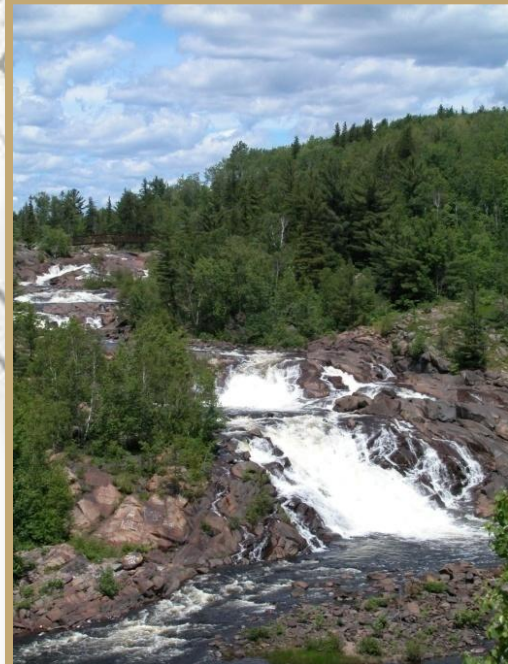
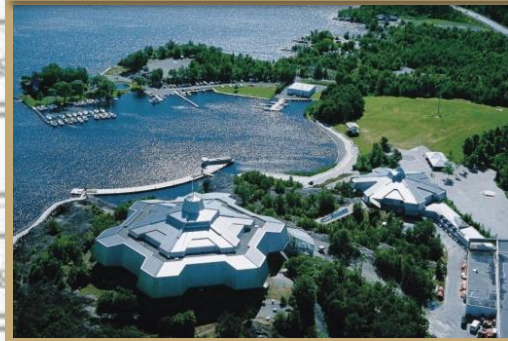


City of Greater Sudbury
Zoning By-Law 2010-100Z



OFFICE CONSOLIDATION
CITY OF GREATER SUDBURY
ZONING BY-LAW 2010-100Z

AS AMENDED

DATE OF ENACTMENT: **September 29, 2010**

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PREAMBLE

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 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 in 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, unless specifically noted otherwise. For example, the general provisions contain standards that regulate height exceptions and non-conforming or non-complying uses that apply to all properties regardless of what zone the property is located within.

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; 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 2010-100Z came 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 2010-100Z came 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 Zoning By-law for the City of Sudbury or the first Zoning By-law for the former municipality or unorganized township 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

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 By-Law 2015-72Z

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

In accordance with Section 67 of the Planning Act, RSO, 1990, c.P. 13 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.

In accordance with Section 67 of the Planning Act, RSO, 1990, c.P. 13 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-law 83-300 being the Zoning By-law for the Town of Valley East and Town of Onaping Falls, By-law 83-301 being the Zoning By-law for the Town of Capreol, By-law 83-302 being the Zoning By-law for the Town of Rayside-Balfour, By-law 83-303 being the Zoning By-law for the Town of Walden, By-law 83-304 being the Zoning By-law for the Town of Nickel Centre, By-law 95-500Z being the Zoning By-law for the City of Sudbury, By-law 2001-24Z being the Zoning By-law for the Townships of Cleland, Scadding and Parts of the Townships of Dryden and Dill and By-law 2001-25Z being the Zoning By-law for the Townships of Parkin, Aylmer, Mackelcan and Rathbun and all amendments thereto are hereby repealed.

1.10 MINOR VARIANCES TO FORMER BY-LAWS, AS AMENDED

Where the *Committee of Adjustment* or the Ontario Municipal Board has authorized a minor variance from the provisions of any predecessor By-law in respect of any land, *building* or *structure* and the decision of the *Committee of Adjustment* 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. (By-law 2012-67Z)

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, corner 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

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 Commercial	C1
General Commercial	C2
Limited General Commercial	C3
Office Commercial	C4
Shopping Centre Commercial	C5
Downtown Commercial	C6
Resort Commercial	C7
Industrial Zones (See Part 8)	
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
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 (By-law 2016-70Z)

Airport Height Restriction Overlays	AHR1, AHR2
Flood Fringe Overlay	FF
Flood Plain Overlay	FP
Wellhead Protection Overlays	WHPA Vulnerability Scoring 10
	WHPA Vulnerability Scoring 8
Intake Protection Zone Overlays	IPZ 1, IPZ 2, IPZ 3
Ramsey Lake Watershed Overlay	RLW

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. Where the number of *dwelling units* per hectare results in a fraction of a *dwelling unit* being permitted, such fraction of a *dwelling unit* shall be rounded down to the nearest whole number.
(By-law 2011-49Z)

2.3 ZONE SCHEDULES (By-Law 2016-70Z)

The *Zones* and *Zone* boundaries are shown on Schedules “A” and “A1” 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

**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 or Accessibility By-law 2015-72Z	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	<p>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:</p> <p>(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;</p> <p>(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;</p> <p>(c) "Services designed to appeal to erotic or sexual appetites or inclinations" includes:</p> <ol style="list-style-type: none"> 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 Use	An area of land used for: <ul style="list-style-type: none"> 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, including a <i>commercial riding school</i> but not including a <i>stockyard</i>, e) Dairying; f) Syrup collecting; g) Beekeeping; 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>; or, i) <i>agriculture-related uses and on-farm diversified uses</i>.
8.	Agriculture-Related Uses	Those farm-related commercial and farm-related industrial uses that are directly related to the farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct services to farm operations as a primary activity and may include a <i>winery</i> , <i>cidery</i> and <i>meadery</i> .
9.	Airport	The <i>use</i> of lands, <i>buildings</i> or structures for the purposes of air transportation services and regulated by Transport Canada.

	Term	Definition
10.	Alter (By-law 2018-180Z)	<p>a) When used in reference to a <i>building</i> or <i>structure</i> or part thereof:</p> <ol style="list-style-type: none"> 1. To change any one or more of the external dimensions thereof; 2. To make any change in the supporting members or to the type of construction of the exterior walls or roof thereof; or, 3. To alter the <i>use</i> thereof. <p>b) When used in reference to a <i>lot</i>:</p> <ol style="list-style-type: none"> 1. To change the <i>lot area</i>, <i>lot depth</i>, <i>lot frontage</i>, <i>water frontage</i> or <i>lot coverage</i> thereof; 2. To change the width, depth or area of any <i>yard</i>, <i>court</i>, <i>setback</i>, <i>landscaped open space</i> or <i>parking area</i> thereon; 3. To change the location of any boundary of such <i>lot</i>, whether such alteration is made by conveyance or alienation of any portion of such <i>lot</i> or otherwise; or, 4. To alter the <i>use</i> thereof; or, <p>c) When used in reference to a <i>use</i>:</p> <ol style="list-style-type: none"> 1. To discontinue and replace, in whole or in part, a <i>use</i> specifically defined herein with any other <i>use</i> specifically defined herein or with any <i>use</i> not specifically defined herein; 2. In the case of an <i>industrial use</i>, to change the mode of operation thereof or the type of commodity being produced or processed, 3. In the case of a <i>residential use</i>, to change the number of <i>dwelling units</i> or <i>guest rooms</i> in a <i>dwelling</i> or <i>shared housing</i>, or to change the number of <i>mobile home dwellings</i> in a <i>mobile home park</i>; or, 4. In the case of a <i>use</i> not specifically defined herein, to change in any way the type or scale thereof. <p>ALTERED and ALTERATION have corresponding meanings.</p>

	Term	Definition
11.	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> .
12.	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.
13.	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 <i>accessory 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.
14.	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.
15.	Arena	A <i>building</i> housing ice making equipment and infrastructure capable of enclosing an artificial ice surface intended for year round recreational <i>use</i> 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.
16.	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.

	Term	Definition
17.	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> .
18.	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> .
19.	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> .
20.	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.
21.	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.
22.	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> .
23.	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.
24.	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.

	Term	Definition
25.	Automotive Lube Shop	An <i>automotive use</i> engaged in the servicing of <i>motor vehicles</i> with fluids and lubricants but does not include any other <i>automotive use</i> defined herein.
26.	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 use</i> , except where specifically permitted, or any other <i>automotive use</i> defined in this By-law.
27.	Automotive Sales Establishment (By-law 2012-67Z)	A <i>building</i> and <i>lot</i> , or either in singular, used for the display and sale, renting or leasing of new and used <i>motor vehicles</i> and may include servicing, repairing, cleaning, polishing, greasing of <i>motor vehicles</i> , the sale of automotive accessories and related products and the sale, leasing or renting of 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 building, but does not include any other <i>automotive use</i> defined herein.
28.	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 <i>vehicles 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.
29.	Automotive Use	A <i>building, structure</i> or <i>lot</i> , or part thereof, where <i>vehicles</i> 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> ".
30.	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> .
31.	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> .
32.	Balcony (By-law 2012-67Z)	A raised platform or <i>structure</i> other than a <i>stoop, porch</i> or <i>deck</i> , projecting above <i>finished grade</i> from a <i>building</i> and is accessible from inside the <i>building</i> and with no steps to provide access to the ground.

	Term	Definition
33.	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.
34.	Basement	One or more <i>storeys</i> of a <i>building</i> located below the <i>first storey</i> .
35.	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.
36.	Bedroom	A <i>habitable room</i> located within a <i>dwelling unit</i> and used primarily for sleeping.
37.	Berm	A landscaped mound of earth.
38.	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.
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 persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.

	Term	Definition
42.	Brewing Facility, Small-Scale By-law 2020-146Z	<p>A <i>building</i> or <i>structure</i> thereof that is used for the self-contained manufacturing, production, storage, packaging, bottling, canning and shipping of no more than 50,000 hectolitres of beer per year authorized by a licence issued by the Alcohol and Gaming Commission of Ontario. A <i>Small-Scale Brewing Facility</i> may be accompanied by:</p> <ul style="list-style-type: none"> a) A private hospitality area where products made on the <i>premises</i> are provided to private groups for tasting and consumption; b) An area for the retail sale of products made on the <i>premises</i> for consumption off of the <i>premises</i>; c) An area where beer manufactured on the <i>premises</i> and alcoholic beverages made off of the <i>premises</i>, by or in collaboration with another <i>Brewing Facility</i>, <i>Winery</i> and <i>Distilling Facility</i> are sold to the general public for consumption on the <i>premises</i>; d) Special events and tours; and e) An <i>office</i> to be used for administrative purposes. <p><i>Small-scale brewing facility</i> includes nano-, micro- breweries, and may include cideries and meaderies.</p>
43.	Brewing Facility, Large-Scale By-law 2020-146Z	<p>A <i>building</i> or <i>structure</i> thereof that is used for the self-contained manufacturing, production, storage, packaging, bottling, canning and shipping of greater than 50,000 hectolitres of beer per year authorized by a licence issued by the Alcohol and Gaming Commission of Ontario. A <i>Large-Scale Brewing Facility</i> may be accompanied by:</p> <ul style="list-style-type: none"> a) A private hospitality area where products made on the <i>premises</i> are provided to private groups for tasting and consumption; b) An area for the retail sale of products made on the <i>premises</i> for consumption off of the <i>premises</i>; c) An area where beer manufactured on the <i>premises</i> and alcoholic beverages made off of the <i>premises</i>, by or in collaboration with another <i>Brewing Facility</i>, <i>Winery</i> and <i>Distilling Facility</i> are sold to the general public for consumption on the <i>premises</i>; d) Special events and tours; and e) An <i>office</i> to be used for administrative purposes. <p><i>Large-scale brewing facility</i> may include cideries and meaderies.</p>

	Term	Definition
44.	Brewpub By-law 2020-146Z	A <i>building</i> or <i>structure</i> thereof that is used for two <i>uses</i> : a <i>Small-Scale Brewing Facility</i> and a <i>Restaurant</i> . The <i>restaurant</i> component will involve the preparation and serving of food and other refreshments to the public for consumption within, or outside of the <i>building</i> , as well as the preparation of food in a ready-to-consume state for consumption off the <i>premises</i> . In addition, 25% (or more) of the beer must be sold on site.
45.	Building	A <i>structure</i> consisting of walls, roof and floor or a structural system serving the same purpose as defined in the <u>Building Code Act</u> , S.O. 1992, Chapter 23.
46.	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.
47.	Building Line, Minimum	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> .
48.	Building, Main	A <i>building</i> in which is carried on the principal purpose for which the <i>lot</i> is used.
49.	Building Official, Chief	The <i>person</i> duly appointed by <i>Council</i> as the Chief Building Official 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> .
50.	Building Permit	A permit <i>required</i> by the <i>Building By-law</i> .
51.	Building Separation	The shortest horizontal dimension between the closest parts of any two detached <i>buildings</i> on the same <i>lot</i> .
52.	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 <i>outdoor storage</i> 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> .

	Term	Definition
53.	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.
54.	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.
55.	Bus Terminal	An establishment where <i>commercial vehicles</i> 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.
56.	By-law Enforcement Officer	A <i>person</i> duly appointed by <i>Council</i> as a By-law Enforcement Officer and charged with the duty of enforcing the by-laws of the <i>City</i> .
57.	Camping Ground	An area of land in which space and facilities are provided specifically for the temporary accommodation of <i>persons</i> in tents or <i>recreation vehicles</i> for vacation or recreational purposes, and <i>accessory</i> uses and facilities such as administrative offices, sanitary facilities, recreational facilities and an <i>accessory convenience store</i> .
58.	Cannabis Production Facility	A building or structure or part thereof that is used for growing, producing, processing, testing, destroying, storing, packaging or shipping of marihuana or cannabis authorized by a license issued by the Federal Minister of Health under the Federal Cannabis Act (S.C. 2018, c.16), as amended but shall not include any other establishment or use as may be defined or classified in the By-law.
59.	Carnival (By-law 2021-138Z)	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, a temporary drive-in theatre, concert or performance event, 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.

	Term	Definition
60.	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.
61.	Car Wash	An <i>automotive use</i> containing manual or automated facilities for washing or cleaning <i>vehicles</i> , but does not include any other <i>automotive use</i> defined herein.
62.	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> .
63.	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> .
64.	Cemetery, Pet	The land that is used as a place for the internment of dead domestic animals with assigned sites for individual animals.
65.	Children's Home	<ul style="list-style-type: none"> 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.
66.	City	The City of Greater Sudbury as defined and constituted by The <u>City of Greater Sudbury Act</u> , 1999, C.14, 20429.
67.	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.
68.	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>
69.	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.
70.	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> .

	Term	Definition
71.	Commercial Tourist Facility	A camp for recreational activities consisting of one or 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.
72.	Committee of Adjustment	The Committee of Adjustment of the City of Greater Sudbury, or the Committee of Adjustment of a former municipality 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.
73.	Conforming	Conforming to all applicable provisions or requirements of this By-law. CONFORMITY has a corresponding meaning.
74.	Conservation Authority	The Nickel District Conservation Authority, as constituted by the <u>Conservation Authorities Act</u> , R.S.O. 1990, c.C.27, as amended.
75.	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 environment 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.
76.	Contractor's Yard By-law 2015-72Z	An area of land used for the storing of equipment, <i>vehicles</i> or 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 yard or establishment otherwise defined or classified herein.
77.	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.
78.	Council	The municipal Council 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.
79.	Court	An <i>open</i> , uncovered <i>yard</i> bounded on two or more sides by one or more <i>main buildings</i> on the same <i>lot</i> .

	Term	Definition
80.	Crisis Residence	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.
81.	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 facility.
82.	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.
83.	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.
84.	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.
85.	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 land <i>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.
86.	Dining Room	That part of a <i>restaurant</i> , <i>tavern</i> , <i>hotel</i> or other <i>non-residential 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.

	Term	Definition
87.	Distilling Facility By-law 2020-146Z	<p>A <i>building</i> or <i>structure</i> thereof that is used for the self-contained manufacturing, production, storage, packaging, bottling, canning and shipping of alcohol, as authorized by a licence issued by the Alcohol and Gaming Commission of Ontario. A <i>Distilling Facility</i> may be accompanied by:</p> <ul style="list-style-type: none"> a) A private hospitality area where products made on the <i>premises</i> are provided to private groups for tasting and consumption as a special event; b) An area for the retail sale of products made on the <i>premises</i> for consumption off of the <i>premises</i>; c) An area where alcohol manufactured on the <i>premises</i> and alcoholic beverages made off the <i>premises</i>, by or in collaboration with another Brewing Facility, Winery and Distilling Facility, are sold to the general public for consumption on the <i>premises</i>; d) Special events and tours; and e) An <i>office</i> to be used for administrative purposes.
88.	Dock	A <i>structure</i> temporarily or permanently attached to lands under water used to provide access to the water for <i>persons</i> and watercraft.
89.	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 <i>outdoor</i> screen for viewing by patrons from within their vehicles.
90.	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 <i>queueing space</i> 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.
91.	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 <i>road</i> or <i>private access road</i> .
92.	Drug Store	A <i>building</i> or part thereof where pharmaceutical drugs are prepared and dispensed in conjunction with a <i>retail store</i> .
93.	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> .
94.	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> .

	Term	Definition
95.	Dwelling (By-law 2018-180Z)	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>shared housing</i> or <i>institutional use</i> .
96.	Dwelling Unit	A <i>suite</i> of one or more inter-connected <i>habitable rooms</i> which: <ul style="list-style-type: none"> 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>.
97.	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> , verandah, 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.
98.	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 <i>non-residential 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.
99.	Dwelling Unit, Bachelor	A <i>dwelling unit</i> containing bathroom facilities and not more than two <i>habitable rooms</i> used for living, dining, sleeping and cooking.
100.	Dwelling Unit, Primary (By-law 2016-133Z)	A <i>dwelling</i> contained in the <i>main building</i> on a <i>lot</i> .
101.	Dwelling Unit, Secondary (By-law 2016-133Z)	An additional dwelling unit that is ancillary and subordinate to the primary dwelling unit that may be contained within the main building on a lot/or in an accessory building.
102.	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.
103.	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> .

	Term	Definition
104.	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.
105.	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.
106.	Dwelling, Modular	A pre-fabricated <i>dwelling unit</i> manufactured at one location and delivered and assembled on another <i>lot</i> .
107.	Dwelling, Multiple	A <i>dwelling</i> which contains three or more <i>dwelling units</i> , with or without permitted <i>non-residential uses</i> , 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> or a <i>street townhouse dwelling</i> .
108.	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.
109.	Dwelling, Row By-law 2015-72Z By-law 2016-70Z	A <i>dwelling</i> which contains three or more <i>dwelling units</i> in a row, divided vertically from each other by common walls, which extend at least one <i>storey</i> above <i>finished grade</i> with each <i>dwelling unit</i> having separate private independent accesses directly to at least two <i>yards</i> .
110.	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.
111.	Dwelling, Semi-Detached	One of a freestanding pair of single <i>dwellings attached</i> 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> .
112.	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> .
113.	Dwelling, Street 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> and having private independent entrances to each <i>dwelling unit</i> directly from a <i>yard</i> with each <i>dwelling</i> located on a separate <i>lot</i> .

	Term	Definition
114.	Easement	An instrument that is registered on title which provides for the <i>use</i> of land subject to the easement for sewer, water, drainage, access or utility purposes and which may include a right-of-way in favour of a <i>public</i> authority.
115.	Electric Power Generating Station	A facility that generates electricity, but does not include a solar collector, solar farm, wind turbine or wind farm.
116.	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</i> or <i>lot</i> .
117.	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> .
118.	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</i> or <i>structure</i> by an addition, deletion, enlargement or extension.
119.	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, decks, porches</i> , balconies, exterior steps, architectural adornments or other projections of the type described in Section 4.2 of this By-law
120.	Existing	Existing as of the date of the enactment of the provision that contains that word. EXIST has a corresponding meaning.
121.	Extractive Use	A <i>mine</i> , a <i>pit</i> , a <i>quarry</i> or a <i>wayside pit</i> or <i>quarry</i> as defined herein.
122.	Farm Implement Sales Outlet	The <i>use</i> of land, <i>buildings</i> or <i>structures</i> for the <i>commercial</i> sale, storage or repair of equipment and machinery directly associated with the farming operations and activities.
123.	Farm Sales Outlet	A <i>building</i> or <i>structure</i> , <i>accessory</i> to an <i>agricultural use</i> , where farm produce originating primarily on the same <i>lot</i> therewith is offered for retail sale in season.
124.	Fence	A <i>structure</i> which forms a barrier for enclosing, bounding, delineating or protecting land.

	Term	Definition
125.	Filming Event By-law 2016-70Z	Recording, except in an <i>Audio/Visual Studio</i> , for a feature film, television film, television program or series, documentary, paid advertisement, including but not limited to a commercial, music video, educational film, including the pre-production activities associated therewith but does not include, activities by news media related to the dissemination of information, location scouting or recording personal movies or photographs.
126.	Financial Institution	A <i>premises</i> in which financial services are offered to the public and includes a bank, credit union, trust company, savings office, investment advising or any other retail banking or investing operation.
127.	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 <i>structure</i> , the average elevation of the finished surface of the ground where it meets the exterior face of such <i>building</i> or <i>structure</i> 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 <i>structure</i> .
128.	Fitness Centre	A <i>premises</i> in which facilities are provided for recreational or athletic activities such as body-building and exercise classes and may include associated facilities such as a <i>sauna</i> , a <i>swimming pool</i> , a solarium, a cafeteria and accessory retail uses.
129.	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 Conservation Authority and/or the Province of Ontario.
130.	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.
131.	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.
132.	Floor Area, Maximum Gross	The total <i>gross floor area</i> of all <i>buildings</i> on a <i>lot</i> .

	Term	Definition
133.	Floor Area, Net	The aggregate of the <i>floor areas</i> of a <i>building</i> above or below <i>finished grade</i> , but excluding <i>car 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 height of less than 1.8 metres and any part of a <i>basement</i> that is unfinished, is used solely for storage purposes and is not accessible to the public.
134.	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> .
135.	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.
136.	Food Processing Plant (By-law 2020-146Z)	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, <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.
137.	Forestry Use	An area of land used for: <ul style="list-style-type: none"> 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 <i>outdoor</i> recreation.
138.	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.
139.	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.
140.	Garage, Mutual By-law 2016-70Z	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>residential lots</i> to which such <i>private garage</i> is <i>accessory</i> .

	Term	Definition
141.	Garage, Private	A fully enclosed <i>building</i> designed and used for the storage of one or more <i>motor vehicles</i> .
142.	Garden Centre	A <i>retail store</i> comprised of an <i>outdoor</i> or <i>indoor</i> 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.
143.	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.
144.	Garden Suite	A one unit detached residential <i>structure</i> containing bathroom and kitchen facilities that is ancillary to a <i>single detached dwelling</i> and that is designed to be temporary and/or portable.
145.	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 <i>vehicles</i> , except where such <i>use</i> is specifically permitted hereby.
146.	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.
147.	Golf Course	A public or private 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 golf courses, and similar uses.
148.	Golf Driving Range	An <i>indoor</i> or <i>outdoor</i> public or private facility dedicated to the driving of golf balls from fixed golf tees.
149.	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.

	Term	Definition
150.	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 By-laws</i> .
151.	Group Home Type 2	A single housekeeping unit in a <i>single detached dwelling</i> or <i>dwelling unit</i> within a <i>building</i> which shall be maintained and operated primarily for: <ul style="list-style-type: none"> (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.
152.	Guest Room	A <i>habitable room</i> or <i>suite</i> of <i>habitable rooms</i> 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.
153.	Guest Room, Accessory	A <i>guest room</i> accessory to, and located within, a <i>dwelling</i> .
154.	Habitable Living Space or Habitable Room	Any floor space used or capable of being used for human living, sleeping, cooking or eating purposes within a building.
155.	Hardware Store	A <i>retail store</i> engaged primarily in the <i>indoor</i> sale of hardware and home maintenance and improvement supplies.
156.	Hazardous Waste	Has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990.
157.	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.

	Term	Definition
158.	Heavy Equipment Sales And Rental (By-law 2012-67Z) (By-law 2018-40Z)	A <i>building, structure or lot</i> , or part thereof, where <i>commercial vehicles</i> , heavy machinery and equipment, are offered or kept for sale, rent, or lease or hire under agreement for compensation and may include the servicing and repairing of <i>commercial vehicles</i> and heavy machinery and equipment and the sale of replacement parts, but shall not include any other establishment defined or classified in this By-law.
159.	Height or Building Height	When used in reference to a <i>building or 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 or structure</i> facing the <i>front lot line</i> and the highest point of the <i>building or structure</i> .
160.	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.
161.	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 <i>hardware store</i> but does not include the <i>premises</i> of a construction contractor.
162.	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> .
163.	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 and may include not more than one <i>person</i> as an employee who does not reside in the <i>dwelling unit</i> .

	Term	Definition
164.	Hospital	<p>a) A "hospital" as defined in the <u>Community Psychiatric Hospitals Act</u>, R.S.O. 1990, c.C.21, as amended;</p> <p>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;</p> <p>c) A "private hospital" or "house" as defined in the <u>Private Hospitals Act</u>, R.S.O. 1990, c.P.24, as amended; or,</p> <p>d) A "hospital" or "medical department" as defined in the <u>Public Hospitals Act</u>, R.S.O. 1990, c.P.40, as amended.</p>
165.	Hotel (By-law 2018-180Z)	A <i>building</i> , group of <i>buildings</i> of 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 "hotel" 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>shared housing use</i> .
166.	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.
167.	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.
168.	Indoor or Indoors	Fully enclosed within a <i>building</i> .
169.	Industrial Use	<p>A <i>building</i>, <i>structure</i>, <i>use</i> or activity pertaining to:</p> <p>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</p> <p>b) The production or storage of <i>building</i> or construction equipment or materials, but does not include an <i>extractive</i></p>

	Term	Definition
		<p><i>use, a salvage yard or any activity primarily associated with either a commercial use or an automotive use or with the supplying of personal services.</i></p> <p>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>.</p>
170.	Industrial Use, Light	<p>An <i>industrial use</i> engaged in, or used for:</p> <ul style="list-style-type: none"> 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>.
171.	Institutional Use	<p>A <i>children's home, a day care centre, a place of worship, a hospital, a private club, a non-profit or charitable institution, a group home type 1, a group home type 2, a special needs facility, a recreation and community centre, an arena, a public museum, a public library, a public business, a public fire hall, a public or private school other than a trade school, or any public use other than a public utility.</i></p>
172.	Intake Protection Zone By-law 2016-70Z	<p>Those lands located within the Intake Protection Zone 1 Scoring 10 for Ramsey Lake and Intake Protection Zone 1 Scoring 10 for the Vermilion River and Intake Protection Zone 1 Scoring 10, for the Wanapitei River and Intake Protection Zone 2 Scoring 8 for the Wanapitei River and Intake Protection Zone 3 Scoring 8 for the Wanapitei River as shown in the Greater Sudbury Source Protection Plan as approved by the Minister of the Environment and Climate Change on September 19, 2014.</p>

	Term	Definition
173.	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> .
174.	Landing (2013-161Z)	A platform with or without a roof having an area not exceeding 2.2 square metres and extending horizontally from the wall of a <i>building</i> not more than 1.25 metres, adjacent to a door and providing direct access to the ground or a stair except for a landing required to be barrier-free which is permitted to be 1.67 metres by 1.67 metres as per the Ontario Building Code. A landing shall also include a platform without a roof having an area not exceeding 2.2 square metres situated between flights of stairs.
175.	Landscaped Open Space	An area of <i>open</i> land used and maintained for: <ul style="list-style-type: none"> 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>, <i>outdoor</i> recreation facilities, play areas, permitted <i>outdoor 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>, <i>outdoor storage</i> area or any space beneath or within any <i>building</i> or <i>structure</i>.
176.	Laundromat	A self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment, and laundry receiving depot.

	Term	Definition
177.	Legal Existing or Legally Existing	<p>a) When used in reference to a <i>use, lot, building or structure</i>, mean:</p> <ol style="list-style-type: none"> 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. <p>b) When used in reference to a <i>registered lot</i>, means a <i>registered lot</i> which:</p> <ol style="list-style-type: none"> 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.
178.	Library	A <i>premises</i> containing printed, electronic and pictorial material for <i>public use</i> for purposes of study, reference and recreation.
179.	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.
180.	Liquid Industrial Waste	Has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990.
181.	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.
182.	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> .

	Term	Definition
183.	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.
184.	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> .
185.	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 side 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.
186.	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> .
187.	Lot, Landlocked	A <i>lot</i> which does not abut an <i>assumed</i> or <i>public road</i> , other than a <i>waterfront lot</i> .
188.	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.
189.	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> .
190.	Lot, Through	An <i>interior lot</i> <i>abutting</i> two or more roads.
191.	Lot, Through Waterfront	A <i>waterfront lot</i> having two or more separate <i>shorelines</i> .
192.	Lot, Unserviced	A <i>lot</i> which is not a <i>serviced lot</i> .
193.	Lot, Waterfront	A <i>lot</i> which <i>abuts</i> a <i>shoreline</i> but has no <i>street line</i> .
194.	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
195.	Lot Coverage (2013-161Z)	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</i> , <i>patios</i> , balconies, <i>landings</i> , steps, <i>swimming pools</i> and hot tubs. (By-law 2011-49Z)
196.	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> .
197.	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 a 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.
198.	Lot Line	Any boundary of a <i>lot</i> or the vertical projection thereof.
199.	Lot Line, Exterior Side	The <i>side lot line</i> of a <i>corner lot</i> which is also a <i>street line</i> .
200.	Lot Line, Front (2013-161Z)	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. 3. 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</i> road 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> .

	Term	Definition
201.	Lot Line, Interior Side	A <i>side lot line</i> which is not a <i>street line</i> .
202.	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> .
203.	Lot Line, Side	A <i>lot line</i> which is not a <i>front lot line</i> or <i>rear lot line</i> .
204.	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.
205.	Main Building Facade	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>corner side yard</i> , the main building facade shall mean the <i>ground floor</i> wall of the habitable (non-garage) portion of the <i>dwelling</i> .
206.	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 <i>outdoor storage</i> of goods or materials except for equipment or <i>vehicles</i> which are for sale, lease or hire.
207.	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 docking, 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 boat storage shed, a boat service station, a boat repair shop and may include gasoline pump facilities for the fuelling of marine crafts.

	Term	Definition
208. —	Medical Marihuana Cannabis Production Facility (By-law 2014-113Z)	A building or structure or part thereof that is used for growing, producing, processing, testing, destroying, storing, packaging or shipping of marihuana or cannabis authorized by a license issued by the Federal Minister of Health under the Controlled Drugs and Substances Act SC 1996, c 19, Cannabis License Act, S.O. 2018 C. 12, as amended but shall not include any other establishment or use as may be defined or classified in this By-law.
209.	Mine	A mine within the meaning of the <u>Mining Act</u> , R.S.O. 1990, c.M.14, as amended.
210.	Mobile Home Dealership	An establishment where <i>mobile home dwellings</i> are offered or displayed for sale to the general public.
211.	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> .
212.	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> .
213.	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.
214.	Modular Building Dealership (By-law 2012-67Z)	A <i>premises</i> where <i>modular dwellings</i> and modular buildings are available for viewing or sale, and may include an <i>accessory outdoor display and sales area</i> .
215.	Motel	A <i>premises</i> that contains rooms with no private cooking facilities that are rented on a temporary basis to the public with each room being accessed from the outside.
216.	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, 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 mountain bike facility.
217.	Municipality	The Corporation of the City of Greater Sudbury.
218.	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.

