) (FIRE HALL)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated I(14) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a fire hall, a fire training tower and service garage.
- (ii) Not more than 3 major structures may be constructed.

- (iii) The maximum *height* of the training tower shall not exceed 15 metres.

**(o) I(15) (PROVINCIAL GOVERNMENT OFFICES)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated I(15) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be Provincial Government *offices* and facilities.
- (ii) In addition to the *uses* permitted in Clause i) above, *private* sector *uses* comprised of a maximum 1486m² (16,000 sq. ft.) of *office use* and a maximum 3437m² (37,000 sq. ft.) of warehousing and storage shall be permitted.
- (iii) *Private* sector *uses* as described in Clause ii) above shall only be permitted within *existing buildings* as established on the subject property on December 4, 2007.
- (iv) Non-government warehousing and storage *use* shall exclude the warehousing and storage of hazardous substances.

(p) I(16) Broder Township

Notwithstanding any other provision hereof to the contrary, within any area designated I(16) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an "I" Zone, a church and a religious, cultural or educational camp shall be permitted.
- (ii) No *public road* frontage is required.
- (iii) The *front lot line* shall be defined as the *high water mark* of Hannah Lake.

(q) I(17) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated I-9 on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

(i) In addition to the *uses* permitted in an I zone, the following *uses* shall be permitted:

(a) *offices*

(b) *a residential building* containing a maximum of 94 *guest rooms* designed for seniors or residents thereof who require nursing and/or homecare, as well as a common kitchen and eating facilities.

(ii) *Required parking spaces* for a *residential building* containing *guest rooms* designed for seniors or residents thereof who require nursing and/or homecare, shall be provided at a minimum ration of one (1) *parking space* per four (4) *guest rooms*.

(r) I(18) McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated I(18) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

(i) In addition to the *uses* permitted in an I Zone, a maximum of 130 *multiple dwelling units* shall also be permitted, provided that any *multiple dwellings* shall comply with the Zone Requirements of the R4 Zone.

**(s) I(19) (PRIVATE CLUB WITH NO L.L.B.O. FUNCTIONS)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated I(19) on the *Zone Maps*, all provisions of this By-law applicable to I Zones shall apply subject to the following modifications:

(i) The only permitted *uses* shall be the following:

(a) any *use* permitted in an R2 Zone.

(b) *a private club* and related *accessory uses* excluding any *accessory uses* which would require an L.L.B.O. Permit or a Special Occasion Permit from the Liquor Licensing Board of Ontario.

(ii) Parking shall be provided as follows:

(a) a minimum of 7 spaces for a *private club*.

- (b) 1 space per *dwelling unit*.

(t) I(20) (BUSINESS OFFICE NON-PROFIT OR CHARITABLE INSTITUTION)
McKim Township

Within any area designated I(20) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *business office* for a *non-profit or charitable institution*, a single *dwelling unit* and their related *accessory uses*.
- (ii) The *existing building* shall be the only permitted *main building* and shall be restricted to the *existing* size and location.
- (iii) No *parking space* shall be located closer than 10 metres to any road, or closer than 3 metres to any *residential lot*.

(u) I(21) (REGIONAL HOSPITAL)
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated I(21) on the *Zone Maps*, all provisions of this By-law applicable to I Zones shall apply subject to the following modifications:

- (i) The *street line abutting* Ramsey Lake Road shall be the *front lot line*.
- (ii) The maximum *building height* shall be 75 metres.
- (iii) *Existing building setbacks* shall be permitted as follows:
 - (a) Minimum 14.2 metre *yard* depth from the Ramsey Lake Road *street line*.
 - (b) Minimum 5.5 metre *yard* depth from the northerly limit of Part 21, Plan 53R-16508.
- (iv) Other *building setbacks* shall be as follows:
 - (a) From the *street line* of Ramsey Lake Road, Centennial Drive or Paris Street,
 - minimum 10 metres for *buildings* up to 30 metres *height*;

- minimum 15 metres for *buildings* in excess of 30 metres *height*.
- (b) From the *street line* of Paris Crescent,
 - minimum 10 metres for all *buildings*.
- (c) From the northerly limit of Part 21, Plan 53R-16508,
 - minimum 10 metres for *buildings* up to 30 metres *height*;
 - minimum 15 metres for *building* in excess of 30 metres *height*.
- (d) From Parcel 35816 S.E.S. being Parts 30 and 31, Plan 53R-16508,
 - minimum 10 metres for *buildings* up to 30 metres *height*;
 - minimum 15 metres for *building* in excess of 30 metres *height*.
- (e) From all other *lot lines*,
 - minimum 10 metres for *buildings* up to 20 metres *height*;
 - minimum 20 metres for *buildings* in excess of 20 metres *height*.
- (v) **I(22) (LAPALME SCHOOL)**
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated I(22) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an “I” Zone, sales and servicing of electronic and communications merchandise of all kinds, *trade schools, private schools, commercial schools, offices and service trades* shall also be permitted.
- (w) **I(23) (OFFICES AND PERSONAL SERVICES)**
McKim Township

Notwithstanding any other provision hereof to the contrary, within any area designated I(23) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in an I Zone, up to 930 m² of the *gross floor area* of the *existing building* may be occupied by *offices* and/or personal services.

**(x) I(24) (SENIORS HOUSING AND COMMERCIAL USES)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated I(24) on the *Zone Maps*, all provisions of this By-law applicable to I Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a I, Institutional Zone, the following *uses* shall also be permitted:
 - (a) *retail stores, offices, personal service shops and a restaurant; and*
 - (b) a maximum of 85 *guest rooms* designed for seniors or residents thereof who require nursing and/or homecare, together with centralized kitchen and dining facilities and related *accessory uses*.
- (ii) Parking for the *guest rooms* shall be provided in accordance with the following:
 - 0.25 *parking spaces* per *guest room*

**(y) I(25) SENIORS HOUSING COMPLEX
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated I(25) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be as follows:
 - (a) a maximum of 40 *dwelling units* consisting of a mix of single detached, semi-detached and/or *row dwellings*.
 - (b) a maximum of 60 *dwelling units* in the form of *multiple dwellings*, where no *multiple dwelling* shall exceed a *height* of 4 *storeys*.
 - (c) a *residential building* containing a maximum of 85 *guest rooms* designed for seniors or residents thereof who require

nursing and/or homecare, together with common kitchen and dining facilities.

(d) *accessory support services for a seniors community which may include personal service shops, a pharmacy and medical offices.*

(e) *related accessory uses.*

(ii) That parking for the *residential building* containing up to 85 *guest rooms* shall be provided in accordance with the following:

- 2 spaces for the *residential building*, plus 0.5 spaces for each of the first 30 *guest rooms*, plus 0.25 spaces for each additional *guest room*.

**(z) I(26) (COMPUTER SOFTWARE BUSINESS)
McKim Township**

Notwithstanding any other provision hereof to the contrary within any area designated I(26) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications,:

(i) In addition to the *uses* permitted in an I, Institutional zone, a computer software business shall be permitted.

**(aa) I(27) (SCHOOL)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated I(27) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

(i) The minimum *interior side yard setback* shall be 5 metres.

**(bb) I(28) (TRILLIUM CENTRE)
Rayside Township**

Notwithstanding any other provision hereof to the contrary, within any area designated I(28) on the *Zone Maps*, all provisions of this By-law applicable to I Zones shall apply subject to the following modification:

(i) In addition to the *uses* permitted in a I, Institutional zone, *offices, a trade school, an auditorium, a commercial recreation centre, a day care centre, a rooming house and a commercial school* shall be permitted.

**(cc) I(29) (SEPARATE SCHOOL BOARD)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated I(29) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be administration *offices*, supplies and equipment storage (enclosed), and a carpentry and welding shop for the Sudbury District Roman Catholic Separate School Board.
- (ii) No outside storage shall be permitted.

**(dd) I(30) (APARTMENT UNITS AS ADDITIONAL USE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated I(30) on the *Zone Maps*, all provisions of this By-law applicable to I Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in an I Zone, a maximum of seven *dwelling units* shall be permitted within the *existing building*.

**(ee) I(31) (TELEROBOTICS AND AUTOMATION RESEARCH CENTRE)
Graham Township**

Notwithstanding any other provision hereof to the contrary, within any area designated I(31) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an I, Institutional Zone, the following *use* is permitted:
 - (a) a *light industrial use* which for the purposes of the lands zoned I(32) is defined as a *light industrial use* engaged in or used for research and *development*, the manufacturing and assembly of electronic, robotic, automated and software systems and products and the warehousing or storing of related goods or material *indoors*;
 - (b) *office uses accessory* to a permitted *use* and related *office uses*.

**(ff) I(32) (128 bed long-term care facility)
Balfour Township**

Notwithstanding any other provision hereof to the contrary, within any area designated I(32) on the *Zone Maps*, all provisions of this by-law applicable to I Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a *special needs facility* which contains a maximum of 128 resident beds, and any *use* permitted in all Zones under Section 4.40 of Part 4 hereof.

(2) SPECIAL PARKS ZONES – P

**(a) P(1) (BELL GROVE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated P(1) on the *Zone Maps*, all provisions of this by-law applicable to P Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be the following:
 - (a) a *public park*;
 - (b) a *public marina*;
 - (c) a water sports facility which may include any *buildings* and structures designed to accommodate *non-profit* water sports associations as well as *public* community facilities;
 - (d) *parking lot*;
 - (e) any *accessory uses buildings* and structures.

**(b) P(2) (AIR INTAKE)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated P(2) on the *Zone Maps*, all provisions of this by-law applicable to P Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *park* and two air intake raises located not less than 30 metres from any *lot line*.

**(c) P(3) (PUBLIC PARK AND ADDITIONAL USES)
Capreol Township**

Notwithstanding any other provision hereof to the contrary, within any area designated P(3) on the *Zone Maps*, all provisions of this by-law applicable to P Zones shall apply subject to the following modification:

- (a) In addition to *public park uses* the following shall be permitted within the *existing arena building*:

An institutional use, a commercial recreation centre, a trade school, a commercial school, a day care centre, an auditorium, an office, a clothing manufacturer.

(3) SPECIAL OPEN SPACE-CONSERVATION ZONES –OSC

(4) SPECIAL OPEN SPACE –PRIVATE ZONES – OSP

**(a) OSP(1) (COMMUNICATIONS TOWER)
McKim Township**

Notwithstanding any other provision hereof to the contrary, within any area designated OSP(1) on the *Zone Maps*, all provisions of this by-law applicable to OSP Zones shall apply subject to the following modifications:

- (i) No *public road* frontage is required.

**(b) OSP(2) (SOUTH BAY ROAD SINGLE RESIDENTIAL) McKim
Township
(HILLCREST AVENUE EDISON ROAD FALCONBRIDGE)
Falconbridge Township**

Notwithstanding any other provision hereof to the contrary, within any area designated OSP(2) on the *Zone Maps*, all provisions of this By-law applicable to OSP Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a OSP Zone, a *single detached dwelling* shall also be a permitted *use* and the *rear yard* requirements, *lot* coverage and *landscaped open space* requirements of the R1-1 Zone shall apply to the *single detached dwellings*.

**(c) OSP(3) (MAINTENANCE GARAGE AND BUS PARKING AREA)
Neelon Township**

Notwithstanding any other provision hereof to the contrary, within any area designated OSP(3) on the *Zone Maps*, all provisions of this by-law applicable to OSP Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in an OSP Zone, a *commercial or public garage*, a *bus parking area* shall be permitted.

(5) SPECIAL OPEN SPACE –RECREATION ZONES – OSR

**(a) OSR(1) (GOLF COURSE FRONTAGE AND SIDE YARD)
Balfour Township**

Notwithstanding any other provision hereof to the contrary, within any area designated OSR(1) on the *Zone Maps*, all provisions of this By-law applicable to OSR Zones shall apply subject to the following modification:

- (i) The minimum *lot frontage* shall be 42 metres;
- (ii) The minimum east *side yard* shall be 3 metres

**(b) OSR(2) (MUNICIPAL ROAD 15 - SUDBURY DOWNS)
Rayside Township**

Notwithstanding any other provision hereof to the contrary, within any area designated OSR(2) on the *Zone Maps*, all provisions of this by-law applicable to OSR Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a *race track* and *accessory uses* including but not limited to a grandstand, dining and cocktail lounge facilities, wagering facilities and gambling casino.

**(c) OSR(3) (TOURIST COMPLEX)
Broder Township (Revised by By-law 96-79Z)**

Notwithstanding any other provision hereof to the contrary, within any area designated OSR(3) on the *Zone Maps*, all provisions of this by-law applicable to OSR Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a tourist *commercial* complex to contain the following:
 - (a) amusement/theme *park* including but not restricted to rides, games, retail concessions and *restaurants*;
 - (b) campground;
 - (c) recreational facilities including but not restricted to miniature golf, playground, paddle boats, food and retail concessions;
 - (d) cultural and convention facility including but not restricted to a concert hall, *theatre*, exhibition space, *art gallery*, *restaurants* and retail shops;

- (e) *uses accessory* to the above.
- (ii) No *buildings*, structures, activities or features other than entrance features, landscaping and permitted signs shall be permitted nearer than 30 metres from the easterly property limits or from the Sudbury Southwest By-pass.
- (iii) All parking generated by the *development* shall be provided on the site.

**(d) OSR(4) (ANGLERS & HUNTERS CLUB)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated OSR(4) on the *Zone Maps*, all provisions of this by-law applicable to OSR *Zones* shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a *private* anglers and hunters club with one *main* clubhouse, a shooting range and related *accessory uses*.
- (ii) No part of the shooting range shall be closer than 15 metres from the *high water mark* of the lake.
- (iii) No *public road* frontage is required for the anglers and hunters club.
- (iv) Caution signs shall be provided in conjunction with the shooting range.

**(e) OSR(5) (GOLF COURSE AND CLUBHOUSE) By-law 96-79Z
Broder Township**

Within any area designated OSR(5) on the *Zone Maps*, all provisions of this By-law applicable to OSR *Zones* shall apply subject to the following modifications:

- (i) The erection or *use* of *buildings* shall be permitted where the subject property has guaranteed access to a *public road* via a *private road* over a registered right-of-way in favour of the subject property and via a road over *Crown Land*.
- (ii) The subject property is not an area of 'site plan control' pursuant to Section 41 of the Planning Act, R.S.O. 1990, Chapter P.13.