	Term	Definition
219.	Non-Complying	When used in reference to a <i>lot, building or structure</i> , means a <i>lot building or structure</i> which does not comply with, one or more of the provisions of this By-law.
220.	Non-Conforming	When used in reference to a <i>use, lot, building or structure</i> , a <i>use, lot building or 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.
221.	Non-Profit or Charitable Institution	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.
222.	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.
223.	Off-Street Parking Space	A portion of a <i>building or lot</i> designated by the occupant or owner for use for the parking of a <i>motor vehicle</i> .
224.	Office	Includes a <i>business office medical office</i> , and <i>professional office</i> .
225.	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 <i>public or private agency</i> , 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 <i>non-residential use</i> , 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.
226.	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 or private hospital or office</i> located in the medical professional's residence.

	Term	Definition
227.	Office, Professional	The business <i>premises</i> of one or more <i>persons</i> duly qualified, licensed 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> .
228.	On-Farm Diversified Use	Small scale uses that are limited in area, that are secondary to the principal use of the property and help support the farm. These include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products from the farm operation and may include a <i>small-scale brewing facility, distilling facility, winery, cidery</i> and <i>meadery</i> .
229.	Open Space Use	An <i>outdoor recreation area, agricultural use, forestry use, golf course, golf driving range</i> or a <i>park</i> .
230.	Outdoor Display And Sales	An <i>outdoor</i> 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> .
231.	Outdoor, Outdoors or Open	Outside a <i>building</i> or not <i>underground</i> .
232.	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, golf driving range</i> or the racing of animals, <i>motor vehicles</i> , motor cycles snowmobiles or the use of any other motorized vehicles.
233.	Outdoor Furnace	An appliance located outside of any <i>building</i> or <i>structure</i> , which it is intended to heat by combustion.
234.	Outdoor Storage	The storage of goods and materials including vehicles for hire or sale, outside a <i>building</i> .
235.	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.
236.	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> .
237.	Parking Area (By-law 2012-67Z)	An <i>outdoor, indoor</i> or <i>underground</i> area which is provided on a <i>lot</i> for the parking of one or more <i>vehicles</i> 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.
238.	Parking Area or Parking Lot, Outer Boundary of a	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>queueing lane, planting strip abutting</i> a <i>lot line</i> , or any <i>parking structure</i> .

	Term	Definition
239.	Parking Lot	A <i>parking area</i> which constitutes a <i>main use</i> on a <i>lot</i> and where <i>vehicles</i> are parked for remuneration.
240.	Parking Space (By-law 2012-67Z)	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> .
241.	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.
242.	Patio	A platform or surfaced area without a roof, the surface of which is less 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> . (By-law 2011-49Z)
243.	Pergola	An open-roofed <i>structure</i> of parallel columns placed at regular intervals supporting gutters and cross-rafters.
244.	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 person to whom the context can apply according to law.
245.	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.
246.	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, development 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</u> (Canada).
247.	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> .
248.	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> .
249.	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> .

	Term	Definition
250.	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 museum.
251.	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 assembly halls, offices for the administration of the religious institution, convents, seminaries, monasteries, rectories, parsonages and parish houses recognized in the Province of Ontario.
252.	Planting Strip	An area that is used for no other purpose than <i>landscaped open space</i> .
253.	Porch (By-law 2012-67Z)	A <i>structure</i> with a roof and atleast one side that is open and unenclosed, that is accessed by stairs from grade and which provides access to a <i>dwelling</i> .
254.	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.
255.	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 a separate <i>premises</i> .
256.	Principal Use	The primary purpose for which a <i>lot</i> , <i>building</i> or <i>structure</i> is used, or is intended to be used.
257.	Private	Not <i>public</i> .
258.	Private Cabin	An <i>accessory building</i> used for temporary human habitation but containing no cooking facilities.
259.	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.

	Term	Definition
260.	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.
261.	Private Home Daycare	The <i>use</i> 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.
262.	Provincial Highway	A <i>public</i> improved road under the jurisdiction of the Ministry of Transportation.
263.	Public	When used in reference to a <i>building, structure, use</i> or <i>lot</i> , a <i>building, structure, use</i> or <i>lot</i> that is owned, occupied, used or administered by a <i>public agency</i> .
264.	Public Agency	<ul style="list-style-type: none"> 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>.
265.	Public Utility	<ul style="list-style-type: none"> 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.
266.	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.
267.	Quarry	A “quarry” 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> .

	Term	Definition
268.	Queueing 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.
269.	Queueing Space	A space within a <i>queueing lane</i> used exclusively for the staging of <i>vehicles</i> utilizing a <i>drive through service facility</i> .
270.	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 stands, refreshment booths, <i>restaurants</i> , stables or other <i>structures</i> or uses <i>accessory</i> thereto.
271.	Ramsey Lake Watershed By-law 2016-70Z	Those lands located within the boundary of the Ramsey Lake Watershed as shown in the Greater Sudbury Source Protection Plan as approved by the Minister of the Environment and Climate Change on September 19, 2014
272.	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 outdoor</i> recreation area, but does not include a riding stable, <i>place of amusement</i> or <i>amusement park</i> .
273.	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</i> or <i>charitable institution</i> or a <i>public agency</i> including a facility developed or operated as a public-private 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> .

	Term	Definition
274.	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 <i>decks</i> .
275.	Refreshment Pavilion	A <i>building, 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. No provision is made for consumption of the food or refreshment by the customer within the <i>building</i> .
276.	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 rental store shall not include an <i>automotive leasing establishment</i> or <i>heavy equipment sales and rental</i> .
277.	Required	Required by this By-law. REQUIREMENT has a corresponding meaning.
278.	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> .
279.	Residential Building (By-law 2018-180Z)	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</i> accessory to a <i>dwelling</i> ; c) A <i>shared housing</i> ; or, d) A <i>retirement home</i> . but does not include any <i>building</i> which is located in a Commercial Zone and contains a <i>non-residential use</i> as a <i>main use</i> on the <i>ground floor</i> .
280.	Residential Building, Non-	A <i>building</i> which is not a <i>residential building</i> .
281.	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> .
282.	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.
283.	Residential Lot, Non-	A <i>lot</i> which is not a <i>residential lot</i> .
284.	Residential Use (By-law 2018-180Z)	The <i>use</i> of land and <i>buildings</i> for human habitation including a <i>dwelling, dwelling unit, shared housing</i> and <i>retirement home</i> or any use accessory thereto.

	Term	Definition
285.	Residential Use, Non-	A <i>use</i> which is not a <i>residential use</i> .
286.	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> .
287.	Restaurant, Take-out	A place with a maximum of 10 seats for customers where food and drinks are prepared and offered for sale to the public primarily to be taken out or delivered for consumption off the <i>premises</i> , with consumption also permitted in the <i>parking</i> area.
288.	Retail Store (By-law 2017-90Z)	A <i>building, structure</i> or <i>lot</i> , or part thereof, where goods, 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 limiting the generality of the foregoing, any <i>use</i> defined herein as a form of “retail store” but does not include any other <i>use</i> defined herein.
289.	Retaining Wall	A wall built as a grade separation structure.
290.	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 private <i>bedroom</i> or living unit has a separate private 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.
291.	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.
292.	Road, Arterial	A road which is classified as a primary arterial road, secondary arterial road or tertiary arterial road from time to time by the City of Greater Sudbury.
293.	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> .
294.	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</i> body.

	Term	Definition
295.	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.
296.	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.
297.	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>.
298.	Salvage Or Wrecking Yard (By-law 2012-67Z)	A place used for the wrecking or disassembling of <i>vehicles</i> or the storage, collecting, sale or resale of such wrecked or disassembled <i>vehicles</i> ; 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 building materials are stored, collected or sold.
299.	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.
300.	Sauna	An <i>accessory building</i> or <i>structure</i> wherein facilities are provided for the purpose of a sauna bath, either dry or wet, and may include a change/relaxation room, storage areas and a washroom but not a kitchen or sleeping facilities.
301.	Sawmill	A <i>building</i> , <i>structure</i> or areas where timber is cut or sawed to finished lumber.
302.	School	A <i>public school</i> , 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> or <i>commercial riding 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.
303.	School, Commercial (By-law 2014-235Z)	A school conducted for gain or profit such as a studio of dancing, art school, music school, drama school, school of calisthenics, business or <i>trade school</i> , training centre or any other specialized school but shall not include a <i>school</i> or a <i>commercial riding school</i> as defined in this By-law or a <i>private</i> academic, religious, or philanthropic school.

	Term	Definition
304.	School, Commercial Riding	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.
305.	School, Private	A <i>school</i> , other than a <i>public school</i> , <i>commercial school</i> , or <i>commercial riding 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 or charitable institution</i> .
306.	School, Public	A <i>school</i> under the jurisdiction of a <i>public agency</i> .
307.	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 of non-personal services or crafts to the public in the manner of a <i>service trade</i> or a <i>service shop</i> , provided that such articles, services or crafts are directly related to a course of instruction conducted by the said school.
308.	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 <i>use</i> on the <i>premises</i> .
309.	Service Shop	A <i>building</i> or part thereof wherein articles or goods, other than <i>vehicles</i> or industrial equipment, are repaired or serviced, or where replacement parts for such articles or goods are offered for sale.
310.	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> .
311.	Setback	The distance between a <i>lot line</i> and the nearest <i>main wall</i> of any <i>building</i> or <i>structure</i> .

	Term	Definition
312.	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.
313.	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> .
314.	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.
315.	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.
316.	Shared Housing (By-law 2018-180Z)	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> .
317.	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 .
318.	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</i> shoreline reserve.
319.	Shoreline Buffer Area	An area of <i>open land</i> , <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
320.	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.
321.	Site Plan Control Agreement	Any agreement entered into by an owner of land and pursuant to a <i>site plan control by-law</i> .
322.	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.
323.	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 commercial 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 yards 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>
324.	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: <ol style="list-style-type: none"> 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.
325.	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</i> and <i>retirement homes</i> , where varying degrees of support services are provided including meal preparation, laundry, housekeeping, respite care and attendant services.
326.	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 <i>accessory</i> thereto but does not include an <i>arena</i> .
327.	Stockyard	Lands, <i>buildings</i> and <i>structures</i> used for the sale and distribution of <i>livestock</i> .
328.	Stoop	A roofless, unenclosed <i>outdoor 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> .
329.	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
330.	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> .
331.	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> .
332.	Storey, Second or Second Floor	The <i>storey</i> directly above the <i>first storey</i> of a <i>building</i> .
333.	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.
334.	Stormwater Management Pond	A detention basin that temporarily stores or treats collected stormwater runoff and releases it at a controlled rate.
335.	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.
336.	Structure	Anything that is erected, built or constructed of parts joined together and attached 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 height of 1.0 m (3.28 feet) or less, a light standard, railway or any paved surface directly on the ground and a sign shall be deemed not to be structures.
337.	Suite (By-law 2018-180Z)	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> , <i>boarding house dwellings</i> , <i>shared housing</i> and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies.
338.	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.
339.	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 altered primarily by dyeing or the addition of appliques.
340.	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
341.	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> .
342.	Taxi Stand	A <i>building, structure</i> or <i>lot</i> where chauffeured passenger automobiles are kept for hire.
343.	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.
344.	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.
345.	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 <i>mobile home dwelling</i> , another <i>motor vehicle</i> or any device or apparatus not designed to transport <i>persons</i> or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached 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.
346.	Trailer, Travel Or Tent	Any <i>trailer</i> 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 attached and a current license and is not permanently affixed to the ground.
347.	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> .
348.	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.(By-law 2011-49Z)
349.	Underground	Below the finished surface of the ground, excluding artificial embankments or terraces.
350.	Unlicensed Motor Vehicle	A <i>motor vehicle</i> which does not have attached to it, a valid license plate and currently valid validation tag.
351.	Use	<ul style="list-style-type: none"> 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
352.	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> .
353.	Vehicle, Commercial	A <i>vehicle</i> having permanently attached 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.
354.	Vehicle, Farm	A <i>vehicle</i> , self-propelled or drawn, which directly and specifically relates to the operation of an <i>agricultural use</i> .
355.	Vehicle, Non-Commercial	A <i>vehicle</i> having a registered gross vehicle weight of not more than 4,500 kilograms 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> .
356.	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> .
357.	Vehicle, Public	A <i>vehicle</i> owned and operated by a <i>public agency</i> .
358.	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 vehicle 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> .
359.	Vehicle Sales and Service Establishment, Recreation	Shall mean a <i>building</i> or part of a <i>building, 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 or for rental, and may include the service or repair of <i>recreation vehicles</i> .
360.	Vehicle, Small Recreation	A <i>recreation 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.

	Term	Definition
361.	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.
362.	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, and includes a <i>farm implement sales outlet</i> , 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.
363.	Veterinary Clinic	A <i>building</i> or part thereof, with or without related <i>structures</i> , 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> .
364.	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> .
365.	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).
366.	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).
367.	Waste Transfer Site	Lands used for the placement of containers that are used to hold solid waste for eventual transfer to another location.
368.	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> .

	Term	Definition
369.	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> .
370.	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> .
371.	Water Taking, Commercial	The extraction on water from ground or surface water sources in excess of 50,000 litres per day for resale.
372.	Waterbody	The natural or man-made channel of an <i>open</i> stream of water or any area below the <i>high water mark</i> of an <i>open</i> body of water, but shall not include an ornamental or irrigation pond or <i>stormwater management pond</i> .
373.	Waterbody, Navigable	A <i>waterbody</i> sufficiently deep and wide to give a passage to a boat.
374.	Wayside Pit or Wayside 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.
375.	Wellhead Protection Area By-law 2016-70Z	Those lands located within the WHPA Vulnerability Scoring 10 and WHPA Vulnerability Scoring 8 as shown in the Greater Sudbury Source Protection Plan as approved by the Minister of the Environment and Climate Change on September 19, 2014.
376.	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.

	Term	Definition
377.	Winery By-law 2020-146Z	<p>A <i>building</i> or <i>structure</i> thereof that is used for the self-contained manufacturing, production, storage, packaging, bottling, canning and shipping of wine authorized by a licence issued by the Alcohol and Gaming Commission of Ontario. A <i>winery</i> may be accompanied by:</p> <ul style="list-style-type: none"> a) A private hospitality area where products made on the <i>premises</i> are provided to private groups for tasting and consumption; b) An area for the retail sale of products made on the <i>premises</i> for consumption off of the <i>premises</i>; c) An area where wine manufactured on the <i>premises</i> and alcoholic beverages made off of the <i>premises</i>, by or in collaboration with another <i>Brewing Facility</i>, <i>Winery</i> and <i>Distilling Facility</i> are sold to the general public for consumption on the <i>premises</i>; d) Special events and tours; and e) An <i>office</i> to be used for administrative purposes. <p><i>Winery</i> may include, <i>cideries</i> and <i>meaderies</i> .</p>
378.	Yard	<p>An area of land which:</p> <ul style="list-style-type: none"> a) Is appurtenant to, and located on the same <i>lot</i> as, a <i>main building</i> or <i>structure</i>; and b) Is <i>open</i>, uncovered and unoccupied from the ground to the sky, except for those uses specifically permitted thereon elsewhere in this By-law.
379.	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> .
380.	Yard, Exterior	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.
381.	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> .
382.	Yard, Interior	A <i>yard</i> which is not an <i>exterior yard</i> .
383.	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 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> .
384.	Yard, Maximum	The maximum distance of a <i>yard</i> from a <i>lot line</i> . In calculating the maximum yard, the minimum horizontal distance from the respective <i>lot line</i> shall be used.

	Term	Definition
385.	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, structures</i> or <i>outdoor parking areas</i> except where such uses are specifically permitted thereon elsewhere herein. In calculating the minimum required yard, the shortest horizontal distance from the respective <i>lot line</i> shall be used.
386.	Yard, Privacy (By-law 2017-90Z)	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, driveway, loading space</i> or <i>storm water management pond</i> .
387.	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.
388.	Yard, Side	An <i>interior side yard</i> or <i>corner side yard</i> .
389.	Zone	A designated area of land use(s) shown on the <i>Zone Maps</i> of this By-law.
390.	Zone Maps	The set of maps attached hereto as Schedule “A”, which form part of this By-law.

PART 4

GENERAL PROVISIONS

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* or a valid permit has been issued for the principal building or structure, but shall not include the following: (By-law 2011-49Z)
 - i) An *automotive use*;
 - ii) A *building* or part thereof used for human habitation except where the *building* or part thereof is a permitted *secondary dwelling unit* or *garden suite*; (2016-133Z)
 - 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 existing nonconforming mobile home dwellings* not located within an EP Environmental Protection Zone, shall be permitted to have *accessory uses* in accordance with the provisions in Section 4.2 and the provisions of the applicable *zone*. (By-law 2014-235Z)
- 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. (2013-161Z)

- 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*.
- e) With the exception of the C6 Downtown Commercial Zone, a *drive-through service facility* shall be permitted as an *accessory use* to a permitted *restaurant, financial institution, retail store, automotive service station, gas bar* and *automated car wash use*, subject to:
 - i) The number of *drive-through service facilities* *accessory* to *restaurants, financial institutions, retail stores* and *automated car washes* located on a *lot* shall not exceed a total of two. *Drive-through service facilities* *accessory* to *gas bars* or *service stations* shall not be included in the calculation of the maximum number of *drive-through service facilities* permitted on a lot.
 - ii) The requirements of Section 5.7 of this By-law shall be satisfied.

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* or *structure* is located except: **(By-law 2011-49Z)**

- a) On a *lot* in a (R) Residential Zone where the *lot* does not *abut a shoreline*, *accessory buildings* or *structures* that contain a *secondary dwelling unit* shall only be permitted in a *rear* or *interior yard*;
- b) As otherwise provided herein. **(By-law 2016-133Z)**

4.2.3 Lot Coverage

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

(By-law 2012-67Z)

4.2.4 Height

- a) The maximum *height* of any *accessory building* or *structure* on a *residential lot* 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. (By-law 2011-49Z)

Table 4.1

Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
<u>STRUCTURAL AND ORNAMENTAL FEATURES:</u>		
<u>All Zones</u> Bay windows	<i>Front, Rear and Corner Side Yards and Courts</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.
<u>All Zones</u> Canopies/Porticos	All yards and Courts	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> .
<u>All Zones</u> Balconies/Fire Escapes	<i>Front, Rear and Corner Side Yards and Courts only in Residential Zones</i> All yards and courts in all other zones	May encroach 1.8 m into the <i>required yard</i> or <i>required court</i> .
<u>In Residential (R) Zones</u> Open, roofless and uncovered steps, terraces and <i>landings</i> providing access to either a <i>basement</i> or the <i>ground floor</i> of a dwelling (2013-161Z)	All yards and Courts	No closer than 0.6 m to the applicable <i>lot line</i> or <i>building wall</i>
<u>In Residential (R) Zones</u> Uncovered Decks (1.2 m or less in height above <i>finished grade</i> to the top of the finished deck floor)	<i>Interior, Front and Corner 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> .

Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
<u>In Residential (R) Zones</u> Uncovered <i>Decks</i> (greater than 1.2 m in height above <i>finished grade</i> to the top of the finished deck floor)	<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 where a <i>side lot line</i> extends from a common wall dividing <i>attached dwelling units</i> .
	<i>Front and Corner 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> .
<u>In Residential (R) Zones</u> <i>Porches</i> (By-law 2011-49Z)	<i>Front, Rear and Corner Side Yards and Courts</i>	May encroach 2.4 m into the <i>required yard</i> or <i>required court</i> .
	<i>Interior side yard</i>	No <i>setback</i> shall apply where a <i>side lot line</i> extends from a common wall dividing <i>attached dwelling units</i>
<u>All Zones</u> Sills, cornices, parapets, pilasters, or other similar ornamental <i>structures</i>	<i>Any yard and Court</i>	May encroach 0.6 m into the <i>required yard</i> or <i>required court</i> .
<u>All Zones</u> Eaves	<i>Front, Rear and Corner 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 and Court</i>	May encroach 0.6 m into the <i>required yard</i> or <i>court</i> but not closer than 0.6 m to the <i>lot line</i> .

Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
<u>All Zones</u> Chimneys	Any <i>yard</i> and <i>Court</i>	May encroach 0.6 m into the <i>required yard</i> or <i>required court</i> .
<u>All Zones</u> Functional and ornamental roofless <i>structures</i> including but not limited to drop awnings, clothes poles, flag poles, lighting fixtures, mail boxes, fountains, statues, monuments, benches, cenotaphs, memorials, planters, garden trellises, <i>patios</i> , walkways, <i>accessibility</i> ramps and railings, <i>retaining walls</i> less than 1.0 m in <i>height</i> or other similar <i>accessory structures</i> (By-law 2012-67) (By-law 2015-72Z) (By-law 2016-70Z)	Any <i>required yard</i> or <i>court</i> .	Permitted
<u>In Residential (R) and Commercial (C) Zones</u> <i>Fences</i> and hedgerows 1.0 m or less in height (By-law 2012-67Z)	All <i>Yards</i>	Permitted
<u>In Residential (R) and Commercial (C) Zones</u> <i>Fences</i> and hedgerows more than 1.0 m in height provided that any portion of a <i>fence</i> above 2.0 m in height shall not be opaque (By-law 2012-67Z)	All <i>Yards</i> other than the <i>Front</i> and or <i>Corner Side Yards</i>	Permitted

Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
<u>All Zones except Residential(R) and Commercial (C) Zones</u> Fences and hedgerows with no maximum height (By-law 2012-67Z)	All Yards	Permitted
<u>ACCESSORY BUILDINGS AND STRUCTURES:</u>		
<u>On a Residential Lot</u> Accessory Buildings and Structures 2.5 m and less in height (By-law 2012-67Z)	<i>Rear or Interior Side Yard</i>	No closer than 0.6 m from the <i>rear</i> or <i>side lot line</i> . Where the <i>rear lot line</i> is a <i>streetline</i> of a road having a width of more than 10 m a <i>setback</i> of 4.5 m shall be required from the <i>rear lot line</i> .
	<i>Court</i>	No closer than 1.0 m to any wall bounding a <i>required court</i> .
	<i>Corner Side Yard</i>	No encroachment
<u>On a Residential Lot</u> Accessory Buildings and Structures greater than 2.5 m in height	<i>Rear or Interior Side Yard</i>	No closer than 1.2 m from the <i>rear</i> or <i>side lot line</i> . Where the <i>rear lot line</i> is a <i>streetline</i> of a road having a width of more than 10 m a <i>setback</i> of 4.5 m shall be required from the <i>rear lot line</i> .
	<i>Court</i>	No closer than 2.0 m to any wall bounding a <i>required court</i> .

Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
	<i>Corner Side Yard</i>	No encroachment
<u>On a Residential lot</u> Outdoor Swimming Pool, circulating, heating and Pumping Equipment (Refer to Section 4.2.11) (By-law 2014-235Z) (By-law 2018-40Z)	<i>Rear Yard</i>	No closer than 1.5 m from the <i>rear lot line</i> . Where the <i>rear lot line</i> is a <i>streetline</i> of a <i>road</i> having a width of more than 10 m a <i>setback</i> of 4.5 m shall be required from the <i>rear lot line</i> .
	<i>Interior Side Yard Court</i>	No closer than 1.5 m from the <i>interior side lot line</i> or any wall bounding a <i>required court</i> .
	<i>Corner Side Yard</i>	No encroachment
<u>Residential (R) Zones</u> Central air conditioning units	<i>Rear Yard</i>	No closer than 1.5 m from the <i>rear lot line</i> .
	<i>Interior or Corner Side Yard -Court</i>	May encroach 1.5 m into a <i>required side yard</i> or <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> .
<u>All Zones</u> Central air conditioners for <i>multiple dwelling units</i> in	Roof mounted only	Not applicable.
<u>Residential (R) Zones</u> Window-Mounted Air Conditioning Units in	<i>All yards</i>	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> .
<u>All Zones</u> Gate House or Parking Shelter in	<i>Front, Interior or Corner Side Yard</i>	Not closer than 3.0 m from a <i>front</i> or <i>side lot line</i> . (Subject to Section 4.2.7)
<u>All Zones</u>	<i>Front or Corner</i>	No part of any pump island

Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
<i>Automotive service stations and gas bars</i>	<i>Side Yard</i>	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> .
<u>All Zones</u> <i>Gazebos, boathouses, docks, water pumps and saunas (By-law 2011-49Z)</i>	<i>Setback from main building</i>	On a <i>residential lot</i> not closer than 2.0 m to the <i>main building</i> .
<u>All Zones</u> <i>Gazebos,boathouses, docks, decks, stairs, water pumps and saunas (By-law 2011-49Z)</i>	<i>Rear yard on a lot abutting a waterbody</i>	On a <i>lot</i> where the <i>rear lot line</i> is a <i>waterbody</i> a <i>sauna, boathouse, dock, deck, stairs, water pump or gazebo</i> shall be permitted with no <i>rear yard requirement</i> subject to Section 4.41 of this By-law and any other approvals required by law.
<u>All Zones</u> <i>Gazebos,boathouses, docks, decks, stairs, water pumps and saunas (By-law 2011-49Z)</i>	<i>Front yard on a lot abutting a waterbody</i>	On a <i>lot</i> where the <i>front lot line</i> is a <i>waterbody</i> a <i>sauna, boathouse, dock, deck, stairs, water pump or gazebo</i> shall be permitted with no <i>front yard requirement</i> subject to Section 4.41 of this By-law and any other approvals required by law.
<u>All Zones</u> <i>Gazebos,boathouses, water pumps, docks, decks, stairs and saunas (By-law 2011-49Z)</i>	<i>All yards if structure encroaching onto the bed of a waterbody</i>	No closer than 3.0 m to the <i>interior side yard</i> located above the <i>high water mark</i> except for a dock where no setback shall be required and no setback shall be required for a <i>gazebo, boathouse, water pump, dock, deck, stairs or sauna</i> from any lot line that is located below the <i>high water mark</i> .

Permitted Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
<u>Residential (R) Zones</u> <i>Carports</i>	<i>Interior side yard, with the side facing the same lot line being open</i>	No closer than 0.6 m from <i>interior side lot line</i> .
	<i>Interior side yard, with the side facing the same lot line being closed</i>	No closer than 1.2 m from <i>interior side lot line</i> .
<u>On a Residential lot</u> <i>Mutual garage</i>	<i>Interior side yard</i>	Can be constructed astride the common <i>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. (By-law 2011-49Z)
- b) The minimum width for a *private garage*, measured between the inside of the walls, shall be 2.75 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 4.1, 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 (By-law 2017-91Z)

Outdoor furnaces including but not limited to hydronic heaters shall only be permitted on *lots* with a minimum of 1.0 hectare within “A”, Agricultural, “RU”, Rural, “RS” Rural Shoreline, “M4” Mining Industrial and “M5”, Extractive Industrial zones and provided that the *outdoor furnace* is *setback* not less than 15.0 metres to any *lot line* and not less than 60 m from a *residential building* located on another *lot*.

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* or *structure* containing a refuse storage area shall be located: (By-law 2014-235Z)
 - i) In an *interior yard* only; (By-law 2012-67Z)
 - ii) No closer to any *lot line* than required for an *accessory building* or *structure* by this By-law; (By-law 2014-235Z)
 - iii) No closer to any *residential lot* or Residential *Zone* boundary than required for an *accessory building* or

structure in a non-Residential Zone by this By-law;
(By-law 2014-235Z)

- iv) No closer to any Open Space or Environmental Zone boundary than required for an *accessory building* or *structure* by this By-law; (By-law 2014-235Z)
- 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 Secondary Dwelling Units (By-law 2016-133Z)

4.2.10.1 Permission for Secondary Dwelling Units (By-law 2018-40Z)

A *secondary dwelling unit* may be permitted within:

- a) A *single detached dwelling* or a *building accessory* there to;
- b) A *semi-detached dwelling* or a *building accessory* there to;
- c) A *row dwelling* or a *building accessory* there to; and
- d) A *street townhouse dwelling* or a *building accessory* there to;

Provided that a maximum of one *secondary dwelling unit* is permitted within the primary dwelling and one *secondary dwelling unit* is permitted within an *accessory building* on a *lot*.

Notwithstanding the above, a *secondary dwelling unit* is not permitted:

- a) Within a *dwelling* that is deemed to be a permitted use in Section 4.16 of this By-law;
- b) Within a *dwelling* located within an “EP”, Environmental Protection Zone;
- c) Within a *dwelling* that is permitted *accessory* to a permitted *non-residential use* in Section 4.40.2 of this By-law;
- d) On a *lot* containing a *garden suite*;
- e) Within a seasonal dwelling;
- f) Within a *building* or *structure accessory* to a), b), c) or e) above.

4.2.10.2 Additions or Alterations to Primary Dwellings

An addition or exterior *alteration* to a *primary dwelling* to accommodate a *secondary dwelling unit* is permitted provided that it does not result in the creation of:

- a) An additional entrance to the *main building facade* that faces a *public road*;
- b) An additional exterior entrance above the *first storey*; and
- c) Additional exterior stairs, or stairwells for entrances below *finished grade* along a wall facing a *public road*.

4.2.10.3 Secondary Dwelling Units in Accessory Buildings

Where a *secondary dwelling unit* is located in all or part of a *building accessory to a primary dwelling* the *secondary dwelling unit*:

- a) Shall not be permitted to be in the form of a *mobile home dwelling* in all Residential (R), Commercial (C), and “FD”, Future Development Zones;
- b) May be in the form of a *mobile home dwelling* in a Rural (RU), Agricultural (A) or Rural Shoreline (RS) Zones;
- c) In Rural (RU), Agricultural (A) or Rural Shoreline (RS) Zones shall:
 - i) have a maximum net floor area of 45 percent of the *gross floor area* of the *primary dwelling* on the *lot*. For the purposes of this Section of the By-law, net floor area shall be the *gross floor area* of the accessory building excluding any *parking areas* within the *accessory building*; and,
 - ii) be located no more than 30 metres from the *primary dwelling* at their closest.

4.2.10.4 Registration of Secondary Dwelling Units

Where *Council* has enacted a by-law requiring that *secondary dwelling units* be registered, the requirements of such by-law shall be complied with.