**(f) OSR(6) (GOLF DRIVING RANGE)
Broder Township**

Within any area designated OSR(6) on the *Zone Maps*, all provisions of this By-law applicable to OSR Zones shall apply subject to the following modifications:

- (i) The only permitted *use* shall be a *golf driving range* and *accessory uses*.

**(g) OSR(7) (UNION OFFICE)
Dill Township**

Within any area designated OSR(7) on the *Zone Maps*, all provisions of this By-law applicable to OSR Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in an OSR zone, a union office with a maximum *gross floor area* of 360 m² shall be permitted.

(6) SPECIAL OPEN SPACE –WATERBODY ZONES – OSW

(7) SPECIAL ENVIRONMENTAL PROTECTION ZONES – EP

(8) SPECIAL FUTURE DEVELOPMENT ZONES - FD

**(a) FD(1) (SAWMILL & LUMBER EQUIPMENT RENTAL)
Balfour Township**

Notwithstanding any other provision hereof to the contrary within any area designated FD(1) on the *Zone Maps* all provisions of this by-law applicable to FD Zones shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *single detached dwelling*, a *sawmill* operation, storage and rental of lumbering equipment and related *accessory uses*.
- (ii) No *buildings*, structures or outside storage shall be permitted within 70 metres of Registered Plan M-415 and within 70 metres of the boundary between Township Lots 3 and 4.

**(b) FD(2) (CONSTRUCTION BUSINESS & SINGLE DWELLING)
Balfour Township**

Notwithstanding any other provision hereof to the contrary, within any area designated FD(2) on the *Zone Maps* all provisions of this by-law applicable to FD Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a construction business, a single *dwelling* and their related *accessory uses*.
- (ii) No *buildings*, structures or outside storage shall be permitted within 70 metres of Registered Plan M-415.
- (iii) Lands zoned FD(2) are designated as a Site Plan Control Area pursuant to Section 41 of the Planning Act, R.S.O. 1990.

**(c) FD(3) (SINGLE DWELLING NOT PERMITTED)
Broder Township**

Notwithstanding any other provision hereof to the contrary, within any area designated FD(3) on the *Zone Maps* all provisions of this by-law applicable to FD Zones shall apply subject to the following modification:

- (i) A *single detached dwelling* shall not be permitted.

PART 12: TEMPORARY USE ZONES

12.1 Where on Schedules to this By-law, a symbol “T”, and a number, identify a property that is subject to a temporary *use* permission one or more additional but temporary *uses* are permitted on the lands noted until the permission granted by the site specific Temporary Use By-law expires in accordance with the policies of the Official Plan and Section 39 of the Planning Act, R.S.O. 1990, c.P.13, as amended. Table 12.1, below, identifies the Temporary Use *Zones* within the *City*.

12.2 In Table 12.1:

- Column 1 sets out the temporary *use* symbol of each temporary use permission which corresponds to an area of the *City* identified on the Zoning Schedules by the same symbol, and a *Zone* symbol, denoting a temporary use permission;
- Column 2 identifies the *Zone* subject to the Temporary Use By-law;
- Column 3 identifies the property subject to the Temporary Use By-law;
- Column 4 sets out the temporary *uses* permitted;
- Column 5 identifies the date of enactment of the Temporary Use By-law;
- Column 6 identifies the date of expiry of the Temporary Use By-law;

All other provisions of this By-law continue to apply to the lands subject to this Section.

Table 12.1 – Temporary Uses

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col. 6
Symbol	Zone Designation	Property/Legal Description	Temporary Uses Permitted	Date Enacted	Expiry Date
T1	R1-1(14)	Parcel 42125 being Part 2, Plan 53R-6066 and Part 1, Plan 53R-8398, in Lot 10, Concession 2, Township of Neelon	A second <i>dwelling</i> which is to be occupied as a ' <i>garden suite</i> '		April 29, 2014
T2	R1-5	P.I.N. #02123-0379, being an unopened portion of the Chapman Street road allowance, Plan M-243 in Lot 2, Concession 5, Township of McKim	Overflow parking for the business operation at 971 Lasalle Boulevard		May 13, 2010
T3	R1-5	Parcel 41977 SES, Lot 290, Plan M-1039 and Part 1 Plan 53R13769, Lot 12, Concession 3 Township of Falconbridge and Parts 2 and 3 on Plan 53R-13769, Lot 1, Concession 3 and 4, Township of Garson	A lawn care and landscaping business		January 16, 2011
T4	C2	PIN 73561-0036, Parcel 44417, S.E.S., Part 1, Plan 53R-6740, Lot 5, Concession 4, Township of Neelon	A maximum of 34 shipping containers to be used for storage purposes on the property provided that the shipping containers are <i>setback</i> a minimum of 38 metres from the <i>front lot line</i> ,		November 12, 2011
T5	R1-5	PIN 73490-0241, Parcel 41852 S.E.S., Lot 169, Plan M-1038, Lot 12, Concession 3, Township of Falconbridge	A <i>garden suite</i> as a second <i>dwelling unit</i> on the <i>second floor</i> of a two storey <i>garage</i> with a minimum <i>corner side yard</i> width of 4 metres		June 13, 2017

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col. 6
Symbol	Zone Designation	Property/Legal Description	Temporary Uses Permitted	Date Enacted	Expiry Date
T6	R1-5	Parcel 20023 S.W.S., Lot 25 Plan M-587, Lot 3, Concession 4, Township of Dowling	A second <i>dwelling unit</i>		September 1, 2017
T7	RU	PIN 73346-0897, Parcel 27443 S.W.S., Part 3, Plan 53R-11866, Lot 5, Concession 2, Township of Rayside	A <i>garden suite</i> with a maximum area of 93 m ² as a second <i>dwelling unit</i>		May 13, 2019
T8	RU	Remainder of Parcel 2337, Part 2, Plan 53R-16779, Lot 4 Concession 4, Township of Hanmer	A second <i>dwelling unit</i> , as a <i>garden suite</i>		April 24, 2011
T9	RU	Parcel 53605 S.E.S., being Part 1, Plan 53R-16536, Lot 4, Concession 4, Township of Hanmer	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> , in the form of a <i>mobile home dwelling</i>		October 1, 2013
T10	RU	Parcel 15481 S.E.S., Lot 1, Concession 1, Township of Hanmer	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> , in the form of a <i>mobile home dwelling</i>		October 23, 2013
T11	RU	Parcel 1139 S.E.S., Lot 9, Concession 2, Township of Capreol	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> , in the form of a <i>mobile home dwelling</i>		July 13, 2014
T12	RU	Parcel 51480 S.E.S., Part 1, Plan 53R-15993, Lot 11, Concession 3, Township of Capreol	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> , in the form of a <i>mobile home dwelling</i>		September 16, 2014