4.2.10.5 Secondary Dwelling Units and Front Yard Parking

(By-law 2021-171Z)

Notwithstanding anything to the contrary, the required parking area associated with the *secondary dwelling unit* may be permitted in the required front yard to a maximum of 50% of the width of the minimum lot frontage, or the maximum driveway width established by this by-law, whichever is lesser.

Where a *private garage* has been converted to a *secondary dwelling unit*, the required parking area for the primary dwelling and the secondary dwelling unit may be permitted in the required front

yard to a maximum of 50% of the width of the minimum lot frontage or the maximum driveway width established by this by-law, whichever is lesser.”

4.2.11 Swimming Pools

No outdoor swimming pool shall be erected, placed or located anywhere except for an *outdoor swimming pools accessory* to:

- a) a permitted *dwelling* in accordance with the requirements of Table 4.1 of this By-law for *accessory buildings and structures*;
- b) a permitted *hotel, institutional use or commercial recreation centre, or park*, where the *outdoor swimming pool* may be located in any *yard* other than a *required yard*;

except that no interior wall of an *outdoor swimming pool* and no water circulating, heating or pumping equipment shall be located closer than 1.5 metres to any *side or rear lot* line. (By-law 2014-235Z)

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) Plans of Condominium (By-law 2018-40Z)

Where lands are a parcel of tied land to a condominium corporation, or are located within a condominium corporation which has access to a roadway owned and maintained by a registered condominium corporation said roadway 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 set back from Residential Zones, *schools*, *places of worship*, *retirement homes* and *public parks* – 300.0 metres;
 - iii) Minimum set back 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

- a) Notwithstanding any other provision hereof to the contrary, where:
 - i) a vacant *interior lot* exists between *legal existing buildings* on the same side of a street; and
 - ii) 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 *minimum front yard required* shall be the average *established building lines* of all three *lots*.

- b) 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:

- a) New *buildings* and *structures* and additions to *existing buildings* and *structures* are permitted in accordance with the applicable underlying *zone* and provided:
 - i) All openings to the *buildings* and *structures* are located at least 0.3 metres above the elevation of the regulatory *flood plain*;
 - ii) No *bedrooms* shall be permitted below the regulatory *flood plain* elevation, and
 - iii) 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:

- a) *legally existing buildings and structures* shall be permitted;
- b) 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*.

Garden suites existing on July 12, 2016, that are permitted as a temporary use in Part 12 of this By-law and where the temporary use permission has not expired, shall be permitted as a *secondary dwelling unit* in a *building accessory* to a *primary dwelling* provided that the requirements of Section 4.2.10 and other applicable provisions of this By-law shall apply. **(By-law 2016-133Z)**

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 solar collector;
 - xvii) A water tower or tank;
 - xviii) A windmill or wind turbine or,
 - xix) 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 on the *lot*.
- 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.
- l) *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 *outdoor 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) *Contractor's yards*;
 - iv) *Taxi stand service depot/dispatch establishments*;
 - v) *Any automotive use* and any use involving the storage and/or towing of *motor vehicles* or *recreation vehicles*;
 - vi) *Institutional use*; and,
 - vii) *Veterinary clinic*.
- o) Not more than five persons shall be present in the *dwelling unit* at anytime to receive treatment, services or instructions in conjunction with a *home occupation*. (By-law 2016-70Z)

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 corner side yards* shall be maintained as *landscaped open space* in Low Density Residential One (R1) or Low Density Residential Two (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 plazas *accessible* by the general public.

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*:

4.26

- i) Where the *lot line* of a *non-residential lot*, other than a *lot* containing an *open space use* or a *lot* in an Industrial Zone, abuts a *residential lot* or Residential Zone;
 - ii) Where a *lot* zoned Medium Density Residential (R3) (R3-1) or High Density Residential (R4) *abuts* a *lot* zoned Low Density Residential One (R1) or Low Density Residential Two (R2);
- b) Notwithstanding 4.15.4 a) where a *planting strip* contains an opaque wall or opaque *fence* having a *height* of 1.5 metres or more, the width of the *required planting strip* may be reduced to 1.8 metres in width.
- c) Where a lot in any Industrail (M) Zone abuts an *interior side lot line* or *rear lot line* 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*;
- d) Where *parking areas* are connected to *parking areas* on adjacent *lots*, a *planting strip* is not *required*.

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 and any *dwelling* located within an “EP”, Environmental Protection Zone, *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* or *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. (By-law 2014-235Z)

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 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 By-Law 2015-72Z

Model homes shall only be permitted on lands that have received Draft Plan of Subdivision or Condominium Approval under the Planning Act, R.S.O. 1990, c.P.13 or Condominium Act, R.S.O. 1998 c.P.13 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 or within a unit defined in a draft approved Plan of Condominium;
- 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*.

4.21.3 Phasing of Condominiums By-law 2015-72Z

Where a condominium plan has received draft plan approval and where the registration of the plan is intended to occur in phases and /or stages, the lands to which the draft approved plan of condominium is to be located, shall be deemed to be one *lot* for the purposes of applying the provisions of the By-law. Excluding *minimum privacy yards*, Zone provisions shall apply to the external *lot lines* of the overall condominium plan, not to internal *lot lines* resulting from the registration of any condominium phase.

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*, for the *existing* purpose for which it was lawfully used.

4.24.4 Restoration To A Safe Condition and Rebuilding

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* provided that:

- a) a demolition permit is issued prior to the destruction of the *building or structure*, and;
- b) 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.

4.24.6 Reconstruction of Existing Dwellings or Dwelling Units

(By-law 2014-235Z)

Refer to Section 4.16 of this By-law.

4.25 NON-COMPLYING LOTS, BUILDINGS AND STRUCTURES

4.25.1 Permitted Buildings or Structures

(By-law 2018-40Z)

Where a *building or structure* is located on a *lot* having less than the minimum *lot frontage* and/or *lot depth* 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* except as otherwise permitted by this By-law;
- 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* except as otherwise permitted by this By-law;

- 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* 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* except as otherwise permitted by this By-law;
- 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* except as otherwise permitted by this By-law;
- 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.

4.25.3 Existing Undersized Lots of Record (By-law 2014-235Z) By-law 2015-72Z

(2012-178Z) Where a *legally existing lot* having a lesser *lot area* and/or *lot frontage* than *required* herein, or where a *lot* having a lesser *lot area* or *lot frontage* than required herein 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 such lots comply with Section 4.3 of this By-law and all other applicable *zone provisions* of this By-law are complied with.

(2013-161Z) *Lots* that have been increased in size following passing of this By-law may also be used in accordance with this provision.

4.26 OBNOXIOUS AND OTHER SPECIFIC USES PROHIBITED

The following *uses* are prohibited in any *Zone* unless otherwise permitted by this By-law: (By-law 2014-235Z)

- a) The *use* of any tent, *travel trailer*, *recreation vehicle* or *motor vehicle* for human habitation, except where such tent, *travel trailer*, *recreation vehicle* or *motor vehicle* is located in a *camping ground*;
- b) The *use* of any *accessory building or structure* or *boathouse* for human habitation;
- c) The *use* of *bulk storage tanks* for storage purposes on any *lot*;
- d) The *use* of a truck, *trailer 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* with or without wheels; (By-law 2012-67Z)
- f) The parking or storage of *trailers* or *commercial motor vehicles* on a vacant *lot*;
- 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;
- 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 parlour*;
- m) *Obnoxious uses*;
- n) Smelters or ethanol plants;
- o) The manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, coal oil, creosote, explosives, fireworks, glue, petroleum, tar or any other gas; 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:
 - 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 spaces*, and/or any *required landscaped open space* on the *lot*.

4.27.2 Automotive Sales and Vehicle Sales or Rental Establishments

Section 4.27.1 above shall not apply to an *automotive sales establishment*, a *vehicle sales or rental establishment* or a *recreation vehicle sales and service 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 spaces*, 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 unless otherwise permitted by this By-law:

- 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) *Outdoor storage* shall be screened by opaque fencing with a minimum *height* of 2.2 metres, except that no such barrier shall be required:
 - i) where a permitted *outdoor storage* area *abuts* a railway right-of-way; and,
 - ii) where a permitted *outdoor storage* area in a M3, M4, M5 or M6 *Zone* is located more than 150 metres from a Residential *Zone* or *arterial road*;
- c) *Outdoor storage* is not permitted within any *yard abutting* 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) *Outdoor storage* related to a permitted *agricultural use* or 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* and areas:
 - i) Environmental Protection (EP) *Zone*;
 - ii) Any Residential (R) *Zone*;
 - iii) Registered and Draft Approved Plans of Subdivision;
 - iv) Cemeteries and other human burial sites; and,
 - v) 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, Structures, Parking, Loading and Landscaping

(By-law 2018-40Z)

Notwithstanding any other provisions 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*, parking and loading provisions or landscaped open space requirements, the *buildings*, *structures*, parking and loading and landscaped open space areas 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.

4.30.3 Non-Conformity Prior to Acquisition

Sections 4.30.1 and 4.30.2 are not construed as mitigating or legalizing any *non-conformity* or contravention pertaining to such *lot* prior to the date of such acquisition.

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, except by an acquisition for *public* purposes in accordance with Section 4.30 of 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*:

- a) As an *accessory structure* used in conjunction with a permitted *agricultural, extractive, transport terminal or warehouse use*;
- b) For the purposes of rental, sale or distribution in a Light Industrial (M2) or Heavy Industrial (M3) Zone for use off site; and,
- c) In accordance with Sections 4.40.5 and 4.40.7 of this By-law.

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 yard*.

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

Table 4.2

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 4.2, 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 1.0 metre in height above the average elevation of the said *sight triangle*, determined by averaging the elevations of the three corner points thereof.

(By-law 2011-49Z) (By-law 2012-67Z)

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 setback 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 excluding a *residential building* located on the same *lot* as the *kennel*.

(By-law 2011-49Z)

4.37.4 Small-Scale Brewing Facilities, Distilling Facilities, and Wineries

Notwithstanding any other yard or setback provision in this By-law to the contrary, within the 'Rural (RU)' and 'Agricultural (A)' Zones, no *building* or *structure* containing a *small-scale brewing facility*, *distilling facility*, or *winery* shall be erected or expanded unless it is located 70 metres from any *dwelling unit* excluding a *dwelling unit* located on the same lot as the facility.

4.38 TRAVEL TRAILERS, RECREATION VEHICLES AND CAMPERS

- 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.
- c) The *outdoor parking* and storing of *recreation vehicles*, truck campers, camper trailers, *trailers* and licensed off road *recreation vehicles* in a Residential (R) Zone shall be in accordance with Section 5.4.7 of this By-law.

4.39 UNLICENSED MOTOR VEHICLES

- a) The parking of an *unlicensed motor vehicle* on a *lot* shall be permitted:
 - i) Only as an *accessory use* to an *automotive repair shop, automotive sales establishment, automotive body shop, vehicle repair shop, a vehicle sales or rental establishment* or a *recreation vehicle sales and service establishment* located on the same *lot*.
 - ii) In a Residential (R) Zone in accordance with Section 5.4.6 of this By-law.

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 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 waste transfer site* operated by the City of Greater Sudbury; and,
 - ix) A *legal existing cemetery*.
- b) The installation or maintenance of any part of:
 - i) A flood control *structure*, *stormwater management pond*, *public water system*, *public sanitary sewer system* or *public 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 Commercial (C5) Zone, except where a *dwelling unit* is a permitted *use* in a *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 *fuel depot* 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*;
- g) For a *vehicle repair shop*; or,
- h) For a *vehicle sales or rental establishment*.

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*, except in a Residential (R) or Commercial (C) Zone provided that no *building* or *structure* requiring a *building permit* is erected with any such use except where specifically permitted by this By-law.

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

Nothing in this By-law shall apply to prevent the *use* of any part of any *lot* for, 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 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 or the failure to maintain a current *building permit*.
(By-law 2011-49Z)

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

Nothing in this By-law shall apply to prevent the *use* of any part of any *lot* for the placement and *use* of not more than a total of one shipping or storage container shall be permitted on a *residential lot* or a *lot* within a Commercial (C) or Institutional (I) 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 *premises* or *lot* to another *premises* or *lot*.
(By-law 2011-49Z)

4.40.8 Filming Event

Nothing in this By-law shall apply to prevent the use of any part of any land, *building* or *structure* for a *filming event* in any *zone*, provided that any required approvals or permits from the City of Greater Sudbury or other regulating authority have been obtained. (By-law 2016-70Z)

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*.(By-law 2011-49Z)

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, docks, decks*, stairs, 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*. (By-law 2011-49Z)

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 vegetated state to a depth of 12.0 metres from the *high water mark* of a *navigable waterbody*.

Notwithstanding the above, the following areas adjacent to the *high water mark* of a *navigable waterbody* are permitted to be cleared of natural vegetation:

- a) On any *residential lot*,
 - i) a maximum of 25 % of the *required shoreline buffer area*, but in no case shall exceed a maximum of 276m², and
 - ii) The maximum length of the cleared area measured at the *high water mark* shall be 25 % of the length of the *shoreline* of the lot but in no case shall the maximum length of cleared area measured at the *high water mark* exceed 23 metres in length.
- b) In any Commercial (C) Zone, 33 % of the area of the *required shoreline buffer area* of the *lot*. (By-law 2011-49Z)

4.41.4 Shoreline Structures and Facilities

- a) Within 12 metres of the *high water mark* of a *navigable waterbody*, only the following structures shall be permitted within the area permitted to be cleared of natural vegetation in Section 4.41.3 above.
 - i) Permitted *accessory structures* as set out in 4.41.2 of this By-law, and,
 - ii) Boat launches, marine railways, waterlines and heat pump loops. (By-law 2011-49Z)
- 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, INTAKE PROTECTION ZONES AND RAMSEY LAKE WATERSHED (By-Law 2016-70Z)

Wellhead protection areas, intake protection zones and the Ramsey Lake watershed are shown as overlay *Zones* on the Schedules to this By-law.

4.42.1 Wellhead Protection Areas (WHPA) Vulnerability Score of 10 Overlay Zones and the Intake Protection Zones (IPZ) 1 Vulnerability Score of 10 Overlay Zone

Notwithstanding the provisions of this By-law to the contrary, in addition to the *uses* listed in Section 4.26 of this By-law the following *uses* shall also be prohibited within all *Wellhead Protection Area* (WHPA) vulnerability scoring 10 overlay *zones* and all *Intake Protection Zones* (IPZ) 1 vulnerability scoring 10 overlay *zones*:

- i) The use, storage or application to land of *agricultural source material*;
- ii) The use, storage or application to land of *non-agricultural source material*;
- iii) *Abattoir*,

- iv) *Automotive body shop* including where accessory to any other use;
- v) *Automotive lube shop* including where accessory to any other use;
- vi) *Automotive repair shop* including where accessory to any other use;
- vii) *Automotive service station*;
- viii) *Bulk storage tank*;
- ix) Chemical manufacturing;
- x) *Commercial or public garage*;
- xi) *Dry cleaning establishment*;
- xii) Electroplating or metal fabricating and finishing operation;
- xiii) *Fuel depot*;
- xiv) Furniture and wood stripping and refinishing operation;
- xv) *Gas bar*;
- xvi) Grazing, breeding, raising, boarding or training of *livestock*;
- xvii) Mine tailings disposal;
- xviii) *Salvage or wrecking yard*;
- xix) Slag dump;
- xx) Snow storage disposal facility;
- xxi) Storage of dense non-aqueous phase liquids or organic solvents on a *lot* at quantities greater than 25 litres;
- xxii) Storage of salt on a lot at quantities greater than:
 - a) 5,000 tonnes in WHPAs;
 - b) 500 tonnes in IPZ 1 Vermilion and IPZ 1 Wanapitei;
 - c) 0.5 tonnes in IPZ 1 Ramsey;
- xxiii) Storage of pesticides on a *lot* at quantities greater than 250 kilograms;
- xxiv) *Vehicle repair shop*;
- xxv) *Waste disposal area*;
- xxvi) Wood preserving and treatment operations.

4.42.2 Wellhead Protection Area (WHPA) Vulnerability Score of 8 Overlay Zone

Notwithstanding the provisions of this By-law to the contrary, in addition to the *uses* listed in Section 4.26 of this By-law the following *uses* shall also be prohibited within all *Wellhead Protection Area* (WHPA) vulnerability scoring 8 overlay zone:

- i) *Automotive body shop* including where accessory to any other use;
- ii) *Automotive lube shop* including where accessory to any other use;
- iii) *Automotive repair shop* including where accessory to any other use;

- iv) Chemical manufacturing;
- v) *Commercial or public garage*;
- vi) *Dry cleaning establishment*;
- vii) Electroplating or metal fabricating and finishing operation;
- viii) Furniture and wood stripping and refinishing operation;
- ix) Storage of dense non-aqueous phase liquids or organic solvents on a *lot* at quantities greater than 25 litres;
- x) *Vehicle repair shop*;
- xi) *Waste disposal area*;
- xii) Wood preserving and treatment operations.

4.42.3 Ramsey Lake Watershed (RLW) Overlay Zone

Notwithstanding the provisions of this By-law to the contrary, in addition to the *uses* listed in Section 4.26 of this By-law the following *uses* shall also be prohibited within the *Ramsey Lake Watershed* (RLW) overlay zone:

- i) The use, storage or application to land of agricultural source material;
- ii) The use, storage or application to land of non-agricultural source material;
- iii) *Abattoir*;
- iv) Grazing, breeding, raising, boarding or training of *livestock*;
- v) Mine tailing disposal;
- vi) Slag dump;
- vii) Snow storage disposal facility;
- viii) Storage of salt on a *lot* at quantities greater than 0.5 tonnes;
- ix) Storage of pesticides on a *lot* at quantities greater than 2,500 kilograms;
- x) *Waste disposal area*.

4.42.4 Intake Protection Zones (IPZ) 2 and 3 Vulnerability Score 8 for the Wanapitei River Overlay Zone

Notwithstanding the provisions of this By-law to the contrary, in addition to the *uses* listed in Section 4.26 of this By-law the following *uses* shall also be prohibited within the *Intake Protection Zones* (IPZ) 2 and 3 vulnerability scoring 8 overlay zone for the Wanapitei River:

- i) The use, storage or application to land of *agricultural source material*;
- ii) The use, storage or application to land of *non-agricultural source material*;
- iii) *Abattoir*;
- iv) Grazing, breeding, raising, boarding or training of *livestock*.

4.42.5 Existing Uses

Where a *use* is prohibited in a *Wellhead Protection Area* (WHPA), *Intake Protection Zone* (IPZ) and *Ramsey Lake Watershed* (RLW) overlay *Zones* and the *use exists* and was *legally existing* 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*, but no expansion of any *building* or *structure* for a *use* listed in 4.42.1, 4.42.2, 4.42.3 and 4.42.4 of this By-law shall be permitted.

PART 5

PARKING AND LOADING PROVISIONS

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 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 this By-law. (By-law 2012-67Z)

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 required is calculated on the basis of a rate or ratio and results in a fraction of a parking space being required for a lot, any fraction less than 0.5 shall be disregarded while any fraction equal or in excess of 0.5 shall be rounded to the next whole number which shall be the required parking spaces. (By-law 2014-235Z)

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.

5.2.2.4 Greatest Applicable Requirement to Prevail

Where two or more different parking space requirements apply to the same use, such as where a use is included in two or more categories of uses, the greater parking space requirement shall prevail except where otherwise specifically provided herein.

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 dwelling*, *semi-detached*

dwelling, row dwelling or street 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 2.75 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 *corner 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.

(By-law 2021-171Z) d) Except as provided in Section 5.4.2 d).

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*.

Notwithstanding the above, a parking space that is provided and maintained for the sole use of the occupant of a secondary dwelling unit may be a tandem parking space, which may be permitted within the required front yard. (By-law 2021-171Z)

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 except as provided in Section 5.4.3.1 a). (By-law 2012-67Z)

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.

Table 5.4: Non-Residential Parking Requirements For All Zones, Except the C6 Zone (2012-178Z) (2014-113Z) (2021-13Z)

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</i> of capacity
<i>Art Gallery</i>	1/40 m ² <i>net floor area</i>
<i>Assembly Hall</i>	1/6 <i>persons</i> of capacity
<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</i> capacity of any studio or auditorium with a capacity of over 50 persons
<i>Automotive Use</i>	Unless otherwise defined 1/30 m ² <i>net floor area</i>
<i>Banquet Hall</i>	1/4 <i>persons</i> capacity
<i>Brewing Facility, Large-Scale</i>	1/90m ² <i>net floor area</i> plus 1/30m ² <i>net floor area</i> of <i>accessory office use</i> , plus 1/30m ² for any permitted <i>accessory uses</i> .
<i>Brewing Facility, Small-Scale</i>	1/90m ² <i>net floor area</i> plus 1/30m ² <i>net floor area</i> of <i>accessory office</i> , plus 1/30m ² for any permitted <i>accessory uses</i> .
<i>Brewpub</i>	1/90m ² <i>net floor area</i> plus 1/30m ² <i>net floor area</i> of <i>accessory office</i> , plus any required for the <i>restaurant</i> use, plus 1/30m ² for any permitted <i>accessory uses</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</i>	1/ <i>campsite</i>
<i>Cannabis Production Facility</i>	1/90 m ² <i>net floor area</i> + 1/30m ² <i>net floor area</i> of <i>accessory office</i>
<i>Car Wash – Manual</i>	3 <i>parking spaces</i> OR 3 <i>queueing spaces/ washing</i>

Use	Minimum Parking Space Requirement
	bay, 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 spaces</i> shall be <i>required</i>
<i>Convenience Store</i>	1/33 m ² <i>net floor area</i>
<i>Day Care Centre</i>	1.5/ classroom plus 1/30 m ² <i>net floor area</i>
<i>Distilling Facility</i>	1/90m ² <i>net floor area</i> plus 1/30m ² <i>net floor area</i> of accessory office, plus 1/30m ² for any permitted accessory uses.
<i>Dry Cleaning Establishment</i>	1/20 m ² <i>net floor area</i>
<i>Equestrian Event Facility</i>	1/6 <i>persons</i> of capacity
<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>Financial Institution</i>	1/30 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</i> of accessory office <i>net floor area</i>
<i>Fuel Depot</i>	1/30 m ² <i>net floor area</i>
<i>Funeral Home</i>	1/20 m ² <i>net floor area</i>
<i>Garden Nursery</i>	1/20 m ² <i>net floor area</i>
<i>Golf Course</i>	4/hole, plus 1/25 m ² <i>net floor area</i> of all <i>buildings</i>
<i>Golf Driving Range</i>	1.5/tee
<i>Heavy Equipment Sales and Rental</i>	1/45 m ² <i>net floor area</i>
<i>Home Improvement Centre</i>	1/30 m ² <i>net floor area</i>
<i>Hospital</i>	2/bed, according to designed capacity
<i>Hotel</i>	1/guest room plus 1 per 10m ² of <i>net floor area</i> of any <i>restaurant, dining room, lounge, tavern, banquet hall,</i>

Use	Minimum Parking Space Requirement
	meeting room, <i>retail store</i> or any other area, used to accommodate the public
<i>Industrial Uses</i>	1/90 m ² <i>net floor area</i> , plus 1/30m ² <i>net floor area</i> of <i>accessory office</i>
<i>Institutional Uses</i>	Unless otherwise specified on Table 5.4, 1/20 m ² <i>net floor area</i>
<i>Kennel</i>	Minimum 3 spaces OR 1/25 m ² <i>net floor area</i> whichever is greater
<i>Laundromat</i>	1/20 m ² <i>net floor area</i>
<i>Library</i>	1/25 m ² <i>net floor area</i>
<i>Long Term Care Facility</i>	0.5/bed, plus 1/20m ² <i>net floor area</i> of any <i>accessory use</i>
<i>Marina</i>	1/ boat mooring and 2/ boat launching ramp, plus any <i>required</i> for <i>accessory uses</i> other than <i>boat storage areas</i> or <i>boat storage sheds</i>
<i>Medical Office</i>	5 spaces OR 1/20 m ² <i>net floor area</i> , whichever is greater
<i>Mobile Home Dealership</i>	1/20 m ² <i>net floor area</i>
<i>Modular Building Dealership</i> (By-law 2012-67Z)	1/20 m ² <i>net floor area</i>
<i>Museum</i>	1/20 m ² <i>net floor area</i>
<i>Personal Service Shop</i>	1/33 m ² <i>net floor area</i>
<i>Place of Amusement</i>	1/20 m ² <i>net floor area</i>
<i>Place of Worship</i>	1/5 seats or 1/3m of bench space OR 1/20 m ² <i>gross floor area</i> devoted for public use, whichever is greater
<i>Private Club</i>	1/20 m ² <i>net floor area</i>
<i>Public Utility</i>	1/ 90 m ² of <i>net floor area</i> , plus 1 per 30 m ² <i>net floor area</i> <i>accessory office</i>
<i>Race Track</i>	1/6 <i>persons</i> of capacity
<i>Recreation and Community Centre</i>	1/6 <i>persons</i> of capacity
<i>Recreation Centre, Commercial</i>	1/6 <i>persons</i> of capacity, plus 1/20m ² <i>net floor area</i> of any

Use	Minimum Parking Space Requirement
	<i>accessory use</i>
<i>Recreation Vehicle Sale and Service Establishment</i>	1/20m ² <i>net floor area</i> of <i>accessory office</i>
<i>Restaurant</i>	1/12.5 m ² <i>net floor area</i>
<i>Restaurant, Take-Out</i>	3 spaces plus 1/10 m ² <i>net floor area</i>
<i>Retail Store</i>	1/33 m ² <i>net floor area</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 <i>net floor area</i> used for medical, health or personal services
<i>School</i>	Elementary – 2/classroom Secondary – 6.5/classroom Trade – 1/30 m ² <i>net floor area</i> and <i>accessory offices</i> , plus 1/every 15 students University/College – 1/100 m ² <i>net floor area</i> + 1/5 students except for a student residence which shall be 1 /4 beds
<i>Service Shop</i>	1/20 m ² <i>net floor area</i>
<i>Service Trade</i>	1/20 m ² <i>net floor area</i>
<i>Shopping Centre, (with a minimum gross floor area of 4,650 m²)</i>	1/25 m ² <i>net floor area</i>
<i>Special Needs Facility</i>	Unless otherwise specified on Table 5.4, 1/4 beds, according to designed capacity
<i>Stadium</i>	1/6 <i>persons</i> of capacity
<i>Stockyard</i>	1/30 m ² <i>net floor area</i>
<i>Tavern</i>	1/ 10 m ² <i>net floor area</i> OR 1/3 <i>persons</i> seating capacity, whichever is greater
<i>Theatres</i>	1/4 seats
<i>Transport Terminal</i>	1/90 m ² <i>net floor area</i>
<i>Veterinary Clinic</i>	1/24 m ² <i>net floor area</i>
<i>Warehouse</i>	1/90 m ² , plus 1/30 m ² <i>net floor area</i> of <i>accessory office</i>
<i>Wayside Pit or Quarry</i>	1/30m ² <i>net floor area</i> of

Use	Minimum Parking Space Requirement
	<i>accessory office</i>
<i>Winery</i>	1/90m ² <i>net floor area</i> plus 1/30m ² <i>net floor area</i> of <i>accessory office</i> , plus 1/30m ² for any permitted <i>accessory uses</i> .
Any other <i>use</i> not specified in this table	1/20m ² <i>net floor area</i>

5.3.1 Notwithstanding Table 5.4, where a *commercial use* is permitted and the *lot* is directly *abutting* GOVA Routes, the number of *required parking spaces* associated with *commercial uses* are permitted to be reduced by 10% of the minimum *required parking spaces*.

5.3.2 For a *commercial use*, where bicycle parking is provided in addition to the minimum bicycle parking requirements set out in Table 5.10, the number of *required parking spaces* may be reduced by up to 5 *parking spaces* on a 1:1 ratio, not to exceed a maximum of 20% of the minimum *required parking spaces*.

Note: provisions 5.3.1 and 5.3.2 may be used in combination.

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 yard* or *corner side yard*.

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

- a) Subject to Section 5.2.4 of this By-law, within a *front yard* or *corner side yard*, *motor vehicle* parking is only permitted on a *driveway*. Parking of *motor vehicles* shall only be permitted within the maximum *driveway* widths.

- b) A *driveway* associated with a ground-oriented residential *dwelling* shall provide direct access to a *private garage* or *parking space*.
- c) Subject to the provisions for circular *driveways*, only one *driveway* is permitted per *lot*.
- (By-law 2021-171Z) d) Notwithstanding the above, outdoor parking areas are permitted in the required front yard to a maximum of 50% of the width of the minimum lot frontage, or the maximum driveway width established by this by-law, whichever is lesser, in all Residential Zones except for the R2-3 zone.

5.4.3 Driveways in Residential Zones

5.4.3.1 Maximum and Minimum *Driveway* Width

- a) The minimum *driveway* width shall be 3.0 metres.
- b) The minimum *driveway* width providing access to a *mobile home park* or internal access to a *mobile home site* shall be 6.0 metres.
- c) The maximum width of a *driveway* at the *street line* providing access:
 - i) to a *single detached dwelling*, *duplex dwelling* or *semi-detached dwelling* shall be 6.3 m and,
 - ii) to a *street townhouse dwelling* shall be 3.3 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) Circular *driveways* that include two connected accesses from a *lot* onto a *public road* shall not be permitted on *lots* in a Residential (R) Zone, except where:
 - i) The *lot* has a minimum 30.0 metres of *lot frontage*;
 - ii) The *main building* is *setback* at least 15.0 metres from the *street line*;
 - iii) The *driveways* are at least 7.0 metres apart, at the *street line*;
 - iv) The second *driveway* connects the *public road* to the other *driveway* that provides direct access from the *public road*;
 - v) No more than 50% of the area of the *front yard* is used for *driveway* purposes;
 - vi) The maximum width of each *driveway* at the *street line* shall be 4.0 metres;
 - vii) The second *driveway* is not onto an *arterial road*; and
 - viii) The necessary permits have been obtained from the City for the *driveway* entrance.

(By-law 2011-49Z)

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 *finished 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 *finished 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; and,
 - 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 more than 12 *persons* 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*.
(By-law 2011-49Z)
 - (iii) The parking of one commercial vehicle that is a tow truck and exceeds a registered gross vehicle weight of 4,500 kilograms and exceeds the height of 2.2 metres is permitted within the Agricultural (A) and Rural (RU) *Zones*." (By-law 2021-53Z)

5.4.6 Unlicensed Motor Vehicles

- a) An *unlicensed motor vehicle*, excluding those permitted under Section 5.4.7 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*.

5.4.7 Parking of Travel Trailers, Recreation Vehicles and Campers

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 *required setbacks* that would apply to an *accessory building* of the same height as the *vehicle*, camper or *trailer*; and,
- b) The *front yard and corner side yard* but not within a *required exterior 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.