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col. 6
Symbol	Zone Designation	Property/Legal Description	Temporary Uses Permitted	Date Enacted	Expiry Date
T13	RU	Parcel 49299 S.E.S., Part 1, Plan 53R-12851, Lot 4, Concession 4, Township of Hanmer	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i>		August 10, 2014
T14	A	Parcel 43887 S.E.S., Parts 3 and 7, Plan 53R-7014, Lot 11, Concession 1, Township of Hanmer	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> , in the form of a <i>mobile home dwelling</i>		August 5, 2015
T15	R1-5	Parcel 27922 S.E.S., Lot 1, Concession 3, Township of Hanmer	A second <i>dwelling unit</i>		April 12, 2016
T16	RU	Parcel 2976 S.E.S., Lot 6, Concession 4, Township of Hanmer	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> with a minimum <i>interior side yard setback</i> to the <i>garden suite</i> of 1.8 metres		June 28, 2016
T17	A	Parcel 49761 SES, Part 4, 53R-12967, Lot 10, Concession 1, Township of Hanmer	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> with the minimum <i>interior side yard setback</i> for the <i>garden suite</i> of 7.6 metres		November 29, 2016
T18	R1-5	Parcel 28482 S.E.S., Lot 14, Plan M-638 in Lot 12, Concession 3, Township of Capreol	A second <i>dwelling unit</i>		May 23, 2017
T19	RU	Parcel 46360 S.E.S., Part 1, Plan 53R-9283, part Lot 12, Concession 5, Township of Blezard	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i>		August 7, 2010
T20	RU	Parcel 44984 S.E.S., Part 1, Plan 53R-8404, Lot 6, Concession 4, Township of Hanmer	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i>		September 27, 2017

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col. 6
Symbol	Zone Designation	Property/Legal Description	Temporary Uses Permitted	Date Enacted	Expiry Date
T21	A	Part of Parcel 650 S.E.S., Part 1, Plan 53R-18148, Lot 10, Concession 1, Township of Hanmer	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i>		March 26, 2018
T22	R1-5	Parcel 22232, S.E.S., Lot 27, Plan M-459, Lot 1, Concession 3, Township of Hanmer	A second <i>dwelling unit</i>		May 23, 2018
T23	A	PIN 73508-1068, Parcel 1362, S.E.S, Lot 9, Concession 1, Township of Capreol	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i>		June 11, 2018
T24	R2-2	Parcel 19171 S.E.S., Lot 40, Plan M-335, Lot 7, Concession 6, Township of Blezard	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> shall only be permitted <i>accessory</i> to a <i>single detached dwelling</i>		November 25, 2018
T25	R2-2	Parcel 37728 S.E.S., Lot 58, Plan M-396, Lot 4, Concession 2, Township of Hanmer	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> shall only be permitted <i>accessory</i> to a <i>single detached dwelling</i> ; The minimum <i>setback</i> of the <i>accessory garden suite</i> shall be 1.8 m from the <i>rear</i> and <i>interior side lot lines</i> ; and, The maximum size of the <i>garden suite</i> shall be 90 m ²		July 9, 2018

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col. 6
Symbol	Zone Designation	Property/Legal Description	Temporary Uses Permitted	Date Enacted	Expiry Date
T26	RU	Parcel 6321 S.E.S., Lot 9, Concession 3 Township of Capreol	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i>		April 15, 2019
T27	RU	Parcel 5621 S.W.S., Lot 12, Concession 3, Township of Louise	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i>		November 26, 2014
T28	RU	Parcel 24945 S.W.S., Part 2 Plan 53R-5950, Lot 3, Concession 3, Township of Waters	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i>		May 5, 2015
T29	R1-5	Parcel 12560 S.W.S. Part 1 SR-3035, Lot 7, Concession 4, Waters Township	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> in the form of a <i>mobile home</i>		May 25, 2015
T30	RU	PIN 73476-0712, Part 4, Plan 53R-17969, Lot 6, Concession 3, Township of Broder	A second <i>dwelling unit</i>		July 9, 2018
T31	RU	Parcel 5988 SWS, Part 8, Plan 53R-14963, Lot 5, Concession 3, Township of Waters	A second <i>dwelling unit</i>		March 28, 2017
T32	R1-5	Parcel 47382 SES, Part 2, Plan 53r-10845, Lot 9, Concession 1, Township of Garson	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i>		May 9, 2014
T33	R1-5	53M-1364, Part Lot 8, Concession 1 Township of Garson	A model manufactured home retail sale display area		October 14, 2012

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col. 6
Symbol	Zone Designation	Property/Legal Description	Temporary Uses Permitted	Date Enacted	Expiry Date
T34	RU	Parcel 9286 S.W.S. Lot 6, Concession 6 and 5 Township of Waters	A contractor's business comprised of the storage, servicing and operation of boom trucks and cranes, and accessory office uses. The minimum building and/or contractor's business operation(s) setback shall be 30 metres from the east limits of Parcel 9286 S.W.S. and 10 metres from any other lot line		July 16, 2012
T35	RU	Parcel 50280 S.E.S., Part 1, Plan 53R-18215, Part 1, Plan 53R-14030, Lot 4, Concession 3, Township of Hanmer	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> .		December 9, 2019
T36	RU, H3RU and EP	Parcel 31117 S.W.S., Part 1 Plan 53R-12719 and Parts 5 and 6 Plan 53R-16385, Lot 12, Concession 3 Township of Balfour	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> .		August 11, 2019
T37	RU	Parcel 33885, S.E.S., Parts 3 to 6, Plan 53R-18453, Lot 2, Concession 4, Township of Dryden	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> .		September 23, 2019
T38	RU	Parcel 9506 and Part of Parcel 6835, Lot 9, Concessions 4 and 5, Township of Waters	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> .		September 15, 2012
T39	C4	Lot 14, Plan 3S, Lot 6, Concession 3, Township of McKim	A dwelling unit in the lower level of the building		August 11, 2012

**PART 13:
HOLDING PROVISIONS**

- 13.1 Unless otherwise provided in this By-law to the contrary, where a *Zone* symbol is preceded by, a letter “H” and a number – for example H1M1 – no *person* shall *use* or permit the *use* of the land to which the letter (H) applies for any *use* other than the *use* which legally existed on the date the By-law applying the Holding provision came into effect or the *use(s)* permitted in the By-law enacting the Hold, or expand or replace an *existing building or structure* as the case may be, until the Hold (H) is removed in accordance with the policies of the Official Plan and Section 36 of the Planning Act, R.S.O. 1990, c.P.13, as amended.
- 13.2 *Council* may pass a By-law pursuant to Section 36 of the Planning Act, as amended to remove the Holding (H) Symbol, thereby placing the lands in the *zone* indicated by the *zone* symbol, when all of the applicable requirements have been met. For the purposes of this By-law, a number of distinct holding provisions have been applied as set out in Table 13.1, below:
- 13.3 In Table 13.1:
- Column 1 sets out the number of each Holding (H) provision which corresponds to an area of the *City* identified on the Zoning Schedules by the same number, contained within a set of brackets following a *Zone* symbol, denoting a Holding (H) provision;
 - Column 2 identifies the general applicability of the Holding (H) provision;
 - Column 3 identifies the property subject to the Holding (H) provision;
 - Column 4 sets out the conditions for removal of the Holding (H) provision;
 - Column 5 identifies the date of enactment of the Holding (H) provision; and,
 - Column 6 identifies the date of removal of the Holding (H) provision.

All other provisions of this By-law continue to apply to the lands subject to this Section.

Table 13.1: Holding (H) Provisions

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H1	Lands where a <i>development</i> agreement is required	Multiple properties	The Holding (H1) provision may be lifted once <i>Council</i> is satisfied that an appropriate subdivision agreement and/or site plan agreement and/or <i>development</i> agreement has been executed.		
H2	<i>Existing</i> and former <i>waste disposal sites</i> and adjacent lands	Multiple properties	The Holding (H2) provision applying to lands within 500.0 metres of the boundary of the fill area of a closed <i>waste disposal site</i> may be lifted once <i>Council</i> is in receipt of an assessment report prepared by a qualified engineer in accordance with Section C11 (Solid Waste Disposal Areas) of the Official Plan and Guideline D-4 (April 1994) of the Province of Ontario or its successor. The Holding Provision shall not apply to the issuance of a <i>building permit</i> for: a) Interior <i>alterations</i> to existing <i>buildings</i> and/or <i>structures</i>; b) Exterior <i>alterations</i> that do not expand the floor area of the <i>first storey</i> of an existing <i>building</i> or <i>structure</i>; and, c) New <i>buildings</i> or <i>structures</i>, or <i>alterations</i> to existing <i>buildings</i> and/or <i>structures</i> that do not prevent the free movement of air into the atmosphere. In addition to the above, the Holding Provision shall not apply in a circumstance where a <i>building permit</i> is not required.	_____, 2010	

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H3	Lands adjacent to Provincially Significant Wetlands	Multiple properties	Until such time as the H symbol has been removed by amendment to this By-law by Council only the following shall be permitted: 1. The replacement, alteration and reconstruction of legal existing non-conforming buildings and structures in accordance with Sections 4.24 and 4.25 of this By-law. 2. The replacement, alteration, reconstruction and expansion of legal existing buildings or structures permitted by the zone category to which the Holding (H3) provision applies, provided that any addition does not comprise more than fifty percent of the gross floor area of the building or structure that existed on the date that the Holding provision came into effect. 3. The construction of new structures up to 38 m² gross floor area which are accessory to a legally existing permitted use but shall not include a <i>garden suite</i>. The Holding (H3) provision applying to lands within 120 metres of the Environmental Protection (EP) Zone may be lifted if a <i>Development</i> Permit and/or exemption has been obtained from the Nickel District <i>Conservation Authority</i> or its successor, an approval has been obtained from the Sudbury District <i>Health Unit</i> or its successor and provided the proposed <i>development</i> will not have a negative impact on the wetland and its associated ecological functions	_____, 2010	