Table 5.5: Residential Parking Requirements For All Zones Except the Downtown Commercial (C6) Zone (By-law 2015-72Z)
(By-law 2016-133Z)

Use	Minimum Parking Space Requirement
<i>Bed and Breakfast Establishment</i>	1/ <i>guest room</i> plus the <i>parking space</i> required 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 gross floor area used for medical, health or personal services
<i>Dwelling, Boarding House Shared Housing</i> (By-law 2011-49Z) (By-law 2018-180Z)	1 plus 0.5 <i>parking spaces</i> per <i>accessory guest room</i>
<i>Dwelling, Multiple Dwelling, Row</i> (By-law 2018-180Z)	1.5/ unit A reduction of 25% may be applied to units that are subject to an affordable housing agreement with the City of Greater Sudbury
<i>Dwelling, Mobile Home</i> <i>Dwelling, Seasonal Dwelling Unit, Secondary Dwelling, Semi-Detached Dwelling, Single Detached Dwelling, Street Townhouse Dwelling, Duplex Dwelling, Linked</i>	1/ unit
<i>Garden Suite</i>	Zero
<i>Long Term Care Facility</i>	0.5/bed, plus 1/20m ² <i>net floor area</i> of any <i>accessory use</i>

5.5.1.1. Notwithstanding Table 5.5, where a *Multiple Dwelling, Long Term Care Facility* or *Retirement Home* is permitted and the lot is directly abutting a GOVA route, the number of required parking spaces may be reduced by 10% of the minimum required parking spaces. (By-law 2021-171Z)

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
(By-law 2018-180Z)

Use	Minimum Parking Space Requirement
<i>Boarding house dwelling or shared housing</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 to *dwelling units*, *boarding house dwellings* or *shared housing* shall not require any *parking spaces*. (By-law 2012-67Z)

5.5.3 R2-3 Zone (By-law 2021-171Z)

- a) Notwithstanding other provisions of this by-law, the conversion of a *building* or part thereof in the R2-3 Zone to *dwelling units*, *boarding house dwellings* or *shared housing* shall be subject to the following parking requirements:

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

- b) In the R2-3 zone, outdoor parking areas are permitted in the required front yard to a maximum of 50% of the width of the minimum lot frontage, or the maximum driveway width established by this by-law, whichever is lesser.

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 (By-law 2015-72Z)

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

(By-law 2015-72Z) Notwithstanding Table 5.8 above:

- a) No more than 1 *loading space* shall be required for all *net floor area* on a lot devoted to *office uses*; and,
- b) Any area of a *building* used for the parking of *vehicles* shall not be considered as comprising part of the *gross floor area* for the purposes of determining *loading space* requirements.

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 *corner 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*;
- 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*; and,
- f) Are designed to permit the maneuvering 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 Queueing Lane Requirements

Where *drive-through service facilities* are permitted in Section 4.2.1 as an *accessory use*, *queueing 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 Queueing Space Requirements

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

TABLE 5.9: Queueing Space Requirements

Principle Use	Minimum Required Queueing Spaces
<i>Financial Institution</i>	5
<i>Restaurant</i>	11
<i>Automotive Service Station or Gas Bar</i>	4
<i>Car Wash – automated</i>	11
<i>All Other Uses</i>	4

5.7.3 Location of Ingress and Egress Spaces

Required queueing spaces for a *restaurant* shall be located up to and including the *queueing space* at the pick-up window and for all other uses up to and including the point of service.

5.7.4 Length of Queueing lane

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

5.7.5 Multiple Queueing Lane Requirements

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

5.7.6 Size of Queueing Space

All *queueing 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 Queueing Lane Requirements

Queueing 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 Queueing Lanes Associated with a Drive-Through Service Facility

No *queueing lanes* associated with a *drive-through service facility* shall be located closer than 10.0 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:
(By-law 2012-67Z)
 - (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:

- e) Where bicycle parking spaces are provided in a rack, in which bicycles can be placed only in one side of the rack, each whole 0.6 metre length of the storage rack shall count as one bicycle parking space, and where bicycles can be placed in two sides of the rack, each whole 0.6 metre length of the storage rack shall count as two bicycle parking spaces. (By-law 2011-49Z)

Table 5.10: Bicycle Parking Requirements (By-law 2018-180Z)

Use	Minimum Parking Space Requirement
<i>Multiple dwelling with 6 or more dwelling units</i>	<i>0.5/dwelling unit</i>
<i>Shared housing</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>

(By-law 2015-72Z) Notwithstanding Table 5.10 above:

- a) Any area of a *building* used for the parking of *vehicles* shall not be considered as comprising part of the *gross floor area* for the purposes of determining *bicycle parking* requirements.

PART 6

RESIDENTIAL ZONES

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 special provisions apply to the *use* noted or, in some cases, to the entire *Zone*. Special Provisions are listed below the Permitted Use Table, Table 6.1.

Residential Zones

Low Density Residential One	R1-1, R1-2, R1-3, R1-4, R1-5, R1-6, R1-7
Low Density Residential Two	R2-1, R2-2, R2-3
Medium Density Residential	R3 and R3-1
High Density Residential	R4
Residential Mobile Home	RMH

Table 6.1 – Permitted Uses (By-law 2018-180Z)

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>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
<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>Row Dwelling</i>				X (1)	X	X	
<i>Shared Housing</i>					X (7)	X (7)	
<i>Semi-Detached Dwelling</i>			X	X	X		
<i>Single Detached Dwelling</i>	X	X	X	X	X		X
<i>Street Townhouse Dwelling</i>				X (By-law 2011-49Z)	X		

SPECIAL PROVISIONS FOR TABLE 6.1 (By-law 2018-180Z)

- Maximum number of *dwelling units* permitted on a *lot* – 4.
- Permitted within a *single detached dwelling* only. Maximum number of *guest rooms* – 2.
- Permitted within a *single detached dwelling* only. Maximum number of beds – 10.
- 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*.
- If located in a *mobile home park*.
- If mounted on a permanent foundation.
- Shared Housing* is required be on a lot abutting one of the following streets:
LaSalle Boulevard from Notre Dame Avenue to Falconbridge Road
The Kingsway from Lloyd Street to Falconbridge Road
Barry Downe Road from the Kingsway to LaSalle Boulevard
Notre Dame Avenue from Elm Street to LaSalle Boulevard
Regent Street from Lorne Street to Paris Street
Lorne Street from Elm Street to Kelly Lake Road
Paris Street from Elm Street to Regent Street

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 as Special Provisions 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 (By-law 2012-178Z) (By-law 2018-180Z)

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 Corner 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
R1-7	279.0 m ²	9.0 m (1)	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 FOR TABLE 6.2

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 *unserviced 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 Corner Side Yard	Maximum Lot Coverage	Maximum Height
<i>Single Detached Dwelling</i>	465.0 m ²	15.0 m (5)(6)	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)(7)	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)(6)	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 FOR TABLE 6.3

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* 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 set back not less than 1.2 metres from the *side lot line* separating such *lots*.
(By-law 2012-67Z)
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*.
6. *Corner lots* will have the minimum *lot frontage* plus an additional 2.0 metres.
7. *Corner lots* will have the minimum *lot frontage* plus an additional 1.5 metres.

Table 6.4 – Standards for Low Density Residential Two Zone: R2-3 (By-law 2012-67Z)

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 Corner 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>Street Townhouse Dwelling</i>	140.0 m ² per unit (9)	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</i>	140.0 m ² per unit (6)	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</i>	140.0 m ² per unit (6)	18.0 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

SPECIAL PROVISIONS FOR TABLE 6.4

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* 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 set back not less than 1.2 metres from the *side lot line* separating such *lots*.
(By-law 2012-67Z)

4. 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 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*.
- (9) A maximum of four *dwelling units* shall be permitted in a *building* containing *street townhouses*. (By-law 2012-67Z)

Table 6.5 – Standards for Medium Density Residential (R3 and R3-1) Zones (By-law 2012-67Z) (By-law 2016-70Z)

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 Corner Side Yard	Maximum Lot Coverage	Minimum Landscaped Open Space	Maximum Height
<i>Single Detached Dwelling</i>	400.0 m ²	12.0 m (11)	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 (12)	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(11)	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>Street Townhouse Dwelling</i>	150.0 m ² per unit (13)	6.0 m per unit (11)	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>Row Dwelling</i>	150.0 m ² per unit (13)	18.0 m (11)	30.0 m (8)	6.0 m (1)(5)	7.5 m (3)(5)	1.2 m (2)(5)(10)	4.5 m (1)(5)	40%	30%	11.0 m
<i>Multiple Dwelling</i>	110.0 m ² per unit (9)	18.0 m (11)	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 (7)
<i>Day Care Centre</i>	400.0 m ²	12.0 m (11)	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

SPECIAL PROVISIONS FOR TABLE 6.5

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*, except that no *interior side yard* shall be *required* where *semi-detached dwellings* or *street townhouse 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 set back not less than 1.2 metres from the *side lot line* separating such *lots*. (By-law 2012-67Z)
3. *Abutting a primary arterial road* – 15.0 metres.
4. Multiple dwellings – minimum *interior side yard*:
 - (i) up to 2 storeys - 1.2 m plus 0.6 metres for each *full storey* above the *first storey abutting such yard* and
 - (ii) in excess of 2 storeys – 5 m.
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* 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.
(By-law 2012-67Z)
6. Maximum *lot coverage* in an R3-1 Zone - 50 percent.
7. Maximum *height* in an R3-1 Zone – 19.0 metres and 5 storeys.
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* shall be equivalent to 50 percent of the *height* of the higher of such walls, but not less than:
 - (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. *Corner lots* will have the minimum *lot frontage* plus an additional 2.0 metres.
12. *Corner lots* will have the minimum *lot frontage* plus an additional 1.5 metres.
13. A maximum of 8 *dwelling units* shall be permitted in a *building* containing *street townhouses* or *row dwellings*. (By-law 2012-67Z)

Table 6.6 – Standards for High Density Residential (R4) Zone (By-law 2012-67Z) (By-law 2016-70Z)

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 Corner Side Yard	Maximum Lot Coverage	Minimum Landscaped Open Space	Maximum Height
<i>Row Dwelling</i>	65.0 m ² per unit (7)	30.0 m	45.0 m	10.0 m (1)(3)	7.5 m (3)	1.2 m (2)(3)(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>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 FOR TABLE 6.6

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 corner 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. (By-law 2012-67Z)
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 *finished grade*.
6. *Row* and *multiple dwellings* - minimum *court required* between opposing walls of one or more *multiple* or *row dwellings* on the same *lot* shall be equivalent to 50 percent of the *height* of the higher of such walls, but not less than:

- (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.
7. A maximum of eight *dwelling units* shall be permitted in a *building* containing *row dwellings*. (By-law 2012-67)

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 Corner Side Yard	Maximum Lot Coverage	Maximum Height	Other Provisions
<i>Mobile Home Parks</i>	1.0 ha	30.0 m	15.0 m (4)	7.5 m (1)(4)	7.5 m (4)	15.0 m(4)	30%	4.0 m	
<i>Mobile Home Site</i>	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	(3) (5)

SPECIAL PROVISIONS FOR TABLE 6.7

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. Access to *mobile home sites* in *mobile home parks* shall be in accordance with Section 4.3e) and 5.4.3 of this By-law.
4. As measured from the applicable *lot line* of the *mobile home park* to the outer limit of the *mobile home site*.
5. 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

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 Tables 7.1 and 7.2. A number(s) following the symbol 'X', *zone* heading, or identified permitted *use*, indicates that one or more special provisions apply to the *use* noted or, in some cases, to the entire *Zone*. Special Provisions are listed below the Permitted Use Tables 7.1 and 7.2 below: (By-law 2012-67Z)

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 (By-law 2014-235Z) (By-law 2018-180Z)

USE	C1	C2	C3	C4	C5	C6	C7
Any dwelling containing not more than 2 dwelling units	X(11) (13)	X(11) (16)	X(11) (13)	X(11) (13)		X(11) (16)	
Boarding House Dwelling or Shared Housing						X(11)	
Group Home Type 1	X(17)		X(17)				
Long Term Care Facility					X (19)		
Multiple Dwelling		X (10)(11)	X (10)(11)	X (11)	X(19)	X (11)	
Private Home Daycare	X	X	X	X		X	
Retirement Home					X (19)		
Row Dwelling				X(11)			
Shared Housing		X (18)	X (18)	X (18)			
Street Townhouse Dwelling				X(11)			

Table 7.2 – Permitted Non-Residential Uses (By-law 2012-67Z) (By-law 2016-70Z)(By-law 2021-138Z)

USE	C1	C2	C3	C4	C5	C6	C7
Accessory Outdoor Display and Sales		X	X		X	X	X
Animal Shelter		X					
Art Gallery		X		X		X	
Assembly Hall		X			X	X	X
Auctioneer's Establishment		X				X	
Audio/Visual Studio		X			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			X(9)		
Brewpubs		X	X	X	X	X	X
Bus Terminal		X			X	X	
Business Office		X	X	X	X (3)	X	
Camping Ground							X
Car Wash		X			X		
Carnival					X (4)	X	
Commercial or Public Garage		X(6)					
Commercial Tourist Facility							X
Commercial School		X (2)			X (2)(3)	X (2)	
Convenience Store	X (1)	X	X	X	X (3)	X	X

USE	C1	C2	C3	C4	C5	C6	C7
Custom Print or Copy Shop		X		X	X(3)	X	
Day Care Centre	X (1)	X	X	X	X	X	
Dry Cleaning Establishment		X				X	
Financial Institution		X	X	X	X(3)	X	
Funeral Home		X		X			
Gas Bar		X			X		X (8)
Home Improvement Centre		X (12)			X		
Hotel		X		X	X(15)	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 Building 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	
Pharmacy	X (1)	X	X	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	X	
Service Shop		X		X	X	X	
Service Trade		X				X	
Small-Scale Brewing Facility		X	X	X	X	X	X
Tavern		X			X	X	X (8)
Taxi Stand		X					
Theatre		X			X	X	
Veterinary Clinic		X					
Winery		X	X	X	X	X	X

SPECIAL PROVISIONS FOR TABLES 7.1 AND 7.2

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 vehicles* 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. Only where such *use* constitutes a *legal existing use*.
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. Subject to banquet hall parking standard on Table 5.4.
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 a *fully serviced lot*.
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, recreation vehicle sales and service establishment, vehicle repair shop, vehicle sales or rental 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* provided that the *lot* is a *fully serviced lot*. Where the *lot* is not a *fully serviced lot* a maximum of 1 *dwelling unit* shall be permitted on a *lot* with or without *non-residential uses*. (By-law 2012-67Z)
14. Not including an *automotive repair shop accessory* to an *automotive accessories store*.
15. Subject to *hotel* parking standard on Table 5.4.
16. Any *dwelling* containing not more than 2 *dwelling units*, together with permitted *non-residential uses* as a *main use* on the ground floor provided that the *lot* is a *fully serviced lot*. Where the *lot* is not a *fully serviced lot* a maximum of 1 *dwelling unit* shall be permitted together with permitted *non-residential uses* as a *main use* on the ground floor. (By-law 2012-67Z)
17. Only within a permitted *single detached dwelling*. – Maximum number of beds – 10. (By-law 2014-235Z)
18. *Shared Housing* is required to be on a lot abutting one the following streets:
LaSalle Boulevard from Notre Dame Avenue to Falconbridge Road
The Kingsway from Lloyd Street to Falconbridge Road
Barry Downe Road from the Kingsway to LaSalle Boulevard
Notre Dame Avenue from Elm Street to LaSalle Boulevard
Regent Street from Lorne Street to Paris Street
Lorne Street from Elm Street to Kelly Lake Road
Paris Street from Elm Street to Regent Street. (By-law 2018-180Z)
19. Parking for “*Long Term Care Facility*” and “*Retirement Home*” in the C5 Zone will be calculated using the *residential parking requirements* as set out in Table 5.5 Residential Parking Requirements For All Zones Except the Downtown Commercial (C6) Zone. (By-law 2021-171Z)
20. Parking for “*Multiple Dwelling*” in the C5 Zone shall be calculated at the rate of 1 parking space per dwelling unit. (By-law 2021-171Z)

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 as Special Provisions at the end of Table 7.3 below:

Table 7.3 – Standards for Commercial Zones (By-law 2012-67Z)(By-law 2021-152Z)

Zone	Minimum Lot Area	Minimum Lot Frontage	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Corner 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 (16)	30.0 m	6.0 m (1)	7.5 m (4)	(14)	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)	(14)	4.5 m (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 (11)	No minimum (17)	(10)(15)
C5	No minimum	100.0 m	10.0 m (1)(i)	10.0 m (1)(i)	10.0 m	10 m (1)(i)	No maximum	20.0 m	15%	(6)(7)
C6	No minimum	No minimum	No minimum	No minimum	(12)(19)	No minimum	100%	No maximum (11)	No minimum (17)	
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)(9)

SPECIAL PROVISIONS FOR TABLE 7.3

- Abutting a primary arterial road – 15.0 metres.*
 - Abutting a secondary or tertiary arterial road – 7.5 meters.*
- Where the *interior side 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. *Building separation* – 3.0 metres.
7. (i) Minimum *required gross floor area* – 10,000 m² per *lot*, exclusive of *parking structures* or *indoor parking areas*.
(ii) Maximum *ground floor area* for *Multiple Dwelling, Long-Term Care Facility* and *Retirement Home* – 25% of the total *ground floor area* of the *structures* on the property.
8. Maximum *lot coverage* where a *lot* is serviced with a *private sewage disposal system* – 30%.
9. *Maximum gross floor area* – 50% of the *lot area*.
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 metres, 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 *storeys*, however, residential *storeys* shall require a *setback* from the *interior side lot line* of 1.8 metres plus 0.6 metres for each additional residential *storey*.
(iii) Exclusively for *non-residential* purposes – where the *interior side lot line* *abuts* a *residential lot* or *Residential Zone*, 3 metres plus an additional 0.6 metres for each *storey* in excess of three *storeys*, and no minimum in any other case.
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. Minimum *lot area* where a *lot* is serviced with a *private sewage disposal system* – 9,000.0 m².

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 waterbody* shall be 60.0 metres.
19. Minimum *court* required between opposing walls of one or more *multiple dwellings* on the same *lot* shall be *equivalent to 50 percent of the height of the higher of such walls, but not less than*:
 - (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.

PART 8

INDUSTRIAL ZONES

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 special provisions apply to the *use* noted or, in some cases, to the entire *Zone*. Special Provisions are listed below 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 (By-law 2012-67Z) (By-law 2014-235Z) (By-law 2014-113Z) (By-law 2015-72Z)
(By-law 2016-70Z)

USE	M1-1	M1	M2	M3	M4	M5	M6
<i>Abattoir</i>				X			
<i>Accessory Outdoor Display and Sales</i>	X	X	X	X	X	X	
<i>Accessory Outdoor Storage</i>		X(4)	X(4)	X(4)	X(4)	X(4)	X(4)
<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>Auctioneer's 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>Brewpub</i>	X	X	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>Cannabis Production Facility</i>	X(5)	X(5)	X(5)	X(5)			
<i>Car Wash</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			

USE	M1-1	M1	M2	M3	M4	M5	M6
<i>Distilling Facility</i>		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>Gas Bar</i>	X	X	X	X			
<i>Heavy Equipment Sales and Rental</i>			X	X			
<i>Home Improvement Centre</i>	X	X	X				
<i>Hotel</i>	X	X					
<i>Impounding Yard</i>		X	X	X			
<i>Industrial Use</i>				X	X(1)		
<i>Industrial Use, Light</i>	X	X	X				
<i>Large-Scale Brewing Facility</i>		X	X	X			
<i>Modular Building Dealership</i>			X				
<i>Office</i>	X						
<i>Parking Lot</i>	X	X					
<i>Personal Service Shop</i>	X	X					
<i>Pharmacy</i>	X						
<i>Pit</i>						X	
<i>Place of Worship</i>	X						
<i>Private Club</i>	X	X					
<i>Public Utility</i>	X	X	X	X			X
<i>Public Works Yard</i>	X	X	X	X			
<i>Quarry</i>						X	
<i>Recreation Vehicle Sales and Service Establishment</i>		X	X				
<i>Recreation Centre, Commercial</i>	X	X					
<i>Rental Store</i>	X	X	X	X			

USE	M1-1	M1	M2	M3	M4	M5	M6
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
Small-Scale Brewing Facility	X	X	X	X			
Transport Terminal			X	X			
Vehicle Repair Shop		X	X	X			
Vehicle Sales and Rental Establishment, other than an automotive sales establishment or automotive accessories store			X	X			
Veterinary Clinic	X	X					
Warehouse	X	X	X	X			
Waste Composting Facility							X
Waste Disposal Area							X
Winery	X	X	X	X			

SPECIAL PROVISIONS FOR TABLE 8.1

1. Accessory to a permitted *extractive use* only.
2. If contained *indoors* and does not include the on-site *use* or parking of *commercial vehicles* 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.
4. Subject to outdoor storage provisions in Section 4.28 of this By-law.
5. “No *Cannabis Production Facility*, shall be established or erected on a *lot* where any portion of the *Cannabis Production Facility* is closer than 70 metres to any *lot* line that abuts a zone where in any residential use is permitted, excluding accessory dwelling units permitted in Industrial Zones under Section 4.40.2 of the Zoning By-law.”
~~Commercial, Rural, and Other Zones included in Parts 6, 7, 9, and 10 of this By-law, excluding the “FD”, Future Development Zone.~~

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 as Special Provisions 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 Corner 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)	6.0 m (8)	9.0 m (2)	60%	30.0 m (9)	5%	(17)
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 FOR TABLE 8.2

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. *Building separation* – 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 road or a Residential (R) *Zone*, the minimum *rear yard* *required* shall be 15.0 metres.(By-law 2011-49Z)
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, waste composting facility* 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.
17. No *building, structure* or *open storage area* either associated with, or pertaining to, an *automotive body shop, fuel depot, abattoir, stockyard* or *industrial use*, other than a *light industrial use, warehouse, food processing plant* or *accessory office* shall be established or erected closer than 150 m to a Residential Zone.

PART 9

RURAL ZONES

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 Tables 9.1 and 9.2. A number(s) following the symbol 'X', zone heading, or identified permitted *use*, indicates that one or more special provisions apply to the *use* noted or, in some cases, to the entire Zone. Special Provisions are listed below the Permitted Use Tables 9.1 and 9.2 below: (By-law 2012-67Z)

Rural Zones

Agricultural	A
Rural	RU
Rural Shoreline	RS
Seasonal Limited Service	SLS

Table 9.1 - Permitted Residential Uses (By-law 2012-67Z) (By-law 2014-235Z)

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>Group Home Type 1</i>	X(9)	X(9)	X(9)	
<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 – Permitted Non-Residential Uses (By-law 2012-67Z)

USE	A	RU	RS	SLS
<i>Agricultural Use</i>	X (5)	X (5)		
<i>Animal Shelter</i>	X	X		
<i>Cannabis Production Facility</i>	X (10)	X(10)		
<i>Distilling Facility</i>		X		
<i>Forestry Use</i>	X (6)	X (6)		
<i>Hunting or Fishing Camp</i>		X(8)		
<i>Garden Nursery</i>	X	X		
<i>Kennel</i>	X (6)	X (6)		
<i>Public Utility</i>	X	X		
<i>Small-Scale Brewing Facility</i>		X		
<i>Veterinary Clinic</i>	X	X		
<i>Winery</i>		X		

SPECIAL PROVISIONS FOR TABLES 9.1 AND 9.2

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.
5. *Buildings* housing *livestock* and manure handling facilities are subject to the Special Setback Provisions in Section 4.37.1
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.
8. Only where such *use* constitutes a *legal existing use*.
9. Only within a permitted *single detached dwelling*. – Maximum number of beds -10. (By-law 2014-235Z)
10. No Cannabis Production Facility, shall be established or erected on a lot where any portion of the Cannabis Production Facility is closer than 70 metres to any lot line that abuts a zone where any residential use is permitted, excluding accessory dwelling units permitted in Industrial Zones under Section 4.40.2 of the Zoning By-law.

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 Table 9.3. A number(s) following the *zone* standard, *zone* heading or description of the standard, indicates an additional *Zone requirement*. These additional standards are listed as Special Provisions at the end of Table 9.3 below: (By-law 2011-49Z)

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 Corner 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) (9)
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 FOR TABLE 9.3

1. *Abutting a primary arterial road* – 15.0 metres.
2. (i) *Legal existing lots* having an area of 0.8 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 metres;
 - 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. *Building separation* – 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 0.42 hectares or less – 25 percent.
9. For a new *lot* created for a residence surplus to a farming operation through farm consolidation the minimum *lot area* shall be 0.4 ha and the maximum *lot*

area shall be 1.0 ha and the minimum *lot frontage* shall be 45.0 m. (By-law 2021-152Z)

PART 10

OTHER ZONES

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 Tables 10.1 and 10.2. A number(s) following the symbol 'X', zone heading, or identified permitted *use*, indicates that one or more special provisions apply to the *use* noted or, in some cases, to the entire Zone. Special Provisions are listed below the Permitted Use Tables 10.1 and 10.2 below:
(By-law 2012-67Z)

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 – Permitted Residential Uses (By-law 2012-67Z)

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 – Permitted Non-Residential Uses (By-law 2012-67Z) (2013-57Z)(By-law 2021-138Z)

USE	I	P	OSC	OSP	OSR	OSW	EP	FD
Camping Ground					X (6)			
Carnivals	X(7)	X(7)						
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 FOR TABLES 10.1 AND 10.2

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.
7. Only on lands owned or operated by the *Municipality*.

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 as Special Provisions at the end of Table 10.3.:

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 Corner 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	No Minimum	No Minimum	10.0 m	10.0 m	10.0 m	10.0 m	5% (By-law 2011-49Z)	80% (By-law 2011-49Z)	10.0 m	(5) (By-law 2011-49Z)
FD	4.0 ha	No Minimum	6.0 m (6)	7.5 m (2)	1.2 m (7)	4.5 m (6)	5% (8)	60%	10.0 m	(5)

SPECIAL PROVISIONS FOR TABLE 10.3

1. For partially or *unserviced lots* – 1,350.0 m².
2. *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 *unserviced lots* – 30%.
5. *Building separation* – 3.0 metres.
6. (i) *Abutting a primary arterial road* – 15.0 metres;
(ii) *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. *Lot coverage* shall not apply with respect to any greenhouse constructed primarily of translucent materials and used solely for growing plants in conjunction with an *agricultural use* or a *garden nursery*. (By-law 2015-72Z)

PART 11

EXCEPTIONS

PART 11: EXCEPTIONS

EXPLANATORY NOTE ON BY-LAW REFERENCE NOTATIONS

Reference Notations in **Part 11** in this By-law are identified as follows:

PART - the number “11” without any brackets or punctuation.
Example - 11

SECTION - a number without any brackets or punctuation.
Example – 1

SUBSECTION – a number enclosed in brackets.
Example - (1)

PARAGRAPH - a small alphabetical letter enclosed in brackets
Example (a)

CLAUSE – small Roman numerals enclosed in brackets
Example (i)

SUBCLAUSE – a small alphabetical letter in brackets following a clause.
Example (a)

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 Map 10

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 water mark* of a *navigable waterbody*.

(b) R1-1(2) (ESTATE SUBDIVISION) Garson Township Map 4

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 10,000 m².

(c) R1-1(3) (PUMPHOUSE) MacLennan Map 4

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 11, Plan 53R-12330 shall be a permitted *lot*.
- (iii) The location of the *existing* pumphouse shall be permitted.

(d) R1-1(4) Dryden Township Map 5

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 side lot line.~~

(e) R1-1(5) Dryden Township Map 5

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 side lot line.~~

(f) R1-1(6) (LOT FRONTAGE RAMSEY LAKE UNSERVICED)
McKim Township Maps Lot 1, Con 1; Lot 1 Con 2,
Neelon Township Map 2

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 Map 4

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 Map 1

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 water mark* of Whitson Lake.
- (iv) All *lots abutting a shoreline* are designated as a “Site Plan Control Area”, 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 Map 2

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 water mark* 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 Map 4

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 Map 4

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 Maps 1, 2, 5 and 6**

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 Map 3**

Notwithstanding any other provision hereof 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 detached dwelling* with *accessory buildings* and *structures* may be erected on a *lot* despite the *lot* not having frontage onto a *public road*.
- (ii) The southerly *lot line* is deemed to be the *front lot line*.

**(n) R1-1(14) Mobile Home Dwelling
MacLennan Map 5**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(14) on the *Zone Maps*, all provisions of this by-law applicable to "R1-1", Residential One *Zones* shall apply subject to the following modifications:

- (i) in addition to the uses permitted a *mobile home dwelling* mounted on a permanent foundation shall also be permitted.

**(o) R1-1(15) (Single residential - special waterfront setback)
Waters Map 10**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(15) on the Zone Maps, all provisions of this by-law applicable to the "R1-1", Low Density Residential One zone shall apply subject to the following modifications:

- i) Except for those uses permitted under Section 4.41.2, the minimum waterfront setback for any residential building or other accessory buildings or structures shall be 15 metres from the high water mark of Makada Lake.
- ii) No minimum lot frontage shall be required.

**(p) R1-1(16) (Waterfront setback, lot frontage & lot area)
Dryden MAPS 1 & 5**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(16) on the Zone Maps, all provisions of this by-law applicable to the "R1-1", Low Density Residential One zone shall apply subject to the following modifications:

- i) The minimum *lot frontage* shall be 22 metres;
- ii) The minimum setback from the *high water mark* of the Wanapitei River shall be 15 metres; and,
- iii) The minimum *lot area* shall be 1.5 hectares.

**(q) R1-1(17) (Lot size, field bed setback, vegetative buffer)
MacLennan Township Map 4**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(17) on the Zone Maps, all provisions of this by-law applicable to the R1-1 Zone shall apply subject to the following modifications:

- i) The minimum *lot area* shall be 0.8 hectare;
- ii) The minimum setback for field beds shall be 45 metres from the *high- water mark*;
- iii) The maximum number of *lots* shall be 17;

- iv) A *shoreline buffer area* extending to a minimum depth of 24 metres from the *high-water mark* shall be maintained in a natural vegetative state;
 - v) The clearance of natural vegetation within the *shoreline buffer area* shall be permitted subject to the provisions of Section 4.41.3; and,
 - vi) All *lots* are designated as an area of "Site Plan Control" pursuant to Section 41 of the Planning Act., R.S.O. 1990, Chapter P. 13.
- (r) **R1-1(18) (SINGLE RESIDENTIAL – REDUCED LOT FRONTAGE)**
Rayside Township Maps 5 & 11

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(18) 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 Frontage* – 36 metres

(s) **R1-1(19) (LOT FRONTAGE)**
Broder Township Map 2

Notwithstanding any other provision hereof to the contrary, within any area designated R1-1(19) 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 frontage* 0 metres;
- (ii) *Buildings* may be erected on Part 1, Plan SR-522 and Parts 14 & 15, Plan 53R-16094, Lot 10, Concession 1, Township of Broder notwithstanding that the *lot* has no *lot frontage* on an *assumed road*, provided that there is access to the *lot* from a *private access road*.

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

**(a) R1-2(1) (SCHOOL BUS OPERATION)
Graham Township Map 3**

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*.

**(b) R1-2(2) (REDUCED LOT AREA & LOT DEPTH)
Broder Maps 2 & 9**

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

- (i) Minimum *Lot Area* - 434 square metres
- (ii) Minimum *Lot Frontage* - 20 metres
- (iii) Minimum *Lot Depth* - 20 metres

**(c) R1-2(3) (Skead Heritage Homes)
MacLennan Township Map 4**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-2 (3) on the *Zone Maps*, all provisions of this By-law applicable to R1-2 Zones shall apply subject to the following modifications:

- (i) The maximum number of *lots* within the lands comprised of Parts 1, 2, 3, and 12, Plan 53R14175, and Part 1, Plan 53R19536 shall be 14.
- (ii) The minimum *lot area* shall be 860 m²;
- (iii) The minimum *lot frontage* shall be 18 m; and
- (iv) The location of the *existing buildings* shall be permitted.

(c) R1-2(4) (Reduced lot frontage and lot area)
Dill Township Map 3

Notwithstanding any other provision hereof to the contrary, within any area designated R1-2(4) on the *Zone Maps*, all provisions of this by-law applicable to the "R1-2", Low Density Residential One *zone* shall apply subject to the following modifications:

- (i) The minimum *lot area* shall be 880 m²;
- (ii) The minimum *lot frontage* shall be 15 metres.

(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 Maps Lot 2, Con 2; Lot 3, Con 2

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

- (i) Minimum *lot frontage* 16.3m

b) R1-4(2) LOT COVERAGE
Bleazard Township Maps 3 and 4

Notwithstanding any other provision hereof to the contrary, within any area designated R1-4(2) on the *Zone Maps*, all provisions of this by-law applicable to R1-4 *Zones* shall apply subject to the following modifications:

- (i) The maximum *lot coverage* for partially or *unserved lots* shall be 30%.

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

**(a) R1-5(1) (SPECIAL SETBACKS)
Rayside Township Maps 7 and 8**

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 Maps 3 and 4**

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 Map Lot 12, Con 2
Snider Township Map 4**

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 *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 *banquet hall* net floor area shall be 538 m². For the purposes of the lands designated R1-5(3) net floor area shall be measured from interior wall faces and shall include those areas used to accommodate the public. The *banquet hall* net 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 Maps 3 and 6

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 Township Map Lot 1, Con 3
Neelon Township Map Lot 12, Con 3

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 detached dwellings* 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 detached 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) (MINIMUM LOT AREA, FRONTAGES & SETBACK FROM SEWAGE TANKS)
Balfour Township Maps 2 & 6

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) That a minimum *setback* of 150 metres to any *residential building* from the sewage treatment tanks located on Part 1, Reference Plan 53R-4758 shall be *required*;
- (ii) That the following *development* standards apply:
 - (a) Parts 6 and 13, Reference Plan 53R-21310:
 - Minimum *Lot Area* of 1.8 hectares is *required*; and
 - Minimum *Lot Frontage* of 25 metres is *required*.
 - (b) Parts 1 to 4, Reference Plan 53R-21310:
 - Minimum *Lot Area* of 1.5 hectares is *required*; and,
 - Minimum *Lot Frontage* of 54 metres is *required*.
 - (c) Parts 5, 14 and 20, Reference Plan 53R-21310:
 - Minimum *Lot Area* of 0.8 hectares is *required*; and,
 - Minimum *Lot Frontage* of 20 metres is *required*.

(g) R1-5(7) (DANCE STUDIO)
Neelon Township Map 3

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 Maps 3 and 4

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 Map 3

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 Map 4

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) A *bed and breakfast establishment* 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 Maps 3 and 6

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 Map 4

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(12) 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 detached dwelling unit* within the same *building* shall be permitted.
- (ii) The chiropractor's office shall be restricted to a maximum *net floor area* of 150m².

(m) R1-5(13) (REDUCED REAR YARD)
Neelon Township Map 3

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(13) on the *Zone Maps*, all provisions of this By-law applicable to R1-5 *Zones* shall apply subject to the following modification:

- (i) Minimum *rear yard* depth shall be 6 metres.

(n) R1-5(14) (PERSONAL SERVICE SHOP)
Rayside Township Map 5

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(14) on the *Zone Maps*, all provisions of this By-law applicable to R1-5 *Zones* shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in a R1-5 Zone, a *personal service shop* is permitted.

(o) R1-5(15) BEAUTY SALON
McKim Township Lot 12, Con 2

Notwithstanding any other provision hereof to the contrary, within the area designated R1-5(15), 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 beauty salon shall also be permitted;
- (ii) Driveway access shall only be permitted onto Balsam Street;

**(p) R1-5(16) Building Location and Landscaping
Levack Map 3**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(16) on the *Zone Maps*, all provisions of this By-law applicable to R1-5 Zones shall apply subject to the following modifications:

- (i) The *existing building* as located on the *lot* shall be permitted.
- (ii) No *landscaped open space* is required to be maintained in the *front yard*.

**(q) R1-5(17) (REDUCED LOT FRONTAGE)
Neelon Township Map Lot 10, Con 3**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(17) on the *Zone Maps*, all provisions of this By-law applicable to the R1-5 *Zone* shall apply subject to the following modifications:

- i) Minimum *lot frontage* - 14.7 metres

**(r) R1-5(18) (Location of existing dwelling)
Capreol MAP 9**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(18) on the *Zone Maps*, all provisions of this By-law applicable to the "R1-5", Low Density Residential One zone shall apply subject to the following modification:

- i) The location of the *existing dwelling* shall be permitted.

**(s) R1-5(19) (REDUCED REAR YARD SETBACK)
Graham Township Maps 2 & 5**

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(19) on the *Zone Maps*, all provisions of this By-law applicable to the "R1-5" Zones shall apply subject to the following modification:

- i) The minimum required rear yard setback shall be 4.5 metres.

(t) R1-5(20) (EASTERLY INTERIOR SIDE YARD FOR A RESIDENTIAL BUILDING)
Balfour Township Maps 2 & 6

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(20) on the Zone Maps, all provisions of this By-law applicable to the "R1-5" Zones shall apply subject to the following modification:

- i) The minimum easterly *interior side yard setback* to a *residential building* of 26 metres is *required*.

(u) R1-5(21) (Conversion of former church)
McKim Township Map Lot 12 Con 2

Notwithstanding any other provision hereof to the contrary, within any area designated R1-5(21) on the *Zone Maps*, all provisions of this by-law applicable to the "R1-5", Low Density Residential One *zone* shall apply subject to the following modifications:

- (i) One (1) *required parking space* shall be permitted within the *required front yard*; and,
- (ii) The *height* and location of the *existing building* shall be permitted.

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

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

**(a) R2-1(1) (REDUCED FRONT YARD)
Rayside Township Map 3**

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

- (i) Minimum *front yard* depth shall be 4.5 metres.

**(b) R2-1(2) (REDUCED PARKING SPACE DIMENSION)
Bleazard Township Maps 1 & 7**

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

- (i) The minimum *parking space* dimension for the two *required parking spaces* located within the existing attached *private garage* shall be 2.75 metres in width by 5.79 metres in length.

**(c) R2-1(3) (Duplex dwelling)
Neelon Township Map Lot 12, Con 6; McKim Township
Map Lot 1, Con 6.**

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

- i) Two (2) required *parking spaces* shall be permitted to encroach into the required *front yard*.

(d) R2-1(4) McKim Township Maps Lot 3, Con 6

Notwithstanding any other provision hereof to the contrary, within any area designated R2-1(4) on the *Zone Maps*, all provisions of this By-law applicable to R2-1 *Zones* shall apply subject to the following modifications:

- (i) That two (2) required *parking spaces*, 2.70 m in width, shall be permitted.

**(e) R2-1(5) (REDUCED FRONT YARD SETBACK)
Hanmer Township Map 3**

Notwithstanding any other provision hereof to the contrary, within any area designated “R2-1(5)” on the *Zone Maps*, all provisions of this by-law applicable to the “R2-1”, Low Density Residential Zone shall apply subject to the following modification:

- (i) The minimum *required front yard* setback shall be 13 metres.

**(f) R2-1(6) (REDUCED LOT AREA)
Hanmer Map 2**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-1(6) on the *Zone Maps*, all provisions of this By-law applicable to R2-1 *Zones* shall apply subject to the following modification:

- (i) Minimum *lot area* for *duplex dwellings* – 229.0 m² per unit

**(g) R2-1(7) (Duplex with front yard parking)
Balfour Township Maps 3, 4 & 7**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-1(7) on the *Zone Maps*, all provisions of this by-law applicable to the “R2-1”, Low Density Residential Two zone shall apply subject to the following modification:

- (i) Two (2) required *parking spaces* shall be permitted within the *required front yard*.

**(h) R2-1(8) (REQUIRED PARKING SPACES IN FRONT YARD)
Garson Township Map 3**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-1(8) on the *Zone Maps*, all provisions of this By-law applicable to R2-1 *Zone* shall apply subject to the following modification:

- (i) That the two *required parking spaces* for a *duplex dwelling* shall be permitted to be located within the *required front yard* and that one of the *required parking spaces* be permitted to encroach into the Alice Street road allowance.

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

(a) R2-2(1) (MEDICAL OFFICE)
McKim Township Maps Lot 6, Con 2; Lot 7, Con 2

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) (Duplex dwelling with site-specific relief)
McKim Township Map Lot 7, Con 1

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*.~~
- (i) *Lot frontage* of 15 metres shall be permitted;
- (ii) The location of the *existing building* shall be permitted; and,
- (iii) The minimum setback for steps and *landings* from the westerly *interior side lot line* shall be 0.23 metre.

(c) R2-2(3) (UNION OFFICES)
McKim Township Maps Lot 1, Con 3; Lot 1, Con 4

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 Maps Lot 12, Con 6; Lot 12, Con 5
(By-law 2017-90Z)

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 to the following modifications:

- (i) In addition to the *uses* permitted in an R2-2 Zone, *business* or *professional offices*, shall also be permitted.

(e) R2-2(5) McKim Township Maps Lot 7, Con 4; Lot 6 Con 4

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 *ground 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 Map Lot 6, Con 4

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 detached 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 Map Lot 11, Con 6
Garson Township Map 2

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) 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 Maps Lot 10 Con 3; Lot 11, Con 3

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* shall be 30 metres.

(i) R2-2(9) (ATTACHED DUPLEXES)
Balfour Township Maps 4 and 5

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(9) on the *Zone Map*, all provisions of this 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 Maps 3 and 4

Notwithstanding any other provision hereof to the contrary, 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 Map 5

Notwithstanding any other provision hereof to the contrary, 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 Map 8

Notwithstanding any other provision hereof to the contrary, 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.

(m) R2-2(13) (THREE RESIDENTIAL DWELLING UNITS)
Neelon Township Maps Lot 12, Con 6; Lot 11, Con.6

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(13) on the Zone Map, all provisions of this By-law applicable to R2-2 Zones shall apply subject to the following modifications:

- (i) A maximum of three *dwelling units* shall be permitted;
- (ii) That a minimum of four *parking spaces* shall be provided and two of the *required parking spaces* shall be permitted in the *required front yard*.

(n) R2-2(14) (THREE RESIDENTIAL DWELLING UNITS)
McKim Township Maps Lot 6, Con 3; Lot 6, Con 2

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(14) on the Zone Map, all provisions of this By-law applicable to R2-2 Zones shall apply subject to the following modifications:

- (i) A maximum of three *dwelling units* shall be permitted;
- (ii) That four of the required *parking spaces* shall be permitted in the *required front yard*.

**(o) R2-2(15) (SIDE YARD AND LOT DEPTH)
McKim Township Map Lot 6, Con 4**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(15) on the Zone Map, all provisions of this By-law applicable to R2-2 Zones shall apply subject to the following modifications:

- (i) The minimum easterly *interior side yard* width shall be 1.06 m;
- (ii) The minimum *lot depth* shall be 24.38 m;
- (iii) The minimum *lot area* shall be 371 m².

**(p) R2-2(16) (TRIPLEX WITH FRONT YARD PARKING)
McKim Township Maps Lot 6, Con 3; Lot 7, Con3**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(16) on the Zone Maps, all provisions of this By-law applicable to the R2-2 Zones shall apply subject to the following modifications:

- (i) A maximum of three *dwelling units* shall be permitted;
- (ii) A minimum of two parking spaces shall be required which are permitted within the *required front yard*.

**(q) R2-2(17) Contract Furniture Sales, Warehouse, Storage and Office Use (Keaney Interiors)
McKim Map Township Map Lot 6, Concession 4**

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

- (i) the only permitted use shall be the business engaged in contract furniture sales *warehouse*, storage and *office* use.

**(r) R2-2(18) (Landscaped open space, driveway width and location)
Hanmer Township Map 2, Capreol Township Map 8**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(18) on the Zone Maps, all provisions of this by-law applicable to the R2-2 Zone shall apply subject to the following modifications:

- i) The minimum amount of *landscaped open space* in the *required front yard* shall be 39%;
- ii) The maximum *driveway* width for each *semi-detached dwelling unit* shall be 5.5 metres;
- iii) The *driveway* for each pair of *semi-detached dwelling units* shall be centred at the common *lot line*.

(s) R2-2(19) (MINIMUM LOT FRONTAGE) (By-law 2015-72Z)

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(19) on the *Zone Maps*, all provisions of this by-law applicable to the R2-2 Zone shall apply subject to the following modifications:

- (i) Minimum *lot frontage* for a *semi-detached dwelling* – 7.5 metres per unit.

(t) R2-2(20) McKim Township Map Lot 6, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(20) on the *Zone Maps*, all provisions of this By-law applicable to R2-2 Zones shall apply subject to the following modifications:

- (i) A maximum of three *dwelling units* shall be permitted;
- (ii) A minimum of five parking spaces shall be required, one of which is permitted within the *required front yard*; and
- (iii) A minimum of 40% of the *required front yard* shall be landscaped.

(u) R2-2(21) (THREE UNITS WITH REAR YARD PARKING)
McKim Township Map Lot 6, Con 3; Lot 7, Con 3

Notwithstanding any other provision hereof to the contrary, within any areas designated R2-2(21) on the *Zone Maps*, all provisions of this By-law applicable to the R2-2 Zone shall apply subject to the following modifications:

- i) A maximum of three *dwelling units* shall be permitted;

- iii) A minimum of four *parking spaces* shall be provided for three *dwelling units* and the *required parking spaces* shall be located in the *rear yard*.

**(v) R2-2(22) (Lot frontage and lot coverage)
Hanmer Township Map 3**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(22) on the *Zone Maps*, all provisions of this by-law applicable to the R2-2 Zone shall apply subject to the following modifications:

- i) The minimum *lot frontage* shall be 17 metres, or 8.5 metres per *dwelling unit* for a *semi-detached dwelling*; and,
- ii) The maximum *lot coverage* shall be 46%.

**(w) R2-2(23) (Triplex with front yard parking)
McKim Township Maps Lot 5, Con 3; Lot 6, Con 3**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(23) on the *Zone Maps*, all provisions of this by law applicable to the "R2-2", Low Density Residential Two zone shall apply subject to the following modifications:

- i) A maximum of three (3) *dwelling units* shall be permitted;
- ii) A minimum of four (4) *parking spaces* shall be required, to include three (3) *parking spaces* within the *required front yard*; and,
- iii) A minimum of 20% of the *required front yard* shall be maintained as *landscaped open space*.

**(x) R2-2(24) (Triplex with front yard parking)
McKim Township Map Lot 7 Con 3**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(24) on the *Zone Maps*, all provisions of this by law applicable to the "R2-2", Low Density Residential Two zone shall apply subject to the following modifications:

- i) A maximum of three (3) *dwelling units* within the *existing building* shall be permitted;
- ii) A minimum of one (1) *parking space* per *dwelling unit* shall be required;

- iii) The minimum length of *parking spaces* in the *required front yard* shall be 3.6m;
 - iv) Parking shall be permitted within the *required front yard*;
 - v) A minimum of 25% of the *required front yard* shall be maintained as *landscaped open space*;
 - vi) The size and location of the *existing building* shall be permitted;
 - vii) The size and *lot frontage* of the *existing lot* shall be permitted;
 - viii) *Planting strips* shall not be required; and,
 - ix) Two *driveway* entrances shall be permitted with a combined width not to exceed 8.25 m.
- (y) **R2-2(25) (ONE STOREY)**
Balfour Township Maps 4 and 7

Notwithstanding any other provision hereof to the contrary, within any area designated “R2-2(25)” on the *Zone Maps*, all provisions of this By-law applicable to the “R2-2” *Zone* shall apply subject to the following modification:

- (i) The maximum *building height* shall be one *storey*.

- (z) **R2-2(26) (FOUR UNIT MULTIPLE DWELLING)**
McKim Township Maps Lot 4, Concession 3, Lot 4, Concession 4 & Lot 5, Concession 4

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(26) on the *Zone Maps*, all provisions of this By-law applicable to the R2-2 *Zone* shall apply subject to the following modifications:

- i) A maximum of four *dwelling units* within the *existing building* shall be permitted; and,
- ii) A minimum of five *parking spaces* shall be required for which portions of said five *parking spaces* being permitted to encroach across the *front lot line* into the Cochrane Street road allowance.

(aa) R2-2(27) (Semi-detached dwelling)
Rayside Township Map 3

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(27) on the *Zone Maps*, all provisions of this by-law applicable to the "R2-2", Low Density Residential Two zone shall apply subject to the following modifications:

- (i) A minimum *lot depth* of 24 metres shall be permitted;
- (ii) The *driveway* for the *semi-detached dwelling* shall be centred at the common *lot line*;
- (iii) Belanger Street shall be deemed to be the *front lot line*;
- (iv) The following minimum *building setbacks* shall apply:
 - (a) *Front yard*: 5.9 metres;
 - (b) *Rear yard*: 6 metres.

(bb) R2-2(28) (Three Unit Multiple Dwelling)
McKim Township Map Lot 5, Concession 1 & Lot 6, Concession 1

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(28) on the *Zone Maps*, all provisions of this By-law applicable to R2-2 Zones shall apply subject to the following modification:

- i) That a maximum of three (3) *dwelling units* shall be permitted;
- ii) That the maximum *building height* shall be 12.5 metres; and
- iii) That an opaque wood panel *fence* is required along the easterly *side lot line*. The *fence* shall be a minimum of 1.0 m in *height* in the required *front yard* and a minimum of 2.0 m in *height* between the *front yard* and the rear elevation of the *dwelling* on the *lot*.

(cc) R2-2(29) (Three Unit Multiple Dwelling)
McKim Township Map Lot 7, Concession 1

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(29) on the *Zone Maps*, all provisions of this By-law applicable to R2-2 Zones shall apply subject to the following modification:

- i) That in addition to the *uses* permitted in an R2-2 Zone a *multiple dwelling* containing a maximum of three *dwelling units* shall be permitted, and
- ii) A maximum of one *parking space* per *dwelling unit* shall be required.

(dd) **R2-2(30) (SINGLE DETACHED DWELLINGS, WAREHOUSE AND
AUTOMOTIVE GLASS REPLACEMENT SHOP)
McKim Maps Lot 6, Concession 3 & Lot 7, Concession 3**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(30) on the *Zone Maps*, all provisions of this By-law applicable to the R2-2 *Zone* shall apply subject to the following modifications:

- (a) That the only permitted *uses* on the westerly 15.7 metre depth of Lot 49, Plan 8S and the westerly 18 metre depth of Lot 50, Plan 8S shall be *single-detached dwellings* and a *driveway* providing access to a permitted *warehouse* and an *automotive use* restricted to that of an automotive glass replacement shop;
- (b) That the only permitted *use* within the existing *building* located on the easterly portion of Lots 49 and 50, Plan 8S shall be a *warehouse* and an *automotive use* restricted to that of an automotive glass replacement shop with a maximum service area of 102 square metres plus accessory *warehouse* and *office* areas in the balance of the *building*;
- (c) That the number of *parking spaces* on Lots 49 and 50, Plan 8S shall be a minimum of three *parking spaces*; and
- (d) That the *existing buildings* as located on the *lots* shall be permitted.

(ee) **R2-2(31) (FOUR DWELLING UNIT MULTIPLE DWELLING)
Neelon Township Maps Lot 9, Concession 6 & Lot
10, Concession 6**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(31) 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, a *multiple dwelling* containing a maximum of four *dwelling units* shall be permitted;
- (ii) That a minimum of one *parking space* per *dwelling unit* shall be provided for the *multiple dwelling* and all required *parking spaces* shall be located in the *rear yard*; and,

- (iii) That one of the required *parking spaces* for the *multiple dwelling* may be located inside the existing detached *private garage* with the *parking space* having a minimum width of 2.6 metres and a minimum length of 5.4 metres.

(ff) R2-2(32) (Triplex with parking relief)
McKim Township Map Lot 7, Con 2

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(32) on the *Zone Maps*, all provisions of this by-law applicable to the "R2-2", Low Density Residential Two zone shall apply subject to the following modifications:

- i) A maximum of three (3) *dwelling units* shall be permitted;
- ii) The size of the *existing lot* shall be permitted;
- iii) A minimum of four (4) *parking spaces* shall be *required*;
- iv) Three (3) *required parking spaces* shall be permitted within the *required front yard*;
- v) The minimum width of the *parking space* in the northerly *interior side yard* shall be 2.7 metres;
- vi) A minimum 25% of the *required front yard* shall be maintained as *landscaped open space*;
- vii) *Planting strips* shall not be *required*; and,
- viii) One *driveway entrance* shall be permitted with a width not to exceed 11.25 metres.

(gg) R2-2(33) (Special setback to highway right-of-way)
Broder Township Maps 1 and 5

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(33) on the *Zone Maps*, all provisions of this by-law applicable to the "R2-2", Low Density Residential Two zone shall apply subject to the following modification:

- (i) No *buildings* or *structures* are permitted within 8 metres of the Highway 17 property line. The 8-metre buffer area shall be maintained in a natural vegetative state.

(hh) R2-2(34) (Driveway layout)
Hanmer Township Map 9

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(34) on the *Zone Maps*, all provisions of this by-law applicable to the "R2-2", Low Density Residential Two zone shall apply subject to the following modifications:

- i) The *driveway* for each pair of *semi-detached dwelling units* shall be centred at the common *lot line*.

(ii) R2-2(35) (TRIPLEX)
McKim Township Map Lot 5, Con 3; Lot 6, Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(35) on the *Zone Maps*, all provisions of this By-law applicable to R2-2 Zones shall apply subject to the following modifications:

- i) That a maximum of three (3) *dwelling units* shall be permitted in the *existing building*;
- ii) That one (1) *parking space* shall be required per *dwelling unit* and the required *parking spaces* shall be located in the *rear yard*;
- iii) That an opaque wood *fence* with a minimum *height* of 1.8m shall be provided along the easterly *lot line* from a point perpendicular from the rear *building line* extending northerly a minimum of 10.0m.

(jj) R2-2(36) (Three Unit Multiple Dwelling)
McKim Township Map Lot 7, Con 2

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2 (36) on the *Zone Maps*, all provisions of this By-law applicable to R2-2 Zones shall apply subject to the following modifications:

- i) That a maximum of three (3) *dwelling units* shall be permitted;
- ii) That the required *parking spaces* shall be located in the *rear yard*;
- iii) That an opaque wood *fence* with a minimum *height* of 1.8m shall be provided along the southerly *lot line* from a point perpendicular from the rear *building line* extending easterly to the *rear lot line*;
- iv) That the minimum *front yard* shall be 4.25m; and

- v) That the minimum northerly *interior side yard* shall be 1.5m for a two (2) *storey building*.

**(kk) R2-2(37) (Driveway layout)
Broder Township Maps 1 and 5**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(37) on the *Zone Maps*, all provisions of this by-law applicable to the "R2-2", Low Density Residential Two *zone* shall apply subject to the following modifications:

- (i) The *driveways* for the *semi-detached dwellings* located on the *corner lot* shall be paired and centred at the common *lot line*.

**(ll) R2-2(38) (Three dwelling units with parking relief)
Capreol Township Map 8**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(38) on the *Zone Maps*, all provisions of this by-law applicable to the "R2-2", Low Density Residential Two *zone* shall apply subject to the following modifications:

- (i) A maximum of three (3) *dwelling units* shall be permitted within the *existing building*;
- (ii) The location of the *existing building* shall be permitted
- (iii) A minimum of four (4) *parking spaces* shall be provided, except no parking shall be permitted in the *existing front yard*;
- (iv) A minimum 40% of the *existing front yard* shall be maintained as *landscaped open space*;
- (v) A minimum 3.0 wide metre-wide landscaped area shall be provided abutting the northerly *interior lot line* from the *front lot line* to the rear *building line* of the *existing building*; and,
- (vi) A minimum 220 m² of lot area per *dwelling unit* shall be provided.

**(mm) R2-2(39) (Triplex with parking relief)
Balfour Map 3**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(39) on the *Zone Maps*, all provisions of this By-law applicable to R2-2 *Zones* shall apply subject to the following modifications:

- (i) That a maximum of three (3) *dwelling units* shall be permitted;
- (ii) That a minimum of one (1) *parking space* shall be required per *dwelling unit*; and
- (iii) That the minimum *front yard* shall be 1.1m.

**(nn) R2-2(40) (Three dwelling units)
McKim Township Maps Lot 4, Con 5; Lot 4,
Con 6: Lot 5, Con 5**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(40) on the *Zone Maps*, all provisions of this by-law applicable to the "R2-2", Low Density Residential Two zone shall apply subject to the following modifications:

- (i) A maximum of three (3) *dwelling units* shall be permitted;
- (ii) An opaque *fence* with a minimum *height* of 1.8 metres shall be *required* along the southerly *interior side lot line* from the rear *building line* to the easterly limit of the *outdoor parking area*.

**(oo) R2-2 (41) (SEMI-DETACHED DWELLING & TWO BASEMENT
RESIDENTIAL DWELLING UNITS)**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(41) on the *Zone Maps*, all provisions of this By-law applicable to R2-2 *Zones* shall apply subject to the following modifications:

- (i) That the only permitted *use* on the lands shall be a *semi-detached dwelling* with each half of the *semi-detached dwelling* also being permitted a maximum of one *basement residential dwelling unit*;
- (ii) That a minimum of four *parking spaces* be provided with a maximum of three *parking spaces* being permitted in the *required front yard*; and,

- (iii) That a minimum of 50% *landscaped open space* be provided in the *existing front yard*.

**(pp) R2-2(42) (MULTIPLE DWELLING HAVING 3 DWELLING UNITS)
McKim Township Maps 1 & Lot 5 Concession 4**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(42) on the *Zone Maps*, all provisions of this By-law applicable to R2-2 Zones shall apply subject to the following modifications:

- (i) That a *multiple* dwelling containing three *residential dwelling* units be permitted in addition to those *uses* permitted in the “R2-2” Zone;
- (ii) That three *required parking spaces* be permitted in the *required front yard* with portions of each of the three *required parking spaces* being permitted to encroach across the *streetline* into the Dell Street road allowance; and,
- (iii) That a minimum of 25% *landscaped open space* be *required* in the *front yard*.

**(qq) R2-2(43) (Three dwelling units with parking relief)
Garson Township Maps 5 and 7
(By-law 2020-147Z)**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(43) on the *Zone Maps*, all provisions of this by-law applicable to the “R2-2”, Low Density Residential Two zone shall apply subject to the following modifications:

- (i) A maximum of three (3) *dwelling units* shall be permitted within the *existing main building*;
- (ii) A minimum 171 m² of *lot area* per *dwelling unit* shall be provided;
- (iii) A minimum of one (1) *parking space* per *dwelling unit* shall be provided in the *rear yard*.

**(rr) R2-2(44) (Lot depth and rear yard setback)
Neelon Township Maps Lot 9 Con 3;
Lot 8 Con 3**

Notwithstanding any other provision hereof to the contrary, within any area designated R2-2(44) on the *Zone Maps*, all provisions of this by-law

applicable to the "R2-2", Low Density Residential Two zone shall apply subject to the following modifications:

- (i) The minimum *rear yard* shall be 3.7 metres; and,
- (ii) The minimum *lot depth* shall be 25 metres.

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

**(a) R2-3(1) (SPECIAL RESIDENTIAL FACILITY)
McKim Township Map Lot 5, Con 3**

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 Map Lot 5, Con 4

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, *fitness centre* and *accessory workshop* and *administrative offices* - 646m²
 - (b) *commercial* enclosed storage space – 2,267 m²
 - (c) woodcraft manufacturing and *accessory retail uses* – 242 m²
 - (d) *offices* excluding *medical offices* - 242 m²
- (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 Maps Lot 6, Con 4; Lot 7 Con 4

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 Maps Lot 6, Con 3; Lot 7, Con 3

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 Maps Lot 6, Con 4; Lot 7, Con 4;
Lot 6, Con 3; Lot 7, Con 3**

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 Maps Lot 12, Con 3; Lot 12, Con 2

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 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 Maps Lot 6, Con 3; Lot 7, Con 3

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 Maps Lot 5, Con 4; Lot 5, Con 3

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 Maps Lot 7, Con 4; Lot 7, Con 3

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 Maps Lot 5, Con 4; Lot 6, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated 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, trade school* 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 Maps Lot 7, Con 3; Lot 7, Con 4; Lot 6, Con 3; Lot 6, Con 4

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 4, Section 4.15.4 shall not apply.

(l) R2-3(12) (BOOKKEEPING OFFICE)
McKim Township Maps Lot 6, Con 4; Lot 5, Con 4

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 Map Lot 8, Con 2

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 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 Maps Lot 6, Con 4; Lot 5, Con 4

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 detached 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) (FIVE DWELLING UNITS)
McKim Township Map Lot 5, Con 4

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) A maximum of five *dwelling units* shall be permitted and no *parking spaces* shall be *required*.

(p) R2-3(16) (MULTIPLE DWELLING)
McKim Township Map Lot 5, Con 4

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 Map Lot 6, Con 4

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*.

(r) R2-3(18) (DUPLEX DWELLING & ACCESSORY DWELLING UNIT)
McKim Township Maps Lot 7, Concession 3 & Lot 6, Concession 3

Notwithstanding any other provision to the contrary, within any area designated R2-3(18) 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 *duplex dwelling* along with one additional *dwelling unit* being located above the existing *accessory detached garage*;
- (ii) A minimum of four *parking spaces* shall be provided with one required *parking space* being permitted in the *corner side yard*;
- (iii) The existing *accessory detached garage* is permitted a maximum *building height* of 5.96 metres; and,
- (iv) The *accessory building lot coverage* permitted on the lands for all *accessory buildings* and *structures* shall be a maximum of 15%.