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H4	Sewage Capacity	Parcel 29123 SWS, Lot 7, Concession 5, Waters Township	Until such time as the H symbol has been removed by amendment to this By-law by <i>Council</i> , all provisions of the FD, Future Development Zone, shall apply to the lands zoned R1-5 and all provisions of the R3(11) continue to apply except that the maximum number of <i>dwelling units</i> shall not exceed 30 and they must be serviced by the Naughton Sewage Treatment Plant. The Holding (H4) symbol shall not be removed by Council of the City of Greater Sudbury until sewage capacity is or will be made available to the satisfaction of the General Manager of Infrastructure.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H5	Improvements to sanitary sewer and noise study	Part 1, Plan 53R-16064 and Part 8, Plan 53R-8177, Lot 7, Concession 5, Township of Waters	Until such time as the H symbol has been removed by amendment to this By-law by <i>Council</i>, the only permitted <i>use</i> shall be an <i>existing</i> single <i>dwelling</i>. The Holding (H5) symbol in this By-law shall only be removed, provided that the following conditions are first satisfied: 1. The owner has entered into an agreement with the City of Greater Sudbury to the satisfaction of the General Manager of Infrastructure and the <i>City</i> Solicitor to carry out any improvements to the municipal downstream sanitary sewer system that may be required with respect to those lands described as Part 1, Plan 53R-16064. This condition pertains to removal of the H symbol only with respect to Part 1, Plan 53R-16064 and shall not preclude removal of the H symbol with respect to the balance of the subject lands in accordance with the conditions of this clause. 2. The owner has undertaken a detailed noise study prepared by a qualified professional pursuant to Ministry of the Environment and Energy Environmental Noise Assessment Guidelines which addresses the proposed <i>development</i>. The recommendations contained within the detailed noise study shall be incorporated into a <i>Site Plan Control Agreement</i> which the owner shall enter into with the City of Greater Sudbury pursuant to Section 41 of The Planning Act, R.S.O. 1990 prior to removal of the H symbol.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H6	Architectural and engineered drawings	Parcel 7517 SWS, Lot 2, Concession 5, Township of Rayside	Until such time as the “H” symbol has been removed by amendment to this by-law the only permitted <i>uses</i> shall be those permitted in an A Agricultural Zone. The “H6” Holding symbol in this By-law applicable to lands designated “A(8)” shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of The Planning Act, R.S.O. 1990, provided that the following condition is first satisfied: 1. The Holding designation will be removed by <i>Council</i> once the applicant has provided the Building Services Section with architectural and engineered drawings, information pertaining to plumbing facilities, adequate water supply for fire fighting, and adequate parking all to the satisfaction of the Director of Building Services/<i>Chief Building Official</i>.		
H7	Floodproofing of <i>existing building</i>	Parcel 4383 SES, Lots 23 and 24, Plan M-36, Lot 4, Concession 3, Township of Neelon	Until such time as the “H” symbol has been removed by amendment to this by-law the only permitted <i>uses</i> shall be a dance studio or a <i>day care centre</i>. The “H7” Holding symbol in this By-law applicable to lands designated R1-5(9) shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of The Planning Act, R.S.O. 1990, provided that the following condition is satisfied: 1. <i>Council</i> has been advised by the Nickel District <i>Conservation Authority</i> that any section of the <i>existing building</i> which will be used for residential occupancy has been flood proofed.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H8	Transfer of <i>public road</i> allowances and removal of lands from floodplain	Lots 1 to 99, Blocks A to G and the <i>public roads</i> described as Syd Street, Jack street, Donald Street, Sharon Avenue and Kristi Crescent being all of Deemed Subdivision Plan M-1103, Lot 6, Concession 6, Township of Blezard	Until such time as the “H” symbol has been removed by amendment to this By-law the only permitted <i>uses</i> shall be those described by Section 4.40 of Part 4 for those lands designated “R3D45(6)”. The “H8” Holding symbol in this By-law applicable to lands designated R3D45(6) shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of The Planning Act, R.S.O. 1990, provided that the following condition is first satisfied: 1. <i>Council</i> has been advised that the <i>public road</i> allowances which are to be transferred to the proponent/ owner have been completed to the satisfaction of the <i>City Solicitor</i>, and 2. <i>Council</i> has been advised by the Nickel District <i>Conservation Authority</i> that the lands have been removed from the floodplain		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H9	Sanitary sewer test manhole	Parcel 20703 SWS, Lot 18, Plan M-367, Lot 4, Concession 4 Township of Dowling	Until such time as the "H" symbol has been removed by amendment to this By-law by <i>Council</i>, the only permitted uses for the lands designated "C1(23)" shall be: - business and <i>medical offices</i> excluding <i>medical offices</i> - a <i>convenience store</i> - a <i>day care centre</i> - a <i>personal service shop</i> excluding a beauty salon - any <i>dwelling</i> containing not more than 2 <i>dwelling units</i>. The "H9", Holding symbol in this By-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of the Planning Act, R.S.O. 1990, provided that the following condition is first satisfied: 1. That the owner has provided for the installation of a sanitary sewer test manhole on the subject property to the satisfaction of the General Manager of Infrastructure.		
H10	Site plan agreement	Part 1, Plan 53R-15814, Lot 4, Concession 1, Township of Blezard	Until such time as the "H" symbol has been removed by amendment to this By-law by <i>Council</i>, the only <i>use</i> permitted on the lands designated M4(1) shall be those uses permitted in an "M4" zone. The "H" Holding symbol in this By-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of the Planning Act, C. P.13, R.S.O. 1990, provided that the following condition is first satisfied: 1. The owner shall enter into a <i>Site Plan Control Agreement</i>.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H11	Adequate water supply; upgrading of lift stations and agreement on maximum elevation of <i>development</i>	Parts 1, 3, 4, 5, 6, 7, 15, 34 and 35, Plan 53R-13911 in Lot 7, Concession 6, Township of Broder	Until such time as the "H" symbol has been removed by amendment to this By-law by <i>Council</i> , no <i>development</i> may take place on the lands designated R1-5(11) and R3-1(16). The "H" Holding symbol in this by-law shall only be removed by Council of The City of Greater Sudbury pursuant to Section 36 of The Planning Act provided that the General Manager of Infrastructure is satisfied that there is adequate water supply to provide fire protection and that the owner has entered into an agreement to upgrade lift stations as may be required, and that owner agrees that no <i>development</i> will be carried out above ground elevation 270 m without the approval of the General Manager of Infrastructure and that watermain looping to provide an alternate feed into the <i>development</i> will be provided.		
H12	Removal of <i>building</i>	PIN 02136-0045, Lot 140, Plan 1S, Lot 6, Concession 4 McKim Township	Until such time as the "H" symbol has been removed by amendment to this by-law by <i>Council</i>, on the lands designated as R3(14) the <i>main residential building</i> known as 121 Bloor Street shall be permitted to contain a maximum of 3 <i>dwelling units</i>. The "H12" Holding symbol in this by-law shall be removed by Council of the City of Greater Sudbury pursuant to Section 36 of The Planning Act, R.S.O. 1990, provided that the following condition is first satisfied: 1. That the secondary <i>residential building</i> known as the "Ghandi Lane House" has been removed to the satisfaction of the <i>Chief Building Official</i>.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H13	Improvements to water supply	1. Part PIN 73504-2823, part Parcel 22436A S.E.S., Lot 6, Concession 2, Township of Hanmer 2. Part of Parcel 400, S.E.S., Part 1, Plan 53R-15633, Lot 2, Concession 3, Township of Hanmer	The only permitted <i>use</i> of the subject property until such time as the “H”, Holding symbol has been removed by <i>Council</i> shall be the uses which legally existed on the date the By-law applying the “H” Holding symbol. The “H13” Holding symbol shall only be removed by <i>Council</i> upon the owner agreeing to the satisfaction of the General Manager of Infrastructure and the <i>City</i> Solicitor to carry out any improvements to the municipal water supply system that may be required to provide adequate flows for domestic and fire protection.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H14	Construction of left turn lane	Parts 1 to 4 inclusive, Plan 53R-15217, Lot 12, Concession 4, Township of Neelon, City of Sudbury.	Until such time as the "H" symbol has been removed by amendment to this By-law by <i>Council</i>, the only <i>use</i> permitted on the lands designated as C2(80) shall be one retail business for the sale of monuments/memorials, which may include the following activities as part of the business: <i>retail store</i>, retail <i>service shop</i>, <i>personal service shop</i>, business and <i>medical office</i>, monument/memorial sales and memorial <i>park</i>, funeral supplies, furniture store, <i>florist</i> shop, horticultural product sales, art studio, antique shop, interior decorating store. The "H14" Holding symbol in this By-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of The Planning Act, R.S.O. 1990, provided that the following condition is first satisfied: 1. That satisfactory arrangements have been made for construction of a left turn lane to the satisfaction of the General Manager of Infrastructure.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H15	<i>Site Plan Control Agreement</i> and sanitary sewer test manhole	Firstly: Lots 94, 95 and 101, Plan 31-S, and Part of Lot 102, being Part 1, Plan 53R-7943; Secondly: Lane (closed) extending from Willow to Victoria Streets and being located along the westerly boundary of Lots 95 and 101; Thirdly: Lane (closed) located on the northerly boundary of Lot 101, and Part 1 on Plan 53R-7943; all in the Township of McKim, City of Sudbury.	Until such time as the "H" symbol has been removed by amendment to this by-law by <i>Council</i>, the only <i>uses</i> permitted shall be a <i>school</i> and related <i>accessory uses</i>. The "H15" Holding symbol in this by-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of The Planning Act, R.S.O. 1990, c.P.13, provided that the following conditions are first satisfied: 1. That the owners have entered into a <i>Site Plan Control Agreement</i> with the City of Greater Sudbury pursuant to Section 41 of The Planning Act to the satisfaction of the Director of Planning Services; and, 2. That the owners have provided for the installation of a sanitary sewer test manhole on the subject property to the satisfaction of the General Manager of Infrastructure.		
H16	RESERVED	RESERVED	RESERVED		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H17	Site Plan Control Agreement, Access restrictions, Agreement for road dedication	Parcels 22155A, 37224, 51059, 23535, 44906, 37205, 7030, 33138, 8047, 14829, 8530, 15701A, 8497, 8375, 10087, 12712, 9523, 9143, 8388, 7750, 15985, 9184, 15943, Lot 7, Concession 1 McKim Township	Until such time as the "H" symbol has been removed by amendment to this by-law by <i>Council</i>, the only <i>uses</i> permitted on the lands designated C3D90(19) shall be a <i>single detached dwelling</i>, a <i>semi-detached dwelling</i> or a <i>duplex dwelling</i> subject to all provisions of this by-law applicable to "R2", Low Density Residential Two Zones. The "H" Holding symbol in this by-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of The Planning Act, R.S.O. 1990, c. P. 13, provided that the following conditions are first satisfied: 1. The owners of all lands situated within any 'single block face area' have entered into a <i>Site Plan Control Agreement</i> with the City of Greater of Sudbury pursuant to Section 41 of The Planning Act, R.S.O. 1990 to the satisfaction of the Director of Planning Services and the General Manager of Infrastructure. For the purposes of this sub-clause all those lands which are situated between two streets and which have been zoned "C3.D90(19)" shall be considered a single 'block face area'. Further, all lands located on the south side of Marttila Drive being zoned "C3.D90(19)" shall be considered a single 'block face area'. 2. Vehicular access to Regent Street and Walford Road for all lands within a single 'block face area', as described in sub-clause 1., has been restricted and appropriate alternative vehicular access established to the satisfaction of the General Manager of Infrastructure and Director of Planning Services. 3. The owners of those lands which abut Regent Street within a		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H17 continued			single 'block face area', as described in sub-clause 1., enter into an agreement with the City of Greater Sudbury to dedicate, if and when required for future road improvements, a 10 foot strip of land <i>abutting</i> Regent Street, together with the extension of any day lighting triangles, to the satisfaction of the General Manager of Infrastructure.		