(s) (MULTIPLE DWELLING)

Notwithstanding any other provision hereof to the contrary, within any area designated R2-3(19) 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 those *uses* permitted in the R2-3 Zone, a *multiple dwelling* containing a maximum of six *dwelling units* shall also be permitted;
 - (ii) A minimum of one *parking space* shall be *required* for each *dwelling unit* within a *multiple dwelling* containing six *dwelling units*;
 - (iii) A maximum of two *required parking spaces* shall be permitted to be located in the *required front yard*; and,
 - (iv) A maximum of two *required parking spaces* shall be permitted to be located in the *required corner side yard* provided that such *parking spaces* are accessed from the lane *abutting* the *rear lot line*.
- (t) **R2-3(20) (Six dwelling units with parking relief)**
McKim Township Map Lot 7 Con 3; Lot 6, Con 3
By-law 2020-134Z

Notwithstanding any other provision to the contrary, within any area designated R2-3(20) on the *Zone Maps*, all provisions of this By-law applicable to “R2-3”, Low Density Residential Two zone shall apply subject to the following modifications:

- (i) A maximum of six (6) *dwelling units* shall be permitted;
- (ii) A minimum *lot area* of 96 m² per *dwelling unit* is required;
- (iii) A minimum eight (8) *parking spaces* shall be provided, to include three (3) *parking spaces* with a minimum depth of 5.7 metres within the *required front yard*;
- (iv) Two (2) *driveway* entrances onto Whittaker Street shall be permitted; and,
- (v) A minimum 25% of the *required front yard* shall be maintained as *landscaped open space*

(10) SPECIAL MEDIUM DENSITY RESIDENTIAL ZONES - R3

**(a) R3(1) (EIGHTPLEX)
McKim Township Lot 2, Con 4 (By-law 2015-72Z)**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(1) 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 eight;
- (ii) That the existing 3.3 metre easterly *interior side yard* and 1.89 metre westerly *interior side yard* be permitted for a three storey *multiple dwelling*.
- (iii) That a minimum 19 m *shoreline buffer area*, between the *high water mark* of Minnow Lake and the edge of the parking area, shall be provided;"
- (iv) That the required *front yard* shall be landscaped with a minimum of three (3) trees and a groundcover; and"
- (v) That an opaque wood panel fence matching the fence between 1159 Bancroft and 1169 Bancroft shall be constructed between 1169 Bancroft Drive and 1187 Bancroft Drive. The fence shall be 1.0 m in height in the required *front yard* and 2.0 m in height between the *front yard* and the edge of the 19 m *shoreline buffer area*. No fence shall be constructed abutting the *shoreline buffer area*.

**(b) R3.D17.3(2) (MULTIPLE FAMILY DWELLINGS)
Rayside Township Map 8**

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.

(c) R3.D36(3) (34 UNIT MULTIPLE DWELLING)
Balfour Township Maps 4 and 7

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 Map 3

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 Map 3

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) (LONG TERM CARE FACILITY AND RETIREMENT HOME)
Bleazard Township Map 7

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 *long term care facility* containing a maximum of 60 beds;
 - a *retirement home* containing a maximum of 120 *guest rooms*:

- a *convenience store* or *personal service shop* which is *accessory* to, and contained within, a permitted residential *building*.

The following parking *requirements* shall also apply:

- (a) A *long term care facility* shall provide 1 *parking space* per 4 beds.
- (b) A *retirement home* 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 Maps 4 and 5

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 *multiple 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 Maps Lot 7, Con 1; Lot 6, Con1

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 Maps Lot 10, Con 6; Lot 11, Con 6; Lot 10, Con 5; Lot 11, Con 5

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(10) (14-UNIT COMPLEX)
Rayside Township Map 3

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

- i) The only permitted uses shall be a maximum of twelve (12) row dwelling units and two (2) semi-detached dwelling units with a maximum building height of one (1) storey, and related accessory uses; and,
- ii) The minimum setback from the northerly lot line for the semi-detached dwelling shall be 2.6 metres.

(k) R3(11) (MULTIPLE RESIDENTIAL)
Waters Township Map 6

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) (RETIREMENT HOME & SUPPORT SERVICES) Waters Township Maps 5 and 6 (By-law 2014-235Z)

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, *retirement home, 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 *retirement home* shall contain more than 50 *guest rooms* and only 1 *retirement home* shall be permitted within the total area zoned R3.D36(12) and R3.D48(12).

**(m) R3.D18(13) (SIX UNIT BUILDING AND DANCE STUDIO)
Hanmer Township Map 7**

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 *multiple dwelling* containing not more than six *dwelling units*, a dance studio, a *day care centre* and *accessory uses*.

(n) R3(14) McKim Township Lot 4, Con.4; Lot 6, Con.4

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 Map 3**

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 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)
Neelon Township Map Lot 11, Con 6**

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 Map 8**

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 Map 7**

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);
- (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 Map Lot 7, Con 2**

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 Maps Lot 7, Con 4; Lot 6, Con 4**

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) (MULTIPLE DWELLING)
Rayside Township Map

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 only permitted *uses* shall be a *multiple dwelling*, with a maximum 26 *dwelling units* and any *use* permitted in all zones under Section 4.40;
- (ii) The minimum *rear yard* shall be 4.5 metres;
- (iii) *Privacy yards* for each *dwelling unit* shall not be required.

(v) R3(22) (FIVEPLEX)
McKim Township Maps Lot 5 Con.4; Lot 6, Con. 4

Notwithstanding any other provision hereof to the contrary, within any area designated R3(22) on the *Zone Maps*, all provisions of this By-law applicable to the R3 Zones shall apply subject to the following modifications:

- i) A *multiple dwelling* containing not more than five (5) *dwelling units* shall be permitted;
- ii) A minimum of one (1) *parking space* per *dwelling unit* shall be provided, to be permitted in the required corner side yard;
- iii) The following building setbacks shall apply:
 - 1. The minimum *front yard* depth shall be 4.4 metres;
 - 2. The minimum *interior side yard* width shall be 1.8 metres;
 - 3. The minimum *rear yard* depth shall be 3 metres."

**(w) R3(23) (ROOMING HOUSE)
Garson Map 7**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(23) on the Zone Maps, all provisions of this by-law applicable to the R3 Zones shall apply subject to the following modifications:

- (i) The only permitted use shall be a 40 bed *rooming house*, and related *accessory* uses;
- (ii) A minimum of 25 *parking spaces* shall be provided and parking shall be permitted in the *required front yard*;
- (iii) Minimum *landscaped open space* shall be 20 percent.

**(x) R3(24) Additional Dwelling Units
Broder Township Map 6**

Notwithstanding any other provision hereof to the contrary, within any area designated "R3(24)" Medium Density Residential Special on the Zone Maps, all provisions of this by-law applicable to "R3", Medium Density Residential Zones shall apply subject to the following modifications:

- (i) a maximum of five *dwelling units* shall be permitted on Parcels 48974, 48973;
- (ii) a maximum of four *dwelling units* shall be permitted on Parcels 48975, 48972;
- (iii) that a minimum of six *parking spaces* shall be required for each of the parcels with two *parking spaces* for each building being permitted in the required front yard.

**(y) R3(25) (TWELVE ROW DWELLINGS)
Balfour Map 4**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(25) on the Zone Maps, all provision of this By-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) The maximum number of *dwelling units* shall be twelve;
- (ii) The only permitted *dwellings* shall be *row dwellings*;

- (iii) One *parking space* shall be required per *dwelling unit*;
- (iv) No difference in setbacks are required in the front, rear and corner side yard for adjacent groups of row dwellings.
- (v) Minimum setback from Cote Avenue – 6 metres;
Minimum setback from Charette Avenue – 6 metres.

**(z) R3(26) (Row dwellings)
Broder MAPS 1 & 4**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(26) on the Zone Maps, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modification:

- i) The only permitted uses shall be row house dwellings to a maximum number of 40 dwelling units, related accessory uses, and any use permitted in all zones under Section 4.40.

**(aa) R3(27) Four Unit Multiple Dwelling
Hanmer Map Township Map 4**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(27) on the Zone Maps, all provisions of this by-law applicable to "R3", Residential Medium Density Zones shall apply subject to the following modifications:

- (i) that a maximum of four *dwelling units* shall be permitted;
- (ii) the minimum west *side yard* shall be 4 metres;
- (iii) the minimum east *side yard* shall be 1.2 metres;
- (iv) the minimum *front yard* setback shall be 13 metres, and parking shall be permitted within the *required front yard*;
- (v) that Dominion Drive shall be deemed to be the *front lot line*;
- (vi) that an opaque fence will be required along the south and east *lot* lines and the minimum landscape strip along the east lot line shall be 1.2 metres wide;

- (vii) that access to the subject property be restricted to the east limit of the property along Dominion Drive.

**(bb) R3(28) (Retirement home & long term care facility)
Capreol Township Maps 1 & 5 (By-law 2017-90Z)**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(28) on the Zone Maps, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- i) On lands described as Parts 1, 2, 5 & 8, Plan 53R-19587, a *multiple dwelling* and *retirement home* (assisted living facility) and related *accessory uses*;
- ii) The development shall not exceed 220 *dwelling units* or 275 beds/guest rooms or a combination thereof. The formula for determining capacity shall be on the following basis:
 - 1. *Retirement home* (assisted-living facility): 1.25 guest rooms being the equivalent of 1 dwelling unit;
 - 2. *Long term care facility*: 1.25 beds being the equivalent of 1 dwelling unit;
- iii) The maximum *height* of *main buildings* shall not exceed three (3) *storeys*;
- iv) The minimum *setback* from all property lines shall be 10 metres.

**(cc) R3(29) (Corner side yard parking)
Balfour Township Map 3**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(29) on the Zone Maps, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- i) One (1) required *parking space* shall be permitted in the *required corner side yard*; and,
- ii) The minimum width of the *planting strip abutting* the southerly *lot line* shall be 1.2 metres.

(dd) R3(30) Dowling Township Maps 5 and 6

Notwithstanding any other provision hereof to the contrary, within any area designated R3(30) on the *Zone Maps*, all provisions of this By-law applicable to R3 Zones shall apply subject to the following modifications:

- i) That the maximum number of *dwelling units* shall be three;
- ii) That the *existing building* as located is permitted;
- iii) That the *required parking area* shall be permitted in the *required corner side yard*;
- iv) That a minimum 43 m² *landscaped open space* shall be maintained in the *required corner side yard*;
- v) That no *privacy yard* shall be *required* for the *dwelling unit* that abuts the *front yard* and *corner side yard*.
- vi) That a *privacy yard* in the *interior side yard* with a minimum depth of 5 metres shall be provided for the *dwelling units* that abut the *interior side yard*.

**(ee) R3(31) (MULTIPLE RESIDENTIAL BUILDINGS)
Hanmer Township Map 2**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(31) 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 24 *dwelling units* shall be permitted within a total of four *multiple dwelling* buildings.
- (ii) The finished floor elevation for all *multiple dwellings* shall be a minimum of 285.03 metres above sea level.

**(ff) R3(32) (CONVERSION TO A 12 UNIT MULTIPLE DWELLING)
Balfour Township Maps 2 and 4**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(32) 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 12 *dwelling units* shall be permitted within one *multiple dwelling building*.
- (ii) The Cote Avenue *street line* shall be deemed the *front lot line*.
- (iii) Minimum *Planting Strip* Width - 1.5 metres abutting Fitzgerald Street.
- (iv) *Parking spaces* shall be permitted within the required *front yard* with a minimum setback of 3 metres from Cote Avenue and within the *corner side yard* with a minimum setback of 1.5 metres from Fitzgerald Street.
- (v) Minimum *rear yard* - 3.3 metres abutting Charette Street.

(gg) R3(33) Balfour Township Maps 4 and 5

Notwithstanding any other provision hereof to the contrary, within any area designated R3(33) on the *Zone Maps*, all provisions of this By-law applicable to R3 Zones shall apply subject to the following modification:

- (i) That the maximum number of *dwelling units* shall be four.

(hh) R3(34) (Reduced lot frontage and planting strip relief)
McKim Township Map Lot 6, Con 2;
Lot 7, Con 2; Lot 6, Con 1; Lot 7, Con 1

Notwithstanding any other provision hereof to the contrary, within any area designated R3(34) on the Zone Maps, all provisions of this by-law applicable to the R3 Zone shall apply subject to the following modifications:

- i) A maximum of six (6) *dwelling units* shall be permitted;
- ii) The minimum *lot frontage* shall be 15 metres;
- iii) A *planting strip* comprising a minimum 1.8 metre opaque fence shall be provided along the easterly lot line from the front building line to the northerly limit of the *rear yard parking area*; and,
- iv) Parking shall be located in the *rear yard*.

(ii) R3(35) (Multiple and semi-detached dwellings)
Capreol MAP 9

Notwithstanding any other provision hereof to the contrary, within any area designated R3(35) on the Zone Maps, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- i) The only permitted uses shall be the following:
 - (a) On land described as Part 2, Plan 53R-19885 in Lot 12, Concession 3, Township of Capreol, a maximum of 42 *semi-detached dwellings*, related accessory uses, and any use permitted in all zones under Section 4.40;
 - (b) On land described as Part 3, Plan 53R-19885 in Lot 12, Concession 3, Township of Capreol, a *multiple dwelling* with a maximum of 120 *dwelling units* to a maximum *building height* of three (3) storeys, related *accessory uses*, and any use permitted in all zones under Section 4.40;
- ii) The minimum *interior side yard* width and minimum *rear yard* depth shall be 10 metres; and,
- iii) The lands are designated as an area of "Site Plan Control" pursuant to Section 41 of the Planning Act, R.S.O. 1990, Chapter P. 13.

**(jj) R3(36) (Row dwellings)
Broder MAPS 1 & 4**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(36) on the Zone Maps, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- i) The only permitted uses shall be row dwellings to a maximum number of 16 dwelling units, related accessory uses, and any use permitted in all zones under Section 4.40;
- ii) The minimum setback from Remington Road shall be 6 metres.

**(kk) R3(37) (Parking lot and garage)
Garson Township Map 5**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(37) on the Zone Maps, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- i) The only permitted *uses* shall be a *private garage* with storage units and a *private parking lot* which are *accessory* to the *multiple dwellings* located on Parts 1 & 3, Plan 53R-18558 in Lot 7, Concession 1, Township of Garson, and any *use* permitted in all *Zones* under Section 4.40 of Part 4; and,
- ii) The minimum *required rear yard* shall be 1.2 metres.

**(ll) R3(38) (55 multiple dwelling units)
Waters MAP 9**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(38) on the Zone Maps, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- i) The only permitted uses shall be the following:
 - (a) The conversion of the former school building to a *multiple dwelling* with a maximum of 29 *dwelling units*;
 - (b) A *multiple dwelling* with a maximum of 26 *dwelling units* and a maximum *building height* of three (3) storeys;

- (c) Related *accessory uses*; and,
- (d) Any *use* permitted in all zones under Section 4.40;
- ii) A buffer comprising existing natural vegetation with a minimum depth of 25 metres shall be provided along the easterly *lot line* where it abuts Lots 1, 2 and 3 of Plan M-882; and,
- iii) A *planting strip* comprising a minimum 2 metre high opaque fence shall be provided along the northerly *lot line* where it abuts Lot 52 of Plan M-442.

**(mm) R3(39) (9-unit multiple dwelling)
McKim Township Map Lot 6, Con 4**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(39) on the Zone Maps, all provisions of this by-law applicable to the R3 Zone shall apply subject to the following modifications:

- i) A maximum of nine (9) dwelling units shall be permitted;
- ii) A minimum of nine (9) parking spaces shall be provided, to include two (2) parking spaces within the required corner side yard;
- iii) A minimum lot area of 88 m² per dwelling unit shall be permitted;
- iv) A planting strip comprising a minimum 1.5 metre high opaque fence shall be provided along the easterly lot line and the southerly lot line from the rear building line to the southeast corner of the lot; and,
- v) The location of the existing building shall be permitted.

**(nn) R3(40) (Retail and six apartment units)
McKim Township Map Lot 5 Con 4**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(40) on the Zone Maps, all provisions of this by-law applicable to the R3 Zone shall apply subject to the following modifications:

- i) The only permitted uses shall be a *retail store* limited to 200 m² of *net floor area*, a maximum of six (6) *dwelling units*, related *accessory uses*, and any *use* permitted in all zones under Section 4.40;

- ii) A minimum of 12 *parking spaces* shall be required, to include four (4) *parking spaces* within the *required front yard*;
- iii) A 3.0 metre wide *planting strip* shall not be required adjacent to Laforest Avenue and Bond Street;
- iv) Eaves on the *existing building* shall be permitted to encroach to the northerly and easterly *lot lines*; and,
- v) The size and location of the *existing building* shall be permitted.

(oo) R3(41) (ROW DWELLINGS)
Broder Township Maps 1 & 4

Notwithstanding any other provision hereof to the contrary, within any area designated R3(41) on the *Zone Maps*, all provisions of this By-law applicable to R3 *Zones* shall apply subject to the followings modifications:

- (i) That a maximum of 19 *row dwellings* shall be permitted; and,
- (ii) That a minimum *lot frontage* of 12 metres be required.

(pp) R3(42) (Fourplex)
Hanmer Township Maps 4 & 6

Notwithstanding any other provision hereof to the contrary, within any area designated R3(42) on the *Zone Maps*, all provisions of this by law applicable to the "R3", Medium Density Residential *zone* shall apply subject to the following modifications:

- i) A maximum of four (4) *dwelling units* shall be permitted.

(qq) R3(43) (Seven-unit multiple dwelling)
McKim Township Maps Lot 7, Con 4; Lot 7 Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated R3(43) on the *Zone Maps*, all provisions of this by law applicable to the "R3", Medium Density Residential *zone* shall apply subject to the following modifications:

- i) A maximum of seven (7) *dwelling units* within the *existing building* shall be permitted;
- ii) A minimum of one (1) *parking space* per *dwelling unit* shall be required;
- iii) Elm Street is deemed to be the *front lot line*;

- iv) The size and location of the *existing building* shall be permitted;
- v) The size of the *existing lot* shall be permitted;
- vi) *Planting strips* shall not be required;
- vii) The size and location of the one (1) *existing parking space* in the *required front yard* shall be permitted; and,
- viii) The minimum width of the *rear yard parking spaces* shall be 2.55 metres.

(rr) R3(44) (Fourplex) (By-law 2015-72Z)
Broder Township Map 3

Notwithstanding any other provision hereof to the contrary, within any area designated R3(44) 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.

(ss) R3(45) (Multiple Dwellings)
Broder Township Map 3

Notwithstanding any other provision hereof to the contrary, within any area designated R3(45) on the *Zone Maps*, all provisions of this By-law applicable to R3 Zones shall apply subject to the following modification:

- i) A *multiple dwelling* containing a maximum of four (4) *dwelling units* shall be permitted on the lands lying within 16.5 m of the northern boundary of Parcel 30673, Part 18, Plan SR-75, Lot 6, Concession 6, Township of Broder;
- ii) A *multiple dwelling* containing a maximum of four (4) *dwelling units* shall be permitted on the lands lying within 16.5 m of the southern boundary of Parcel 30673, Part 18, Plan SR-75, Lot 6, Concession 6, Township of Broder;
- iii) The maximum *building height* shall be one (1) *storey*;
- iv) All *parking areas* shall be located in the *rear yard*;
- v) The minimum *landscaped open space* shall be 20 percent;

- vi) A 1.8 metre wide *planting strip* containing an opaque *fence* with a minimum *height* of 1.5 metres shall be provided from the front *building line* to the easterly *lot line* along the *lot line abutting* Parcel 30672, Part 19, Plan SR-75 and along the *lot line abutting* Parts 1 to 4, 5 and 6 of Plan 53R-15702; and
- vii) That the minimum *lot frontage* shall be 16.5 metres.

**(tt) R3(46) (FOUR UNIT MULTIPLE DWELLING)
McKim Maps Lot 1, Concession 3**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(46) on the *Zone Maps*, all provisions of this by-law application to the R3 *Zone* shall apply subject to the following modifications:

- i) A *multiple dwelling* with a maximum of four *dwelling units* shall be permitted;
- ii) No *decks* shall be permitted in the *front yard*;
- iii) Maximum setback from the *front lot line* shall be 9.5 metres; and,
- iv) All *parking spaces* shall be located in the *rear yard*.
- v) That a minimum 1.8 metre high opaque *fence* and a minimum 1.8 metre wide *planting strip* be provided along the westerly *lot line* adjacent to a *parking area* and *driveway* in the *interior side yard* and *rear yards* and that the standard *planting strip* requirements of Section 4.15.4 of this By-law shall apply to the remainder of the property.

**(uu) R3(47) (Fourplex)
McKim Township Maps Lot 3, Con 6; Lot 3, Con 5**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(47) on the *Zone Maps*, all provisions of this by law applicable to the "R3", Medium Density Residential *zone* shall apply subject to the following modifications:

- i) A *multiple dwelling* with a maximum of four (4) *dwelling units* shall be permitted;
- ii) The minimum *lot frontage* shall be 15 metres;

- iii) A minimum 1.5 metre high opaque fence shall be required abutting the front yard parking area along the southerly lot line and a minimum 1.5 metre high opaque fence shall be required abutting the front yard parking space along the northerly lot line.

iv) Planting strips shall not be required.

(vv) R3(48) (SINGLE-DETACHED DWELLING & ROW DWELLING)
McKim Township Maps – Lot 2, Concession 3 & Lot 3, Concession 3

Notwithstanding any other provision hereof to the contrary, within any area designated R3(48) on the *Zone Maps*, all provisions of this By-law applicable to R3 Zones shall apply subject to the following modification:

- i) That the existing *single-detached dwelling* and *row dwelling* located on the lands provide for a minimum *front yard setback* of 6 metres.

(ww) R3(49) (Multiple residential 12 dwelling units)
Hanmer Township Maps 7 and 8

Notwithstanding any other provision hereof to the contrary, within any area designated R3(49) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- i) The maximum number of *multiple dwellings* shall be two (2);
- ii) The maximum *building height* shall be two (2) *storeys*;
- iii) A maximum 12 *dwelling units* shall be permitted;
- iv) Municipal Road 80 shall be deemed to be the *front lot line*;
- v) The following minimum *building setbacks* shall apply:
 - (a) *Front yard*: 9 metres;
 - (b) Easterly and southerly *interior side yards*: 3 metres;
- vi) A canopy shall be permitted to encroach 1.8 metres into the *required front yard*.

(xx) R3(50) (Three Unit Multiple Dwelling) (By-law 2017-90Z)
McKim Township Map Lot 3 Con 6

Notwithstanding any other provision hereof to the contrary, within any area designated "R3(50)" on the *Zone Maps*, all provisions of this By-law applicable to the "R3" Zone shall apply subject to the following modification:

- (a) The only permitted *use* shall be a *multiple dwelling* containing a maximum of three *dwelling units* and *uses accessory* thereto;
- (b) That a minimum 1.5 metre high *fence* be *required* along the westerly and southerly *lot lines* where adjacent to a *parking area*; and,

That *planting strips* shall not be *required*.

~~(yy) R3.D30(51) (Medium Density Residential)~~
~~Balfour Township Map 5~~

~~Notwithstanding any other provision hereof to the contrary, within any area designated R3.D30(51) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:~~

- ~~(i) The only permitted *uses* shall be *single detached dwellings, duplex dwellings, semi-detached dwellings, row dwellings* and related *accessory uses*; and,~~
- ~~(ii) The maximum *building height* for *row dwellings* shall be one (1) *storey*;~~
Bylaw 2019-13Z

~~(zz) R3.D40(52) (Medium Density Residential)~~
~~Balfour Township Map 5~~

~~Notwithstanding any other provision hereof to the contrary, within any area designated R3.D40(52) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:~~

- ~~(i) The only permitted *uses* shall be *single detached dwellings, duplex dwellings, semi-detached dwellings, row dwellings* and related *accessory uses*; and,~~
- ~~(ii) The maximum *building height* for *row dwellings* shall be one (1) *storey*.~~
By-law 2019-13Z

**(aaa) R3(53) (Multiple residential 16 dwelling units)
Hanmer Township Map 9**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(53) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- (i) The maximum number of *multiple dwellings* shall be two (2);
- (ii) The maximum *building height* shall be two (2) *storeys*;
- (iii) A maximum of 16 *dwelling units* shall be permitted;
- (iv) The following minimum *building setbacks* shall apply:
 - (a) *Rear yard*: 3.8 metres;
 - (b) *Easterly interior side yard*: 7.4 metres.

**(bbb) R3(54) (ROW DWELLINGS CONTAINING EIGHT UNITS)
McKim Township Lot 1, Concession 3
Neelon Township Lot 12, Concession 3**

Notwithstanding any other provision hereof to the contrary, within any area designated "R3(54)" on the *Zone Maps*, all provisions of this by-law applicable to the "R3" Zone shall apply subject to the following modifications:

- (a) The only permitted *use* shall be a maximum of two *row dwellings* containing a maximum of four *dwelling units* per *row dwelling building* with each having a maximum *building height* of one-storey;
- (b) *Privacy yards* shall be provided for each *dwelling unit* having a minimum depth of 3.5 metres along with a 1.5 metre high opaque *fence* which shall be provided along those portions of the easterly *lot line* which abuts any *privacy yard*;
- (c) The installation of a 1.5 metre high opaque *fence* shall be provided along the length of the portion of the westerly *lot line* which abuts any *parking aisles*, *parking areas* or *parking spaces*;
- (d) No landscape *planting strips* are required along the easterly and westerly *lot lines*; and,
- (e) The following minimum *building setbacks* shall apply:
 - (i) *Easterly interior side yard* – 3.5 metres;
 - (ii) *Westerly interior side yard* – 12 metres; and,
 - iii) *Rear yard setback* – 210 metres.

(ccc) R3(55) (Nine-unit multiple dwelling)
McKim Township Map Lot 5, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated R3(55) on the Zone Maps, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- i) A maximum of nine (9) *dwelling units* shall be permitted within the *existing building*;
- ii) A minimum of three (3) *parking spaces* and an *indoor* refuse storage area shall be provided within the *existing building*; and,
- iii) The size and location of the *existing building* shall be permitted.

(ddd) R3(56) (Medium density residential - 15 dwelling units)
Hanmer Township Maps 7 and 8

Notwithstanding any other provision hereof to the contrary, within any area designated R3(56) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential *zone* shall apply subject to the following modifications:

- (i) A maximum 15 *dwelling units* shall be permitted;
- (ii) The maximum *building height* shall be two (2) *storeys*;
- (iii) The following minimum *building setbacks* shall apply:
 - (a) *Front yard*: 9 metres;
 - (b) *Rear yard*: 3 metres;
- (iv) *Privacy yards* shall be a minimum 5 metres;
- (v) A *planting strip* is not required in the easterly *interior side yard*;
- (vi) A minimum 1.5 metre-high opaque *fence* shall be provided along the following *lot lines*:
 - (a) Easterly *interior side lot line abutting* Lot 11, Plan M-699 and Parts 1 & 2, Plan 53R-6768;
 - (b) Westerly *interior side lot line abutting* Part 8, Plan 53R-13418;
- (vii) The *required court* shall be a minimum 2.4 metres where opposing walls do not have any *balconies* and/or windows into *habitable rooms*;
- (viii) The minimum amount of *landscaped open space* shall be 25% of the *lot area*.

(ggg) R3(59) (Fourplex)
McKim Township Maps Lot 7, Con 3; Lot 6, Con 3;
Lot 7, Con 4; Lot 6, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated R3(59) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- i) A maximum of four (4) *dwelling units* shall be permitted;
- ii) A minimum of five (5) *parking spaces* shall be provided, to include three (3) *parking spaces* within the *required front yard*;
- iii) A minimum *lot area* of 104 m² per *dwelling unit* shall be permitted; and,
- iv) The size and location of the *existing building* shall be permitted.

(hhh) R3(60) (Dwelling with maximum four units)
Hanmer Township Map 5

Notwithstanding any other provision hereof to the contrary, within any area designated R3(60) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- i) A maximum of four (4) *dwelling units* shall be permitted;
- ii) The maximum *building height* shall be one *storey*; and,
- iii) A minimum *privacy yard* of 3 metres shall be permitted in the easterly *interior side yard*.

(iii) R3(61) (Fourplex with parking relief)
Neelon Township Map Lot 12, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated R3(61) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- i) A maximum of four (4) *dwelling units* within the *existing building* shall be permitted;
- ii) *Required parking* shall be permitted to encroach into the *required front and corner side yards*;

- iii) One (1) *required parking space* shall be permitted within the *required corner side yard*;
- iv) The location of the *existing dwelling* shall be permitted; and,
- v) *Planting strips* shall not be required.

**(jjj) R3(62) (Multiple residential 4 dwelling units)
McKim Township Map Lot 5, Con 4**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(62) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- i) A maximum of four (4) *dwelling units* shall be permitted;
- ii) Bond Street is deemed to be the *front lot line*;
- iii) The maximum *front yard setback* shall be the *established building line* on Bond Street;
- iv) A landscaped area equivalent to the maximum *front yard setback* shall be provided *abutting* Bond Street;
- v) The *parking area* shall be located in the *rear yard*;
- vi) A minimum one (1) *parking space* per unit shall be permitted; and,
- vii) *Planting strips* shall not be required.

**(kkk) R3(63) (FOURPLEX)
Waters Township Map 7**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(63) on the *Zone Maps*, all provisions of this By-law applicable to R3 Zones shall apply subject to the following modifications:

- (i) That the minimum *landscaped open space* shall be 22%

(III) R3(64) (Multiple residential 27 dwelling units)
Neelon Township Maps Lot 11, Con 3; Lot 12, Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated R3(64) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- i) The only permitted *uses* shall be *semi-detached dwellings, row dwellings* and related *accessory uses*;
- ii) A maximum of *27 dwelling units* shall be permitted; and,
- iii) The minimum *setback* from Lots 17 to 22, Plan 53M-1370 shall be 7.5 metres.

(mmm) R3(65) (Medium density residential – six dwelling units)
McKim Township Map Lot 6, Con 1

Notwithstanding any other provision hereof to the contrary, within any area designated R3 (65) 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 six *dwelling units* shall be permitted;
- ii) The *existing buildings*, as located, shall be permitted;
- iii) A minimum 1.0 m wide *planting strip* be provided abutting Lot 16, Plan M-161.
- iv) The *required parking spaces* shall be located in the *rear yard*; and
- v) The subject property is designated as a "Site Plan Control Area" pursuant to Section 41(3) of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, and no alteration will be permitted unless the owners enter into an agreement with the City of Greater Sudbury regarding the facilities to be provided in accordance with the approved plan of development.

(nnn) R3(66) (Street townhouse dwellings)
Neelon Township Maps Lot 10, Con 3; Lot 11, Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated R3(66) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *single detached dwellings, semi-detached dwellings, street townhouse dwellings* and related accessory uses;
- (ii) The maximum *lot coverage* for *street townhouse dwellings* shall be 45%; and,
- (iii) In lieu of a *planting strip*, a minimum 1.8-metre high opaque *fence* shall be provided along the easterly *interior side lot line* of Lot 96, Plan M-1003 from the *rear lot line* to the front *building line*.

(ooo) R3(67) (Site-specific relief for row dwellings)
Balfour Township Map 5

Notwithstanding any other provision hereof to the contrary, within any area designated R3(67) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *single detached dwellings, duplex dwellings, semi-detached dwellings, row dwellings* and related accessory uses;
- (ii) The following site-specific provisions shall be applied to *row dwellings*:
 - (a) The maximum *building height* for *row dwellings* shall be one (1) storey;
 - (b) The minimum *setback* for a *main building* from the northerly *interior side lot line abutting* Lot 14, Plan M-331 shall be 15 metres;
 - (c) For *row dwellings* located on *corner lots* on Parts 8 and 10, Plan 53R-20598, the following provisions shall apply:
 - The minimum *rear yard setback* shall be 1.2 metres;
 - No *planting strip* shall be required;
 - A minimum 1.8-metre high opaque *fence* shall be provided along the easterly *rear lot line* from the *interior side lot line* to the front *building line*;

- (d) For *row dwellings* located on *corner lots* where the *main building façade* faces a *public road*, a minimum one (1) *parking space* per *dwelling unit* is required and the *driveways* for each pair of *units* shall be paired and centred at the common wall;
- (e) For the purposes of Subclause (d) above, the *main building façade* facing a *corner side yard* may include an *attached garage*.
- (iii) All provisions of this by-law application to the Model Homes provisions of Section 4.20 shall apply subject to the following modification:

Four (4) buildings containing 16 model home dwellings units shall be permitted.

**(ppp) R3(68) (Four-unit multiple dwelling)
Hanmer Township Maps 2 and 9**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(68) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- (i) A maximum of four (4) *dwelling units* shall be permitted; and,
- (ii) A minimum *landscaped open space* area of 28% shall be permitted.

**(qqq) R3(69) (Four-unit multiple dwelling)
Dowling Township Map 4**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(69) on the *Zone Maps*, all provisions of this By-law applicable to the R3, Medium Density Residential zone shall apply subject to the following modifications:

- (i) a maximum of four (4) *dwelling units* shall be permitted.

**(rrr) R3(70) (Four-unit multiple dwelling)
Neelon Township Map 2
(By-law 2020-117Z)**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(69) on the *Zone Maps*, all provisions of this By-law applicable to the R3, Medium Density Residential zone shall apply subject to the following modifications:

- (i) That a *multiple dwelling* with a maximum of four (4) *dwelling units* shall be permitted;

- (ii) Access will only be permitted by way of one *driveway* with a maximum width of 6.3 m from Laberge Lane; and
- (iii) A *planting strip* shall be required along the north and the west property line, with the exception of a reduced *planting strip* width of 0.895 m with no screening device beside the *existing private garage*.

**(sss) R3(71) (MULTIPLE DWELLING CONTAINING 11 DWELLING UNITS)
Balfour Township Maps 2 and 3
(By-law 2021-41Z)**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(71) on the *Zone Maps*, all provisions of this By-law applicable to R3 *Zone* shall apply subject to the following modifications:

- (i) That the only permitted *use* shall be a *multiple dwelling* containing a total of 11 residential *dwelling units* and related *accessory buildings, structures and uses*;
- (ii) That a minimum easterly *interior side yard* and *planting strip* width of 1 metre be required;
- (iii) That a *fence* having a minimum *height* of 1.5 metres be required along the *easterly interior side lot line* to a depth that is equal to the length of the *residential lot* situated to the east described as Parcel 25855, Part 1, Plan 53R-6956, Lot 3, Concession 3, Township of Balfour;
- (iv) That an *accessory* refuse storage area containing two refuse storage containers be permitted in the *rear yard*;
- (v) That a minimum of 15 *parking spaces* including 1 *accessible parking space* be required;
- (vi) That 8 *parking spaces* be permitted in the required *corner side yard*;
- (vii) That 6 *parking spaces* be permitted in the required *front yard*; and,
- (viii) That no *landscaped open space* be required along the portions of the required *front yard* and *corner side yard* where required *parking spaces* are located.

**(ttt) R3(72) (Row dwelling complex)
Hanmer Township Map 8**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(72) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be *row dwellings* with a maximum eighty (80) *dwelling units*, related *accessory uses* including common *amenity areas*, and any *use* permitted in all *Zones* under Section 4.40 of Part 4.

**(uuu) R3(73) (Four-unit multiple dwelling)
Neelon Township Map Lot 12 Con 3**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(73) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- (i) A maximum of four (4) *dwelling units* shall be permitted;
- (ii) The minimum *lot frontage* shall be 15 metres;
- (iii) The minimum *front yard setback* shall be 6 metres;
- (iv) The minimum width of the *driveway* aisle shall be 3 metres;
- (v) A minimum 1.2 metre-wide *planting strip* in conjunction with a minimum 1.5 metre-high opaque *fence* shall be required along the easterly *interior side yard*;
- (vi) A minimum 1.5 metre-high opaque *fence* shall be required along the westerly *interior side yard* in lieu of a *planting strip*; and,
- (vii) The *parking area* shall be located in the *rear yard*.

**(vvv) R3(74) (Forty-unit row dwelling complex)
Balfour Township Map 5**

Notwithstanding any other provision hereof to the contrary, within any area designated R3(74) on the *Zone Maps*, all provisions of this by-law applicable to the "R3", Medium Density Residential zone shall apply subject to the following modifications:

- (i) The minimum *front yard setback* shall be 14 metres;

- (ii) A maximum two (2) metre-high opaque wall or opaque *fence* shall be permitted within the *required front yard*;
- (iii) The minimum *rear yard setback* shall be six (6) metres;
- (iv) The minimum *privacy yard depth* shall be six (6) metres;
- (v) A minimum 1.8 metre *court* shall be required between *buildings*;
- (vi) No minimum difference in *setbacks* shall be required for adjacent groups of *row dwellings*;
- (vii) *Planting strips* shall be provided subject to the provisions of Section 4.15, with the following exceptions:
 - (a) Where a *planting strip* along the westerly *interior side lot line* contains an opaque wall or opaque *fence* having a *height* of 1.5 metres or more, the width of the required *planting strip* may be reduced to 1.5 metres; and,
 - (b) Where a *planting strip* along the easterly *interior side lot line* abutting PIN 73349-1207 contains an opaque wall or opaque *fence* having a *height* of 1.5 metres or more, the width of the required *planting strip* may be reduced to 1.2 metres,

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

(a) R3-1(1) (HOTEL)
McKim Township Maps Lot 6, Con 2; Lot 6, Con 1

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 Maps Lot 6, Con 2; Lot 7, Con 2

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) *business offices and professional offices*
 - (b) *medical offices* 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 area*.

(c) R3-1(3) (HOTEL)
McKim Township Maps Lot 6, Con 2; Lot 5, Con 2

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 Maps Lot 7, Con 2; Lot 6, Con 2

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 Maps 3 and 6

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 Maps Lot 4, Con 3; Lot 5, Con 3

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)
Neelon Township Maps Lot 12, Con 4; Lot 11, Con 4

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 Maps Lot 10, Con 3; Lot 10, Con 4, Lot 11, Con 3; Lot 11, Con 4

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 Map Lot 11, Con 3

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 640 units or 800 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 refuse storage *building*.
 - (c) 11.8 metres from the westerly lot line abutting Lots 21-25 of Plan 53M-1323 and there shall be no minimum *setback* for internally shared property lines.
 - (d) The *existing* frontage on Fourth Avenue is recognized.

(j) R3-1.D30(10) Neelon Township Maps Lot 11, Con 3; Lot 12, Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1.D30(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 Map Lot 7, Con 1

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 *ground 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 Greater Sudbury.

(l) R3-1(12) (INSTITUTIONAL PARKING)
McKim Township Map Lot 6, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(12) 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, 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 Maps Lot 4, Con 3; Lot 4, Con 4;
Lot 5, Con 4

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 comprised of a maximum 372 m² 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.D59(14) McKim Township Maps Lot 5, Con 4; Lot 6, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1.D59(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) (RETIREMENT HOME)
McKim Township Map Lot 1, Con 5
Neelon Township Map Lot 12, Con 5**

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 a R3-1 *Zone*, a retirement home shall be a permitted *use*.

**(p) R3-1(16) (LEINALA SUBDIVISION)
Broder Township Maps 3 and 6**

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) (PREGNANCY CARE CENTRE AND INFANT FOOD BANK)
McKim Township Maps Lot 2, Con 6; Lot 2, Con 5

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:

- (i) The only permitted *uses* shall be a pregnancy care centre and an infant food bank within the *existing building*;
- (ii) A minimum of three *parking spaces* shall be provided with two of the *required parking spaces* permitted within the *required front yard*.

(r) R3-1(18) (OFFICE AND PHOTO STUDIO)
McKim Township Maps Lot 3, Con 6; Lot 3 Con 5;
Lot 4, Con 5; Lot 4, Con 6

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:

- (i) 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.D66(19) (32-unit multiple dwelling)
McKim Township Maps Lot 8, Con 2; Lot 8, Con 1;
Lot 9, Con 2; Lot 9, Con 1

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1.D66(19) on the *Zone Maps*, all provisions of this by-law applicable to the R3-1 Zone shall apply subject to the following modification:

- i) The maximum building height shall be 20.2 metres.

(t) R3-1(20) (TWENTY-FOUR RESIDENTIAL DWELLING UNITS)
McKim Township Map Lot 7, Con 4; Lot 6, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(20) on the *Zone Maps*, all provisions of this By-law applicable to R3-1 *Zones* shall apply subject to the following modifications:

- (i) A maximum of 26 dwelling units shall be permitted in two buildings with one *multiple dwelling* containing a maximum of 12 *dwelling units* and the other *multiple dwelling* having a maximum of 14 *dwelling units*.

(u) R3-1(21) (Additional Parking)
McKim Township Map Lot 6, Con 2

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(21) on the *Zone Maps*, all provisions of this by-law applicable to "R3-1", Multiple Residential *Zones* shall apply subject to the following modifications:

- (i) in addition to the uses permitted in an "R3-1", Multiple Residential zone 23 parking spaces to service the adjacent commercial development on lands currently zoned C4(7) shall also be permitted.

(v) R3-1(22) (65-unit multiple dwelling)
McKim Township Maps Lot 6, Con 2; Lot 7, Con 2; Lot 6, Con 3; Lot 7, Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(22) on the *Zone Maps*, all provisions of this by-law applicable to the "R3-1", Medium Density Residential zone shall apply subject to the following modifications:

- i) The only permitted *uses* shall be a 65-unit *multiple dwelling*, related *accessory uses*, and any *use* permitted in all *zones* under Section 4.40;
- ii) The maximum *building height* shall be three (3) *storeys*;
- iii) A *planting strip* comprising an opaque *fence* with a minimum *height* of 1.5 metres shall be provided along the easterly *lot line* where it *abuts* Parcel 7666 S.E.S., Part of Lot 561, Plan M-95, Part 2, Plan SR-1086.

**(w) R3-1(23) (SINGLE DETACHED DWELLINGS, DUPLEX DWELLINGS AND SEMI-DETACHED DWELLINGS)
Broder Township Map 5**

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(23) 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 *uses* shall be the following:
 - a) *duplex dwellings*;
 - b) *single detached dwellings*;
 - c) *semi-detached dwellings*;
 - d) uses accessory to the above *uses*; and
 - e) any *use* permitted in all zones under Section 4.40

**(x) R3-1.D59(24) (RETIREMENT HOME & LONG TERM CARE FACILITY)
Neelon Township Map Lot 1 Con 4 (By-law 2017-90Z)**

Notwithstanding any other provision hereof to the contrary, within any area designated “R3-1.D59(24)” on the *Zone Maps*, all provisions of this by-law applicable to the “R3-1.D59” *Zone* shall apply subject to the following modifications:

- (a) That in addition to those *uses* permitted in the “R3-1.D59” *Zone*, a *retirement home* containing a maximum of 160 *guest rooms* and a *long term care facility* containing a maximum of 275 beds is permitted; and,
- (b) The following development standards shall apply to a *retirement home* or *long term care facility*:
 - (i) Minimum *front yard* – 10 metres;
 - (ii) Minimum *rear yard* – 7.5 metres;
 - (iii) Minimum *interior side yard* – 10 metres plus an additional 1 metre for each *storey* directly adjacent to such *yard* in excess of five *storeys* above *finished grade*;
 - (iv) Maximum *lot coverage* – 50 percent;
 - (v) Minimum *landscaped open space* – 30 percent; and,
 - (vi) Maximum *building height* – 20 metres.

(y) **R3-1(25) (Multiple dwellings)**
McKim Township Maps Lot 6, Con 1; Lot 7, Con 1

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(25) on the *Zone Maps*, all provisions of this by law applicable to the "R3-1", Medium Density Residential zone shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a maximum of two (2) *multiple dwellings*, related *accessory uses* and any *use* permitted in all *zones* under Section 4.40;
- (ii) The maximum *building height* shall be six (6) *storeys*;
- (iii) A maximum of 80 *dwelling units* shall be permitted;
- (iv) The minimum *setbacks* for the *multiple dwellings* shall be as follows:
 - (a) 15 metres from Lots 10, 12, 13 and Block 11 of Plan 53M-1255;
 - (b) 45 metres from Lots 14-18 of Plan 53M-1255.

(z) **R3-1(26) (MULTIPLE DWELLING - 40 DWELLING UNITS)**

Notwithstanding any other provision hereof to the contrary, within any area designated "R3-1(26)" on the *Zone Maps*, all provisions of this by-law applicable to the "R3-1" Zone shall apply subject to the following modifications:

- (a) The only permitted *use* shall be a *multiple dwelling* containing a maximum of 40 *dwelling units* and any *use* permitted in all *zones* under Section 4.40; and,
- (b) Minimum *front yard setback* – 3 metres.

(aa) **R3-1(27) (APARTMENT BUILDING)**
Neelon Township Maps 2 and 4

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(27) on the *Zone Maps*, all provisions of this By-law applicable to R3-1 Zones shall apply subject to the following modification:

- i) No *main buildings* or *structures* shall be permitted on Parts 6, 7 and 8, Plan 53R-20805.

(bb) R3-1(28) (RETIREMENT HOME & 167 RESIDENTIAL DWELLING UNITS)
Rayside Township Maps 7 & 8

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(28) on the Zone Maps, all provisions of this By-law applicable to FD Zones shall apply subject to the following modifications:

- (i) A maximum of 167 *dwelling units* shall be permitted; and
- (iii) That in addition to the *uses* permitted in the R3-1 zone a *retirement home* shall also be permitted.

(cc) R3-1(29) (38 ROW DWELLINGS)
McKim Township Map Lot 7, Con 2

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(29) on the *Zone Maps*, all provisions of this By-law applicable to R3-1 *Zones* shall apply subject to the following modifications:

- (i) That the only permitted use shall be a maximum of 38 row dwellings and uses accessory thereto;
- (ii) That the minimum northerly and southerly *interior side yard setbacks* shall be 7.5m.

(dd) R3-1(30) (MULTIPLE DWELLINGS AND/OR RETIREMENT HOMES)
McKim Map 2 & McKim Map Lot 9, Con 1

Notwithstanding any other provision hereof to the contrary, within any area designated R3-1(30) 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, retirement homes, daycare centres* and/or *private home daycares* provided they are located within a *multiple dwelling*, along with all permitted and related accessory *uses*, and any *use* permitted in all *zones* under Section 4.40;
- (ii) The following shall also apply to those *uses* permitted herein:
 - (a) That any *multiple dwelling* contain a maximum of 32 *dwelling units per building*; and,
 - (b) That any *retirement home* contain a maximum of 80 *guestrooms per building*.

- (iii) That a *shoreline buffer area* extending to a minimum depth of 30 metres from the *high water mark* of Robinson Lake at the elevation identified in Section 1.14 shall be maintained in a natural vegetative state; and,
- (iv) That the clearing of natural vegetation within the *shoreline buffer area* shall only be permitted subject to the provisions of Section 4.41.3.

(12) SPECIAL HIGH DENSITY RESIDENTIAL ZONES - R4

**(a) R4(1) (APARTMENT BUILDING AND OTHER USES)
McKim Township Maps Lot 6, Con 1; Lot 7, Con 1**

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 service shop*;
 - (d) *retail stores*;
 - (e) *bakeries*;
 - (f) *uses accessory* to the above *uses*.
- (iii) The minimum *building setback* from Caswell Drive shall be 19.8 m;
- (iv) The maximum *commercial* floor space on Parcel 35079 shall be 975.5 m²;

(b) R4.D87(2) McKim Township Maps Lot 4, Con 4; Lot 5, Con 4

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*.

**(c) R4(3) (210 MULTIPLE DWELLING UNITS)
McKim Township Maps Lot 5, Con 2; Lot 5, Con. 3**

Notwithstanding any other provision hereof to the contrary, within any area designated R4(3) on the *Zone Maps*, all provisions of this By-law applicable to the R4 Zone shall apply subject to the following modifications:

- i) The *lot line* abutting Paris Street shall be deemed to be the *front lot line*;
- ii) The only permitted *uses* shall be *multiple dwellings* with a maximum of 210 *dwelling units* of which, a maximum of 85 *dwelling*

units shall be permitted in a new *building* to be located on the *lot* after November 20, 2012;

- iii) The maximum number of *multiple dwelling buildings* permitted on the *lot* shall be two;
- iv) The *existing building* as located on the *lot* shall be permitted and the enlargement of the *existing building* shall be permitted within the *setbacks* to the *existing building*;
- v) Notwithstanding (iv) above, the maximum addition permitted to the *existing* helipad structure shall be one *storey* located above the helipad platform;
- vi) The minimum *setback* from Facer Street to a *multiple dwelling* shall be 55 metres;
- vii) The minimum *setback* from the *rear lot line* and *interior side lot line* to a *parking structure* shall be 2 metres;
- viii) The minimum *setback* from the *rear lot line* and *interior side lot line* to *multiple dwelling units* in a *building* located above a *parking structure* shall be 7.5 metres;
- ix) The maximum *building height* shall be eight *storeys* and 32 metres;
- x) The minimum *setback* from the *front lot line* to a *multiple dwelling* comprising a new *building* to be located on the *lot* after November 20, 2012, shall be 11.3 metres;
- xi) The maximum number of surface *parking spaces* on the *lot* not including *loading spaces* shall be 20;
- xii) The minimum width of a *landscape strip abutting* Paris Street shall be 2.6 metres and from Paris Street to the *existing building* the minimum width of the *landscape strip* shall be 1.3 metres;
- xiii) Loading spaces shall also be permitted in the *corner side yard*.

(d) R4(4) (154 multiple dwelling units)
McKim Township Maps Lot 4, Con 3; Lot 5, Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated R4(4) on the Zone Maps, all provisions of this by-law applicable to R4 Zones shall apply subject to the following modifications:

- (i) The maximum number of *multiple dwelling units* shall be 154; and
- (ii) That a minimum *lot area* per *dwelling unit* of 60 m² be permitted.

(e) R4(5) (826 multiple dwelling units in two buildings)
McKim Township Maps Lot 4, Con 3; Lot 5, Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated R4(5) on the Zone Maps, all provisions of this by-law applicable to R4 Zones shall apply subject to the following modifications

- (i) The maximum number of *multiple dwelling units* shall be 826 provided they are contained within two *multiple dwellings*.”;
- (ii) Maximum *building height* - 17 storeys;
- (iii) Minimum *setback* from St. Raphael Street - 50 metres
- (iv) Minimum *setback* from Lourdes Street - 140 metres
- (v) Minimum *setback* from Van Horne Street - 140 metres

(f) R4(6) (Retirement home and multiple dwelling units)
McKim Township Maps Lot 6, Con 1; Lot 7, Con 1

Notwithstanding any other provision hereof to the contrary, within any Area designated R4(6) on the Zone Maps, all provisions of this By-law applicable to the R4 Zone shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *retirement home* containing a maximum 120 *guest rooms*, or a maximum 96 *multiple dwelling units*, or a combination of the two *uses*, related *accessory uses*, and any *use* permitted in all *zones* under Section 4.40;
- (ii) The minimum *lot frontage* shall be 20 metres.

(g) R4(7) (137 guest room retirement home)
Neelon Township Maps Lot 11, Con 4; Lot 12, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated R4(7) on the Zone Maps, all provisions of this by-law applicable to the R4 Zone shall apply subject to the following modifications:

- i) The only permitted *uses* shall be a *retirement home* with a maximum 137 *guest rooms*, related *accessory uses*, and any *use* permitted in all zones under Section 4.40;
- ii) An *outdoor parking area* shall be permitted within the *required front yard*; and,
- iii) A minimum 7.5-metre wide *planting strip* shall be provided along the entire length of the easterly *lot lines*.

(h) R4.D260(8) (High Density Residential)
McKim Township Map Lot 5, Con 5; Lot 5, Con 4;
Lot 6, Con 5; Lot 6, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated R4.D260(8) on the *Zone Maps*, all provisions of this By-law applicable to the "R4", High Density Residential Zones shall apply subject to the following modifications:

- i) A minimum 0.5 *parking space* per *dwelling unit* shall be required for a *multiple dwelling* located on Part 1, Plan 53R-3813;
- ii) The *required court* shall be a minimum 11 metres between *buildings*;
- iii) The location of the existing *multiple dwelling* on Part 2, Plan 53R-3813 shall be permitted.

**(i) ~~R4(9) (Conversion of former St. Raphael School)~~
~~MCKim Township Maps, Lot 2, Con 5; Lot 1, Con 5~~**

~~Notwithstanding any other provision hereof to the contrary, within any area designated R4(9) on the *Zone Maps*, all provisions of this by-law applicable to the "R4", High Density Residential Zone shall apply subject to the following modifications:~~

- ~~(i) The only permitted uses shall be a *multiple dwelling*, a *retirement home*, and related *accessory uses*;~~
- ~~(ii) The development shall not exceed 120 *dwelling units* or 150 *guest rooms* or a combination thereof. The formula for determining capacity shall be on~~

- ~~the basis on 1.25 guest rooms being the equivalent of 1 dwelling unit;~~
- ~~(iii) The location of the existing building shall be permitted;~~
 - ~~(iv) The maximum building height of the existing building shall not exceed two (2) storeys.~~
 - ~~(v) New buildings are permitted in accordance with the following provisions:~~
 - ~~a. The minimum setback from the southerly interior side lot line abutting Lots 8 to 11, Plan M-382 shall be 80 metres;~~
 - ~~b. The maximum building height shall be six (6) storeys;~~
 - ~~(vi) Related accessory uses are permitted in conjunction with a retirement home as follows:~~
 - ~~a. A medical office with a maximum gross floor area of 400m²;~~
 - ~~b. Not more than one personal service shop and one convenience store, not exceeding 150m² in total net floor area, accessory to, completely enclosed within and accessible only from inside the retirement home;~~
 - ~~(vii) A planting strip with a minimum depth of 1.8 metres shall be provided along the southerly interior side lot line abutting Part 1, Plan 53R-3835.~~
 - ~~(viii) A natural vegetative buffer shall be maintained 10 metres from the southerly, westerly and easterly interior side lot lines abutting the rear yards of Lots 5 and 6, Plan M-1116, Lots 8 to 14, 16 and 17, Plan M-382, and Part 1, Plan 53R-3835;~~
 - ~~(ix) A natural vegetative buffer shall be maintained with a minimum width of 20 metres from the northerly rear lot line.~~
 - ~~(x) A steel guardrail, constructed in manner consistent with applicable provincial standards to prevent vehicles leaving the travelled portion of the South Driveway, adjacent to the slope, shall be constructed along the south boundary of the South Driveway as it extends to the north and the length of the Appellant's property, being Part 1 on Plan 53R-3835, PIN Parcel 02124-0158;~~
 - ~~(xi) A board-to-board fence of quality materials, at the maximum height permitted by the City's By-law(s) relating to fences shall be constructed along the length of the north boundary of Part 1 on Plan 53R-3835, PIN 02124-0158; and,~~
 - ~~(xii) The final form of existing gymnasium located shall be designed and constructed so as to allow for the creation of a covered walkway, within the first floor of the southern portion of the gymnasium built form, along its entire length, to be intergrated into the final design of the pedestrian and vehicular portions of the driveway running along the southerly interior side lot line abutting Part 1 on Plan 53R-3835 and continuing along the entire length of the south façade and portion of gymnasium, with final specifics to be determined during the Site Plan approval process.~~

(13) SPECIAL RESIDENTIAL MOBILE HOME ZONES - RMH

**(a) RMH-1(1) (203 SITE MOBILE HOME TRAILER PARK,
CONVENIENCESTORE AND ADMINISTRATIVE OFFICES)
Hanmer Township Maps 1 and 11**

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) 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;
- (ii) 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.
- (iii) 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) (S.W. CORNER R.R.#15 & MONTEE PRINCIPALE) Rayside Township Maps 1 and 9

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*, *automotive service station*, *restaurant*, and two *dwelling units*.

(b) C1(2) (LAURIER ST. - CONVENIENCE STORE) Rayside Township Maps 2 and 7

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 Maps 2 and 4

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) The only permitted *use* shall be a *dwelling unit* with or without a *medical office*.

(d) C1(4) (SILKSCREENING BUSINESS)
Hanmer Township Maps 2 and 4

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* setback 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 Maps Lot 1 Con 3; Lot 1, Con 4;
Lot 2, Con 3; Lot 2, Con 4

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 the C1 Zone, an *office* and a *restaurant* shall also be permitted.
- (ii) The *maximum gross floor area* of the restaurant shall be 120 m².
- (iii) A *drive-through service facility* is not permitted.

~~(f) C1(6) (TAKE-OUT RESTAURANT WITH NO DRIVE-THROUGH
McKim Township Maps Lot 1, Con 3; Lot 2, Con 3;
Lot 1, Con 4 By-law 2017-83Z~~

~~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 restaurant* without a *drive-through service facility* shall be permitted.~~
- ~~(ii) A minimum of ten (10) *parking spaces* shall be provided for the *take-out restaurant use*.~~

(g) C1(7) McKim Township Maps Lot 4, Con 4; Lot 5, Con 4

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 Maps Lot 6, Con 2; Lot 6, Con 3;
Lot 7, Con 2; Lot 7, Con 3**

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 Maps Lot 6, Con4; Lot 5, Con 4

(By-law 2015-72Z)

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 Maps Lot 6, Con 4; Lot 7, Con 4**

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 Maps Lot 6, Con 4; Lot 7, Con 4**

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 Map Lot 6, Con 4**

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 Maps Lot 2, Con 5; Lot 1, Con 5;
Lot 1, Con 6; Lot 2, Con 6**

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 Maps Lot 4, Con 5; Lot 3, Con 5;
Lot 3, Con 6; Lot 4, Con 6**

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) MEDICAL OFFICE
McKim Townships Lot 6, Con 1; Lot 7, Con 1

Notwithstanding any other provision hereof to the contrary, within any area designated C1(15) 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 *medical office* with a *net floor area* of 278 m²;
 - (b) 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.

(p) C1(16) McKim Township Maps Lot 5, Con 5; lot 5, Con 4

(By-law 2015-72Z)

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 Maps Lot 9, Con 3

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 Maps Lot 11, Con 6, Lot 11, Con 5

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 Map 7

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 Maps Lot 7, Con 3; Lot 6, Con 3;**~~
~~**Lot 7, Con 4; Lot 6, Con 4**~~

~~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 Maps Lot 7, Con 1; Lot 7, Con 2;
Lot 6, Con 2

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 Map 7

Notwithstanding any other provision hereof to the contrary, within any area designated 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 Maps 5 and 6

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 Map 6

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 Zones 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 Maps Lot 7, Con 3; Lot 7, Con 4

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 Maps Lot 3, Con 5; Lot 3, Con 6

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 Map 5

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) (Graphic Designer/ Digital Print Shop) Neelon Township Lot 10, Con 6 & Lot 10, Con 5

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", Local Commercial Zones shall apply subject to the following modifications:

- (i) in addition to the *uses* permitted in an C1 zone the premises of a graphic designer/ digital imaging print shop shall also be permitted.

**(cc) C1(29) (OFFICE AND PERSONAL SERVICES)
Broder Township Map 4**

Notwithstanding any other provision hereof to the contrary, within the area designated C1(29) 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 *personal services shop, offices* and a maximum of two *dwelling units*.

**(dd) C1(30) Business Office
McKim Township Map, Lot 2, Concession 4**

Notwithstanding any other provision hereof to the contrary, within any area designated "C1(30)" on the Zone Maps, all provisions of this by-law applicable to "C1", Local Commercial Zones shall apply subject to the following modifications:

- (i) in addition to the uses permitted in a C1 zone a *business office* shall also be permitted.
- (ii) that the permitted commercial uses be restricted to a maximum of 158 m² (1,700 square feet).

**(ee) C1(31) (FIVE DWELLING UNITS)
McKim Township Lot 7, Con 4**

Notwithstanding any other provision hereof to the contrary, within the area designated C1(31) on the Zone Maps, all provisions of this By-law applicable to C1 Zones shall apply subject to the following modification:

- (i) A maximum number of five dwelling units shall be permitted without a commercial use.
- (ii) A maximum of four dwelling units will be permitted with a commercial use.

**(ff) C1(32) (Medical office & one dwelling unit)
Neelon Township Maps Lot 11, Con 6; Lot 11, Con 5; Lot 10, Con 6; Lot 10, Con 5.**

Notwithstanding any other provision hereof to the contrary, within any area designated C1(32) on the Zone Maps, all provisions of this by-law applicable to the "C1", Local Commercial zone shall apply subject to the following modification:

- i) The only permitted *uses* shall be a *medical office* and one (1) *dwelling unit* with or without a *non-residential use*, related *accessory uses*, and any *use* permitted in all *Zones* under Section 4.40 of Part 4.

(gg) C1(33) (Medical office & two dwelling units)
Hanmer Township Map 4

Notwithstanding any other provision hereof to the contrary, within any area designated C1(33) on the *Zone Maps*, all provisions of this by-law applicable to the "C1", Local Commercial zone shall apply subject to the following modification:

- i) The only permitted *uses* shall be a *medical office* and two (2) *dwelling units* with or without a *non-residential use*, related *accessory uses*, and any *use* permitted in all *Zones* under Section 4.40 of Part 4.