H18	Adequate municipal water and sanitary sewer services	Parts 8, 9, 10 and 45, Plan 53R-13393, in Lot 9, Concession VI, Township of Neelon, City of Sudbury.	Until such time as the "H18" symbol has been removed by amendment to this by-law by <i>Council</i>, the only permitted <i>use</i> shall be a <i>pit</i> as defined by The Aggregate Resources Act, R.S.O. 1990. The "H18" Holding symbol in this by-law shall only be removed by Council of The City of Greater Sudbury pursuant to Section 36 of The Planning Act, R.S.O. 1990, provided that the following condition is first satisfied: 1. The General Manager of Infrastructure must advise that municipal water and sanitary sewer services are adequate to service the <i>development</i>.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H19	Adequate municipal water and sanitary sewer services	Parts 1, and 39 to 44 inclusive, Plan 53R-13393, save and except Part 2, Plan 53R-14268, in Lot 9, Concession VI, Township of Neelon, City of Sudbury.	Until such time as the “H19” symbol has been removed by amendment to this by-law by <i>Council</i>, no <i>development</i> pursuant to this by-law may take place on the lands on which it applies. The “H19” Holding symbol in this by-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of The Planning Act, R.S.O. 1990, provided that the following condition is first satisfied: 1. The General Manager of Infrastructure must advise that municipal water and sanitary sewer services are adequate to service the <i>development</i>.		
H20	Adequate municipal water services	Part 14, Plan 53R-13355 in Lot 7, Concession 1, Township of McKim, City of Sudbury.	Until such time as the “H20” symbol has been removed by amendment to this by-law by <i>Council</i>, no <i>development</i> pursuant to this by-law may take place on the lands on which it applies. The “H” Holding symbol in this by-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of The Planning Act provided that the following condition is first satisfied: 1. The General Manager of Infrastructure must advise that municipal water services are adequate to service the <i>development</i>.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H21	<i>Site Plan Control Agreement; easements; servicing agreement</i>	Parts 1 to 6 and 11 to 13 on Plan 53R-15450, and Parts 1 to 5 on Plan 53R-18060, Lots 7 and Concession 5, Broder Township	No <i>development</i> pursuant to this by-law may take place until the "H" symbol has been removed by amendment to this by-law by <i>Council</i>. The "H21" Holding symbol in this by-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of the Planning Act provided that the following conditions are first satisfied: 1. A detailed <i>Site Plan Control Agreement</i> be entered into by the Owner and the City of Greater Sudbury, to be registered on title to the subject lands ahead of all encumbrances and all deposits and contributions made, prior to the removal of the "H" symbol, which agreement shall contain any approvals required by the Ministry of Transportation for matters under their jurisdiction. 2. The signing of a detailed servicing agreement with the City of Greater Sudbury respecting sewer and water to be registered on title to the subject lands ahead of all encumbrances and all deposits and contributions made, prior to the removal of the "H" symbol. Such agreement shall ensure that there shall be no expense to the <i>City</i> and that the developer pays for all costs necessary to upgrade the <i>existing</i> systems to meet his requirements. Such agreement shall also ensure that the extension of services from the end of the municipal system is a <i>private</i> system. 3. The acquisition by the Owner of all necessary <i>easements</i> and agreements required to bring water and sewer services south of the by-pass to the subject property. 4. The signing of a servicing agreement with the <i>City</i> prior to the removal of the "H" symbol, to provide for the upgrading of Silver Lake Road to the satisfaction of the General Manager of Infrastructure at the developer's expense.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H21 (Con't)			5. The signing of a servicing agreement with the <i>City</i> to be registered on title to the subject lands ahead of all encumbrances and all deposits and contributions made, prior to the removal of the "H" symbol, to provide for any off-site road improvements over <i>Crown Land</i> and for all intersection and access improvements on Long Lake Road at the developer's expense to the satisfaction of the General Manager of Infrastructure.		
H22	Adequate water supply and waste disposal system	1. Parcel 43115 being Parts 1 and 2, Plan 53R-6789; 2. Parcel 47414 being Part 1 of Plan 53R-10879; 3. That part of Parcel 7263 located on the south side of South Bay Road	Until such time as the "H22" symbol has been removed by amendment to this by-law by <i>Council</i> , the only <i>uses</i> permitted on the lands designated OSP(2) shall be the <i>uses</i> permitted in the OSP, Open Space Private Zone. The "H" Holding symbol shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of The Planning Act provided that the following condition is first satisfied: 1. The proof of an adequate supply of potable water on the property to the satisfaction of the General Manager of Infrastructure. 2. Approval from the Sudbury and District <i>Health Unit</i> to establish a subsurface waste disposal system on the property to the satisfaction of the <i>Health Unit</i> .		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H23	Adequate water and sanitary services and traffic impact analysis	Parts 1 to 7, Plan 53R-14213; Parts 1 to 5, Plan 53R-8886; and Part 1, Plan 53R-8936, all in Lots 5 and 6, Concession 6, Township of Broder and in Lot 6, Concession 1, Township of McKim.	Until such time as the "H" symbol has been removed by amendment to this by-law by <i>Council</i>, the <i>maximum gross floor area</i> to be permitted on the lands designated as C5(3) shall be 45,985 m² and Clauses (ii) to (vi) shall apply with the "H" symbol in place. The "H23" Holding symbol in this by-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of The Planning Act once the following conditions have been complied with: 1. The General Manager of Infrastructure must advise that municipal water and sanitary sewer services are adequate to service the <i>development</i>. 2. A traffic impact analysis acceptable to the <i>City</i> which identifies those road improvements which are required to increase the <i>gross floor area</i> of the <i>shopping centre</i> from 45,985 m² to 60,850 m² has been undertaken, and the owner has entered into an agreement with the City of Greater Sudbury to carry out any improvements identified in the traffic impact analysis to the satisfaction of the General Manager of Infrastructure.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H24	Quarry license surrendered	Parts 1, 2 and 3, Plan 53R-16015 in Lot 8, Concession 6, Township of Neelon.	Until such time as the "H" symbol has been removed by amendment to this by-law by <i>Council</i> , the only <i>uses</i> permitted under the "H", Holding designation shall be a <i>quarry</i> and related <i>accessory uses</i> . The "H24", Holding symbol shall only be removed by Council of the City of Greater Sudbury when the quarry license for the property has been surrendered in accordance with the Aggregate Resources Act. Upon removal of the "H", Holding symbol by application to <i>Council</i> the underlying "M3", Heavy Industrial and "RU", Rural zonings, as the case may be, shall apply.		
H25	Transfer of lands to the City	Property Description: Part 1 of Plan 53R-18356 in Lot 3, Concession 3, Township of McKim.	Until such time as the "H" symbol has been removed by amendment to this by-law by <i>Council</i> , zoning provisions related to the OSP Open Space – Private <i>zone</i> shall remain in effect. The "H25" symbol in this by-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of the Planning Act, R.S.O. 1990, provided that the following condition is first satisfied: a) That the remainder of the surplus railway lands, including a 3 metre (10 ft.) wide pedestrian walkway from the westerly limit of Lakeshore Drive along the south limit of the adjoining CPR right-of-way, be transferred to the <i>City</i> at no cost in exchange for a receipt for income tax purposes.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H26	Installation of municipal sanitary sewer	Parts 2, 3, 8 and 9, Plan 53R-17577, in Lot 7, Concessions 3 and 4, Neelon Township.	Until such time as the "H" symbol has been removed by amendment to this by-law by <i>City Council</i>, the only permitted <i>uses</i> on the lands designated M2(10) shall be "dry <i>industrial uses</i>". For the purpose of this by-law, the following definition shall apply: 'dry <i>industrial use</i>' shall mean any M2 <i>use</i> whose wastewater consists solely of sewage of domestic origin such as washroom or kitchen waste and whose subsurface sanitary sewer system has an average daily flow of less than 4500 litres. Notwithstanding the foregoing, a <i>food processing plant</i>, a dry cleaning and laundering establishment and a <i>restaurant</i> shall not be considered as dry <i>industrial uses</i>. The "H26" Holding symbol in this by-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of the Planning Act R.S.O. 1990, provided that the following condition is first satisfied: 1. The General Manager of Infrastructure must advise that municipal sanitary sewer services have been installed on the subject property.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H27	<i>Site Plan Control Agreement</i>	Parcel 23454 SES, Lot 11, Concession 5, Township of Dill,	Until such time as the "H" symbol has been removed by amendment to this by-law by <i>City Council</i> , no <i>development</i> pursuant to this by-law may take place on the lands designated M1(21). The "H27" Holding symbol in this by-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of the Planning Act following the owner having entered into a <i>Site Plan Control Agreement</i> with the City of Greater Sudbury pursuant to Section 41 of the Planning Act, R.S.O. 1990.		
H28	Construction of a fifth lane on Douglas Street	Parts 7 and 8, Plan 53R-9392 and Parts 1, 2 and 3, Plan 53R-9747 in Lot 6, Concession 3, Township of McKim. .	Until such time as the "H" symbol has been removed by amendment to this by-law by <i>Council</i>, a maximum total <i>gross floor area</i> of 2050m² shall be permitted on the subject property in accordance with the M1-1 <i>Zone</i> with the 560m² one <i>storey</i> portion of <i>existing</i> the <i>building</i> limited to <i>warehouse uses</i> only. The "H" symbol in this by-law shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of the Planning Act, R.S.O. 1990, provided that the following condition is first satisfied: 1. The Director of Roads and Transportation advising that a fifth lane has been constructed on Douglas Street along the frontage of the property.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H29	Traffic study	Part of PIN 73592-0412, being Parts 10 to 16, Plan 53R-17763 in Lot 3, Concession 2, McKim Township	Until such time as the "H", Holding symbol has been removed by <i>Council</i> on the lands designated I(25), the only permitted <i>uses</i> shall be those <i>uses</i> which legally existed on the date that the By-law applying the "H" Holding designation was applied plus a maximum of 40 <i>dwelling units</i> consisting of a mix of single detached, semi-detached and/or <i>row dwellings</i> and whereby the "H29", Holding designation shall only be removed upon fulfilment of the following condition: 1. The Director of Planning Services is to be advised by the General Manager of Infrastructure that the Traffic Study has been reviewed as it applies to the design and operation of the Ramsey Lake Road/South Bay Road intersection, and that any required modifications identified shall be undertaken.		
H30	Municipal Water System	(i) Part of PIN 73504-2823, part Parcel 22436A SES, Lot 6, concession 2, Township of Hanmer; (ii) Part of Parcel 400, SES, Part 1, Plan 53R-15633, Lot 2, Concession 3, Township of Hanmer	The only permitted <i>use</i> of the subject property until such time as the "H" Holding designation has been removed by <i>Council</i> shall be the <i>uses</i> which legally existed on the date the By-law applying the "H Holding designation. The "H" Holding designation shall only be removed by <i>Council</i> upon the owner agreeing to the satisfaction of the General Manager of Infrastructure and the <i>City</i> Solicitor to carry out any improvements to the municipal water system that may be required to provide adequate flows for domestic and fire protection.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H31	Removal of lands from floodplain	Remainder of Parcel 1023, Part Lot 6, Concession 6, Township of Blezard	The only permitted <i>use</i> of the subject property until such time as the “H” Holding designation has been removed by <i>Council</i> shall be the uses which legally existed on the date the By-law applying the “H Holding designation. The “H” Holding designation shall only be removed by <i>Council</i> upon: 1. <i>Council</i> has been advised by the Nickel District <i>Conservation Authority</i> that the lands have been removed from the floodplain.		
H34		Parcel 23150A SES, Lot 6, Concession 1, Township of Hanmer	The only permitted <i>use</i> of the subject property until such time as the “H” Holding designation has been removed by <i>Council</i> shall be the <i>uses</i> which legally existed on the date the By-law applying the “H Holding designation. The “H” Holding designation shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of the Planning Act following: 1. The owner having submitted a traffic impact study to the satisfaction of the General Manager of Infrastructure; 2. The owner having entered into an agreement with the City of Greater Sudbury with respect to undertaking the improvements and or providing financial contributions to improvements to the road and pedestrian network as set out in the approved traffic study including the extension of John Street to the easterly boundary of the lands subject to the “H” Holding provision, to the satisfaction of the General Manager of Infrastructure. 3. A site plan agreement has been registered on title.		

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H35	Consolidation with <i>abutting</i> lots	Parts 5 and 7, Plan 53R-17192, Concession 3, Lot 10 Township of Dryden	The only permitted <i>use</i> of the subject property until such time as the “H” Holding designation has been removed by <i>Council</i> shall be the <i>uses</i> which legally existed on the date the By-law applying the “H” Holding designation. The “H” Holding designation shall only be removed by Council of the City of Greater Sudbury pursuant to Section 36 of the Planning Act following: Part 5, Plan 53R-17192 having been consolidated with <i>abutting</i> Part 9, Plan SR-2700 and Part 7, Plan 53R-17192 having been consolidated with <i>abutting</i> Part 7, Plan SR-2700		

**PART 14:
ENACTMENT**

14.1 FORCE AND EFFECT

This By-law shall come into force and effect in accordance with the Planning Act, R.S.O. 1990, c.P.13, as amended.

14.2 READINGS BY COUNCIL

BY-LAW READ A FIRST AND SECOND TIME THIS ____ DAY OF _____, 2010.

BY-LAW READ A THIRD AND FINAL TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2010.

MAYOR: _____
 John Rodriguez

(Municipal Seal)

CLERK: _____
 Angeline Hache

14.3 CERTIFICATION

I hereby certify that the foregoing is a true copy of Zoning By-law 2010-XX as enacted by the *Council* of the Corporation of the City of Greater Sudbury on the ____ day of _____, 2010.

CLERK: _____