(hh) C1(34) (ADDITIONAL COMMERCIAL USES)
McKim Township Map Lot 5, Concession 1 & Broder Township Map 4

Notwithstanding any other provision hereof to the contrary, within any area designated C1(34) on the *Zone Maps*, all provisions of this By-law applicable to C1 *Zones* shall apply subject to the following modification:

- (a) In addition to the *uses* permitted in the C1 *Zone*, a *business office*, *retail store*, a custom print or copy shop, a *take-out restaurant* and a catering business shall also be permitted.

(2) SPECIAL COMMERCIAL ZONES- GENERAL COMMERCIAL C2

**(a) C2(1) (PUBLIC ELECTRICITY UTILITY)
Capreol Township Map 4**

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 side 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 Map 5**

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 C2 Zones shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in a C2 zone, a drilling company shall also be permitted.
- (ii) 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 Map 5

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 Map 5

Notwithstanding any other provision hereof to the contrary, 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 Map 3

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 Map 5

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.

(g) C2(7) (BINGO HALL - FUNERAL PARLOUR)

Balfour Township Maps 4 and 5

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*;
- (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) (IMPOUNDING YARD) Neelon Township Map 1

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 Map 3

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 Maps 4 and 5

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 Map 3

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 Map 5~~

~~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) The only permitted use shall be a *restaurant*.~~

(m) C2(13) (AUTOMOTIVE REPAIR SHOP)
Balfour Township Map 2

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 Map 5

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) The only permitted *use* shall be a *restaurant*.

(o) **C2(15) (MOTEL)**
Balfour Township Map 2

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) (RETIREMENT HOME - RESIDENTIAL/COMMERCIAL)**
Waters Township Maps 5 and 6

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 *retirement home* with a maximum of 60 *guest rooms*; 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 *retirement home* with a maximum of 25 *guest rooms*;~~

~~(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:~~

~~*retirement home*: 0.5 spaces for each of the first 30 *guest rooms* plus 0.25 spaces for each additional *guest room*~~

~~_____ *multiple dwelling 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 this By-law shall not apply to prevent the connection of the *commercial building* to the *residential building* located on Parts 1 and 2, Plan 53R-16585 except Parts 1 and 2, Plan 53R-17181.
- 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 Map 3**

Notwithstanding any other provision hereof 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) Boats and Boat Trailers
Graham Township Map 3**

Notwithstanding any other provision hereof 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) That in addition to the *uses* permitted in a C2 Zone, the assembly and manufacture of boats and boat trailers shall be permitted.

(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 the *uses* permitted in the C2 zone, the following *uses* shall also be permitted:
 - (a) A sanitation *business office* and related *accessory* equipment and supply storage and *accessory vehicle* garage and parking; and,
 - (b) A *waste disposal area* for the purposes of processing grease trap waste, limited to 102 m² of *gross floor area*.

(t) C2(20) (HOTEL WITH 22 DWELLING UNITS)
Neelon Township Maps 3 and 4

Notwithstanding any other provision hereof 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) A minimum of 31 *parking spaces* shall be provided.

(u) C2(21) (MULTIPLE AT 60 UNITS PER HECTARE)
Dowling Township Maps 5 and 6

Notwithstanding any other provision hereof 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 a *retail store*, *offices*, *personal service shops* and a *multiple dwelling* with or without a permitted *non-residential use*, to a maximum net *residential density* of 60 units per hectare. For mixed use buildings, *residential uses* shall be located above *non-residential uses*;

(v) C2(22) (FUNERAL HOME)
Hanmer Township Map 9

Notwithstanding any other provision hereof 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 Maps 5 and 7

Notwithstanding any other provision hereof 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)
Bleazard Township Maps 6 and 7

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 3 metre wide landscape strip shall be provided along the easterly limits of Lots 12 and 13, Plan M-276.

(y) C2(25) (RETIREMENT HOME)
Bleazard Township Map 7

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 *long term care facility* and 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 *long term care facility* shall provide 1 *parking space* per 4 beds.
- (vi) A *retirement home* 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 Map 7**

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 Maps Lot 3, Con 4; Lot 4, Con 4

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 *professional offices, 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*. (2013-161Z)
- (ii) No *building* shall be permitted within 67 metres of the north limit of the Kingsway or within 6 metres of any other *lot line*.

**(bb) C2(28) (HOTEL OR MULTIPLE DWELLING)
Hanmer Township Map 10**

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 a *hotel* containing a maximum of 18 *guest rooms* or a *multiple dwelling* containing a maximum of 12 *dwelling units*.

(cc) C2(29) (RENOVATION BUSINESS & ACCESSORY STORAGE)

Blezard Township Map 10

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 Map Lot 6, Con 1

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 613 m² 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:
 - (a) *Front yard* - 7.6 m
 - (b) *North side yard* - 7.9 m
 - (c) *South side yard* - 6.0 m

(ee) C2(31) McKim Township Map Lot 6, Con 1

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 service shop*, *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 Maps Lot 6, Con 1; Lot 7, Con 1

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 Map Lot 6, Con 2**

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 Map Lot 7, Con 1**

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 Maps Lot 7, Con 2; Lot 7, Con 1
Lot 6, Con 1; Lot 6, Con 2**

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 service shop*;
 - (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 service shops* 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 Map Lot 5, Con 3; Lot 4, Con 3**

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.
- (vii) A *drive-through service facility* shall not be permitted.

(kk) C2(37) McKim Township Maps Lot 5, Con4; Lot 4, Con 4

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.

(ll) C2(38) McKim Township Maps Lot 5, Con 4; Lot 4, Con 4

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 Maps Lot 5, Con 4; Lot 4, Con 4

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 83 *parking spaces* shall be provided.
- (iii) Notwithstanding Clause (i) above, a *restaurant* with a maximum seating capacity of 20 *persons*, which shall include a *take-out restaurant*, shall be permitted.

(nn) C2(40) (CLARIDGE CENTRE)

McKim Township Map Lot 6, Con 4

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*.
- (v) A *drive-through service facility* shall not be permitted.

(oo) C2(41) (AUTO BODY REPAIR SHOP)
McKim Township Maps Lot 7, Con 3; Lot 6, Con 3

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 Twp Maps Lot 7, Con 3; Lot 7, Con 2; Lot 8, Con 3

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 *ground 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 Maps Lot 7, Con 4; Lot 7, Con 3;
Lot 6, Con 4; Lot 6, Con 3

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 Maps Lot 3, Con 6; Lot 4, Con 6;
Lot 3, Con 5; Lot 4 Con 5

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 Maps Lot 2, Con 5; Lot 2, Con 6;
Lot 1, Con 5**

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 Maps Lot 1, Con 6; Lot 2, Con 6; Lot 1,
Con 5; Lot 2, Con 5**

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) ground floor retail *uses* not to exceed a *gross floor area* of 874 m²;
 - (b) second floor retail *uses* not to exceed a *gross floor area* of 300 m²;
 - (c) *office uses* not to exceed a *gross floor area* of 446 m²;
 - (d) storage *uses* not to exceed a *gross floor area* of 414m²;
 - (e) *commercial recreation centre uses* not to exceed a *gross floor area* of 414m² with an occupancy of not more than 30 persons, with accessory uses not to exceed 20 m² net floor area;
 - (f) *restaurant* not to exceed a *gross floor area* of 112 m²;
 - (g) a maximum of six (6) *dwelling units* shall be permitted on the second floor;
 - (h) 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 Maps Lot 2, Con 6; Lot 2, Con 5;
Lot 3, Con 6; Lot 3, Con 5

(By-law 2015-72Z)

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 and service establishment*;
 - (g) a *taxi stand*;
 - (h) a *veterinarian clinic*.
- (ii) Notwithstanding Clause (i) above, an *automotive lube shop* with a maximum *gross floor area* of 183 m² shall be permitted.
- (iii) The maximum *height of buildings* shall not exceed 1 *storey*.
- (iv) A minimum of one *parking space* per 18.5 square metres of *net floor area* shall be provided.

(vv) C2(48) McKim Township Maps Lot 3, Con 6; Lot 3, Con 5

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 service shops, offices, excluding medical offices, a bakery, one dwelling unit, and their related accessory uses.*
 - 2. On Part.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 Maps Lot 4, Con 6; Lot 4, Con 5;
Lot 5, Con 5

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 Maps Lot 4, Con 6; Lot 4, Con 5;
Lot 5, Con 5

(By-law 2015-72Z)

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 0.6m 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 Maps Lot 5, Con 5; Lot 4, Con 5;
Lot 5, Con 4; Lot 4, Con 4**

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 service shops, 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*.
- (iii) Automotive uses shall provide 1 parking space for every 40 m² of gross floor area.

**(zz) C2(52) Neelon Township Maps Lot 10, Con 4; Lot 10, Con 3;
Lot 9, Con 3; Lot 9, Con 4**

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 service shops* 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 service shops* 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 Maps Lot 10, Con 6; Lot 10, Con 5;
 Lot 9, Con 6; Lot 9, Con 5**

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 sales establishment, automotive repair shop, automotive accessories store*, related *accessory uses*, and any *use* permitted in all zones under Section 4.40;
- (ii) *Accessory outdoor storage* shall not be permitted;
- (iii) A minimum of 16 *parking spaces* shall be provided;
- (iv) The location of the *existing building* shall be permitted; and,
- (v) A landscaped area adjacent to the full length of a *lot line abutting* all *public roads* shall not be *required*, with the following exceptions:
 - 1. A landscaped area with a minimum width of 2 metres shall be *required abutting* the Falconbridge Road *street line* as measured 45 metres from the northerly limit of the property; and,
 - 2. *Existing* landscaping adjacent to Lebel Street.

(bbb) C2(54) Neelon Township Maps Lot 12, Con 6; Lot 12, Con 5

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 Maps Lot 12, Con 6; Lot 12, Con 5;
Lot 11, Con 6; Lot 11, Con 5**

(By-law 2015-72Z)

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 Map 3

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 a *multiple dwelling* with a maximum of 60 *dwelling units*, related *accessory uses*, and any *use* permitted in all *Zones* under Section 4.40 of Part 4;
- ii) A *maximum gross floor area* of 2.1 times the *lot area* shall be permitted;
- iii) The maximum *building height* shall be 21 metres and shall not exceed seven *storeys*; and,
- iv) The minimum *rear yard* shall be 7.5 metres, except for any part of the *building* greater than two (2) *storeys* the *setback* shall be a minimum of 40 metres from the *building line* of the *multiple dwelling* to the easterly *lot line*.

**(eee) C2(57) (AUTOMOTIVE REPAIRS)
McKim Township Maps Lot 4, Con 5; Lot 4, Con 6;
Lot 5, Con 5**

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 *vehicle 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 Maps Lot 11, Con 6; Lot 11, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated C2(58) 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 the following:

- *offices*, excluding *medical offices*;
- *personal service shops*;
- *audio/visual studio*;
- *a bake shop*;
- *automotive accessories 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 outlet*.

(ii) That a minimum of 23 *parking spaces* shall be provided.

(ggg) C2(59) McKim Township Maps Lot 2, Con 5; Lot 2, Con 6

Notwithstanding any provision hereof to the contrary, within any area designated C2(59) 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 *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 establishment*;
- a *service shop*;

- an *office*;
 - a *personal service shop*;
 - a *restaurant*;
 - a *retail store*;
 - a *service trade*;
 - a *small recreation vehicle sales and service 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 Maps Lot 6, Con 1; Lot 5, Con 1

Notwithstanding any other provision hereof to the contrary, 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 Maps Lot 7, Con 1; Lot 7, Con 2;
 Lot 6, Con 1; Lot 6, Con 2**

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) (LIMITED C2 USES)
McKim Township Maps Lot 3, Con 6; Lot 3, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated C2(62) 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 three (3) *dwelling units*, a skate and tool sharpening business, *retail stores*, *offices*, *personal service shops* and *service trades*;
- (ii) That the most northerly 18.2 metres 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 Northway Avenue and Lasalle Boulevard shall be 4.5 m;
- (v) That the minimum northerly *side yard requirement abutting* Lot 19, Plan M-383, excepting Part 1 Plan 53R-15979, shall be 2 metres;
- (vi) That a minimum of 1 *parking space* shall be provided per 23.5 square metres of net floor area for a skate and tool sharpening business, *retail stores*, *offices*, *personal service shops* and *service trades*;
- (vii) *Parking areas* shall be permitted with a minimum *setback* of 0.5 metres from 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 18.2 m from the most northerly *lot line*;
- (ix) A *planting strip* 0.5 metres in width shall be *required* along the easterly *side lot line abutting* the westerly *lot lines* of Lot 17 and 18, Plan M-383, the northerly *side lot line abutting* the south *lot line* of Lot 18, Plan M-383, the easterly *side lot line abutting* the westerly *lot line* of Lot 19, Plan M-383, excepting Part 1 Plan 53R-15979, as well as the northerly *side lot line abutting* Lot 19, Plan M-383, excepting Part 1 53R-15979, together with an opaque *fence*.
- (x) A *private garage* and *retaining wall* greater than 1 m in height shall be permitted with a setback of 1.2 m from northerly *side lot line abutting* the south *lot line* of Lot 18, Plan M-383 and 1.2 m from the easterly *side lot line abutting* the westerly *lot line* of Lot 19, Plan M-383, excepting Part 1 Plan 53R-15979;

- (xi) A *retaining wall* greater than 1 m in height shall be permitted with a *setback* of 0 m along the *easterly side lot line abutting* the *westerly lot lines* of Lot 17 and 18, Plan M-383; and
- (xii) A refuse enclosure and *loading space* shall be permitted with a minimum *setback* of 0.5 m from the *westerly lot line*.

(kkk) C2(63) McKim Township Map Lot 7, Con 1

Notwithstanding any other provision hereof to the contrary, within any area designated C2(63) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The only *uses* permitted shall be either *uses* under (a) or (b) 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 (a) shall be permitted in conjunction with the *use* described in Sub-Clause (b).

**(III) C2(64) (MEDICAL OFFICES/PHARMACY)
McKim Township Maps Lot 5, Con 4; Lot 5, Con 5;
Lot 4, Con 4; Lot 4, Con 5**

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 Maps Lot 11, Con 5; Lot 12, Con 5**

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 Maps Lot 5, Con 4; Lot 4, Con 4

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 Map Lot 1, Con 4
Neelon Township Maps Lot 12, Con 4; Lot 12, Con 5

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:

- *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*;
- *audio/visual studio*;
- *bake shop*;
- *commercial recreation centre*;
- *commercial school*;
- *day care centre*;
- *hotel*;
- *institutional use*;
- *office*, provided that not more than 50% of the total *gross floor area* within the C2(67) zone is occupied by *office uses*;
- *personal service shop*;
- *tavern*;
- *restaurant*;
- *retail store*;
- *scientific or medical laboratory*;
- *service trade*;
- *vehicle rental establishment* engaged in the rental primarily of *non-commercial vehicles* other than *recreation vehicles*; and,
- any use permitted in all Zones under Section 4.40 of Part 4 hereof.

(ii) The maximum *building height* shall be 18 metres.

(ppp) C2(68) (LIMITED C2 USES)
Neelon Township Maps Lot 10, Con 6; Lot 9, Con 6

Notwithstanding any other provision hereof to the contrary, within any area designated 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* with a 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;
 - 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 side 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 Maps Lot 4, Con 5; Lot 4, Con 6;
Lot 5, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated 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 Maps Lot 5, Con 4; Lot 4, Con 4

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*;
 - *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 Map Lot 8, Con 2**

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 *small recreation vehicle sales and service 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) (Limited C2 Uses)

McKim Township Maps Lot 8, Con 2; Lot 8, Con 3; Lot 9, Con 2

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 as follows:
- *offices*;
 - a *personal service shop*;
 - a *public agency*;
 - service trades that develop, assemble, distribute, service, and repair of small electronic instrumentation and monitoring equipment and the warehousing or storing of related goods or materials indoors;
 - any *use* permitted in all *Zones*.
- (ii) The maximum *gross floor area* for all uses shall not exceed 2,920 m².

(uuu) C2(73) (DATA STORAGE AND RESIDENTIAL UNIT)
McKim Township Maps Lot 12, Con 2; Lot 12 Con 3

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 C2 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 Maps Lot 10, Con 5; Lot 11, Con 5

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.1) C2(75) (TRANSPORT TRAINING SCHOOL)
Neelon Township Maps Lot 10, Con 3; Lot 10, Con 4

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 modifications:

- (i) The only permitted *uses* shall be as follows:
 - (a) a *trade school* offering transport training with *accessory office uses*;
 - (b) storage for an *institutional use*; and,
 - (c) *offices* and related *accessory uses*.

(www)C2(76)

(STORAGE AND OFFICE USE)

McKim Township Maps Lot 7, Con 3; Lot 6, Con 3

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 Zones 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 Map 5

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 Maps Lot 5, Con 4; Lot 4, Con 4

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 an *automotive service station*, *convenience store* and donut and ice cream shop.

(zzz) C2(79)

(RESTAURANT USE)

Dowling Township Map 6

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 Maps Lot 12, Con 4; Lot 11, Con 4

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 as follows:

art gallery;
commercial recreation centre,
commercial school;
custom print or copy shop;
institutional use;
office;
personal service shop;
pet grooming establishment;
pharmacy;
residential uses as permitted under Table 7.1;
restaurant;
retail store;
scientific or medical laboratory;
veterinary clinic;
related accessory uses; and,
any use permitted in all Zones under Section 4.40 of Part 4.

(bbbb)C2(81) (SCHOOLS, ETC.)
McKim Township Maps Lot 6, Con 3; Lot 7, Con 3

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, an office, a day care centre, a scientific or medical laboratory, a related accessory use.*

(cccc)C2(82) (SINGLE DETACHED DWELLING AND SERVICE TRADES)
McKim Township Maps Lot 9, Con 2; Lot 8, Con 2

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 Maps 3 and 6

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*;
a *vehicle sales or rental 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 Maps Lot 2, Con 4; Lot 3, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated 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, a business involved in the manufacture, wholesale, retail and storage of party novelty products shall be permitted.

(ffff) C2(85) Dryden Township Map 5

Notwithstanding any other provision hereof to the contrary, within any area designated 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 Map 5

Notwithstanding any other provision hereof to the contrary, within any area designated 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 Maps Lot 5, Con 4; Lot 4, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated 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.

(iii) C2(88) HOTEL
Blezard Township Map 7

Notwithstanding any other provision hereof to the contrary, within any area designated C2(88) 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:
- *hotel* with a maximum of 45 *guest rooms*;
 - *offices*;
 - *retail*;
 - *convenience store*;
 - *custom print or copy shop*;
 - *personal service shop*;
 - *commercial recreation centre*;
 - *day care centre*;
 - farmer's open air market; and,
 - any *use* permitted in all *Zones* under Section 4.40 of Part 4 hereof.
- (ii) The farmer's open air market shall be located within the *required rear yard*. For the purposes of Part 11, Section 2, Subsection (2), Paragraph (iii), a farmer's open air market shall be defined as "An establishment or *premises* where the farm products of a local farming community are sold at retail from uncovered or *open air* areas designated for individual retailers.

(jjjj) C2(89) Drive-Throughs Prohibited
McKim Township Maps Lot 6, Con 3; Lot 6, Con 4;
Lot 5, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated C2(89) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modification:

- (i) A *drive-through service facility* shall not be permitted.

(kkkk) C2(90)
Neelon Township Lot 11, Con 5; Lot 11, Con 6; Lot 12, Con 5; Lot 12,
Con 6

Notwithstanding any other provision hereof to the contrary, within any area designated C2(90) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The *existing building* as located on the *lot* shall be permitted;
- (ii) The *existing lot* as configured shall be permitted.

(mmmm) C2(92) (Parking area)
McKIM MAPS Lot 4 Con 5, Lot 5 Con 5, Lot 4 Con 6

Notwithstanding any other provision hereof to the contrary, within any area designated C2(92) 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 parking accessory to the abutting commercial property to the east.

(nnnn) C2(93) (Personal service shop)
McKim Township Maps Lot 7, Con 1; Lot 7, Con 2;
Lot 6, Con 1; Lot 6, Con 2

Notwithstanding any other provision hereof to the contrary, within any area designated C2(93) on the Zone Maps, all provisions of this by-law applicable to the C2 Zone shall apply subject to the following modifications:

- i) The only permitted *uses* shall be a *personal service shop*, which shall include a day spa, and one (1) *dwelling unit* with or without a *non-residential use*, related *accessory uses*, and any *use* permitted in all *Zones* under Section 4.40 of Part 4;
- ii) The minimum *lot frontage* shall be 14.8 metres;
- iii) The minimum northerly *interior side yard* shall be 1.3 metres;
- iv) The minimum *lot area* shall be 1,153 m²; and,
- v) A *planting strip* in the form of a 1.8 metre opaque *fence* shall be required along the southerly *lot line* from the front *building line* to the westerly limit of the *rear yard parking area*.

**(oooo) C2(94) (Commercial self-storage facility)
Neelon Map 1**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(94) on the Zone Maps, all provisions of this by-law applicable to the C2 Zone shall apply subject to the following modifications:

- i) In addition to the *uses* permitted in the C2 zone, a *commercial self-storage facility* shall also be permitted;
- ii) Container-based modular units shall be permitted only as an *accessory use* to a wholly enclosed *commercial self-storage building(s)*;
- iii) The minimum *front yard setback* shall be 14 metres;
- iv) *Outdoor storage* shall be permitted subject to the provisions of Section 4.28 of Part 4;
- iv) The minimum width of the *planting strip* abutting the east, north and west limits of Parcels 16142 and 16143 S.E.S. shall be 5 metres.

**(pppp) C2(95) (Coffee company, office uses)
McKim Township Maps Lot 3 Con 4; Lot 2 Con 4; Lot 3, Con 3; Lot 2, Con 3.**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(95) on the Zone Maps, all provisions of this by-law applicable to the C2 Zone shall apply subject to the following modifications:

- i) The only permitted *uses* shall be as follows:
 - 1. A coffee service and supply company;
 - 2. *Offices*;
 - 3. Two (2) *dwelling units*;
 - 4. Related *accessory uses*; and,
 - 5. Any *use* permitted in all *Zones* under Section 4.40 of Part 4.

**(qqqq) C2(96) (3 UNIT MULTIPLE DWELLING)
Rayside Township Maps 2 and 5**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(96) on the Zone Maps, all provisions of this by-law applicable to the C2 Zone shall apply subject to the following modifications:

- i) In addition to the uses permitted in a C2 Zone, on Parts 1 & 2, Plan 53R-19999 a *multiple dwelling* with a maximum of three *dwelling units* is permitted;
- ii) On Parts 1 & 2, Plan 53R-19999, the following shall apply:
 - (a) A minimum *lot area* of 560 square metres shall be provided;
 - (b) A minimum *lot frontage* of 18 metres onto St. Agnes Street shall be provided; and,
 - (c) A minimum westerly *interior side yard* of 1.2 metres for a two-storey *multiple dwelling*.
- iii) On Parts 3 & 4, Plan 53R-19999 a minimum *lot area* of 760 square metres shall be provided.

**(rrrr) C2(97) (Office building with special setbacks)
Broder Township Map 6**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(97) on the Zone Maps, all provisions of this by-law applicable to the C2 Zone shall apply subject to the following modifications:

- i) The only permitted *uses* shall be *offices*, related *accessory uses*, and any *use* permitted in all *zones* under Section 4.40;
- ii) The maximum *building height* shall be two (2) *storeys*;
- iii) The minimum *setback* along the southeasterly lot line where it abuts Parts 2 to 10, Plan 53R-19206 and Lots 15 to 17, Plan 53M-1238 shall be 15 metres;
- iv) A buffer comprising existing natural vegetation with a minimum depth of 8 metres shall be provided along the southeasterly lot line where it abuts Parts 2 to 10, Plan 53R-19206 and Lots 15 to 17, Plan 53M-1238, excluding any clearance required to address servicing and drainage.

**(ssss) C2(98) (Contractor's yard with outdoor storage)
Waters Township Map 3**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(98) on the Zone Maps, all provisions of this by-law applicable to the C2 Zone shall apply subject to the following modifications:

- i) In addition to the *uses* permitted in the C2 zone, a *contractor's yard* shall also be permitted;
- ii) A five-metre wide *planting strip* shall be required adjacent to the full length of any *lot line* abutting a Residential (R) zone;
- iii) *Outdoor storage* shall be permitted subject to the provisions of Section 4.28;
- iv) Notwithstanding Clause iii) above, *outdoor storage* shall be permitted within any *yard abutting* a residential zone boundary provided it is located a minimum five (5) metres from any *lot line*.

**(tttt) C2(99) (HEAVY EQUIPMENT SALES AND RENTAL)
Neelon Township Maps 1 & 2**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(99) on the Zone Maps, all provisions of this by-law applicable to the "C2", General Commercial Zone shall apply subject to the following modifications:

- i) In addition to the *uses* permitted in the C2 Zone, a *Heavy Equipment Sales and Rental* business including *outdoor* trailer display areas shall be permitted.

**(uuuu) C2(100) (Commercial self-storage facility)
Waters Township Map 5**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(100) on the Zone Maps, all provisions of this by-law applicable to the C2 Zone shall apply subject to the following modifications:

- i) In addition to the *uses* permitted in the C2 zone, a *commercial self-storage facility* shall also be permitted within the existing building.

(vvvv)C2(101) (Heavy equipment sales & rental)
McKim Township Maps Lot 8, Con 2; Lot 7, Con 2

Notwithstanding any other provision hereof to the contrary, within any area designated C2(101) on the Zone Maps, all provisions of this by-law applicable to the C2 Zone shall apply subject to the following modifications:

- i) In addition to the *uses* permitted in the C2 zone, a *heavy equipment sales and rental* establishment and related *accessory uses* shall also be permitted, provided that the *vehicle* weight does not exceed 2,000 kilograms;
- ii) *Outdoor storage* shall be permitted in the *rear yard* subject to the provisions of Section 4.28 of By-law 2010-100Z;
- ii) An opaque *fence* with a minimum *height* of 2 metres shall be required *abutting* the land in the *rear yard*.

(www)C2(102) (MULTIPLE DWELLING & LOCAL COMMERCIAL USES)

Notwithstanding any other provision hereof to the contrary, within any area designated C2(102) 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) a *multiple dwelling* containing a maximum of 18 *dwelling units*, with *dwelling units* on the ground floor with or without permitted commercial uses; and,
 - (b) a *convenience store, day care centre, laundromat, medical office, personal service shop or pet grooming establishment* on the *ground floor* of the existing building.

(xxxx) C2(103) (Limited C2 Uses)
McKim Township Maps Lot 7, Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated C2(103) 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* within the *existing building* shall be as follows:
 - *institutional uses*;

- a *place of amusement*;
- a *private club*;
- a *commercial recreation centre*;
- a *theatre*;
- a *banquet hall*;
- an *art gallery*;
- an *assembly hall*;
- an *audio visual studio*;
- *business offices* not to exceed a *net floor area* of 280 m²;
- *restaurant uses* not to exceed a *net floor area* of 350 m²; and
- *tavern uses* not to exceed a *net floor area* of 350 m²;

(ii) The *existing building* as located on the *lot* is permitted.

(iii) No *parking spaces* shall be required for the *existing building*.

(yyyy) C2(104) (Limited C2 Uses)
Neelon Township Maps Lot 12, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated C2(104) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The following *uses* shall not be permitted:
- *automotive lube shop*;
 - *automotive repair shop*;
 - *automotive service station*;
 - *car wash*; and
 - *gas bar*.

(zzzz) C2(105) (Limited C2 Uses)
McKim Township Maps Lot 1, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated C2(105) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The following *uses* shall not be permitted:
- *automotive lube shop*;
 - *automotive repair shop*;
 - *automotive service station*;
 - *car wash*; and
 - *gas bar*.

**(aaaaa) C2(106) (AUTOMOTIVE BODY SHOP)
McKim Township Maps Lot 2, Con 4**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(106) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (ii) In addition to the *uses* permitted in a C2 zone, an *automotive body shop* shall also be permitted.

**(bbbbb) C2(107) (Limited General Commercial uses)
Broder Township Map 3**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(107) on the *Zone Maps*, all provisions of this by-law applicable to the "C2", General Commercial zone shall apply subject to the following modifications:

1. The only permitted *uses* shall be *offices, day care centre, scientific or medical laboratory* and related *accessory uses*, but shall exclude *financial institutions*;
2. The minimum *corner side yard setback* abutting Long Lake Road shall be 4.5 metres;
3. The maximum *building height* shall be 2 storeys;

**(ccccc) C2(108) Meadowbrook Retirement Village
Waters Township Maps 5 and 6**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(108) on the *Zone Maps*, all provisions of this by law applicable to the "C2", General Commercial zone shall apply subject to the following modifications:

- (i) The only permitted *uses* shall include the following:
 - (a) A *retirement home* with a maximum of 131 *guest rooms*;
 - (b) A *multiple dwelling* with a maximum of 72 *dwelling units*;
 - (c) A maximum of 14 *row dwelling units*;
 - (d) A *medical office* with a maximum *gross floor area* of 400 m²;
 - (e) Related *accessory uses* to include not more than one *personal service shop* and one *convenience store*, not exceeding 150 m² in total *net floor area*, *accessory to*, completely enclosed within and accessible only from inside the *retirement home*.
- (ii) A minimum of 170 *parking spaces* shall be provided;
- (iii) The maximum *building height* shall be 3 storeys;

- (iv) The minimum easterly *interior side yard setback* shall be 1.8 metres;
- (v) The *interior side yard* width requirements of this By-law shall not apply to prevent the connection of the *residential building* to the *commercial building* located on Parts 1 & 2, Plan 53R-17181.

(ddddd) C2(109) (Limited General Commercial Uses)
McKim Township Map Lot 7, Con 1; Lot 6, Con 1

Notwithstanding any other provision hereof to the contrary, within any area designated C2(109) on the *Zone Maps*, all provisions of this by-law applicable to the "C2", General Commercial *zone* shall apply subject to the following modifications:

- i) That the only permitted *uses* shall be as follows:

- *Accessory Outdoor Display and Sales*
- *Animal Shelter*
- *Art Gallery*
- *Audio/Visual Studio*
- *Bake Shop*
- *Business Office*
- *Commercial School* if contained *indoors* and does not include the on-site *use* or *parking* of *commercial vehicles* or construction equipment
- *Convenience Store*
- *Custom Print or Copy Shop*
- *Day Care Centre*
- *Dry Cleaning Establishment*
- *Financial Institution*
- *Medical Office*
- *Personal Service Shop*
- *Pet Grooming Establishment*
- *Pharmacy*
- *Place of amusement*
- *Professional Office*
- *Recreation Centre, Commercial*
- *Restaurant, Take-out*
- *Retail Store*
- *Scientific or Medical Laboratory*
- *Service Shop*
- *Service Trade*
- *Veterinary Clinic*
- Any *dwelling* containing not more than 2 *dwelling units*, subject to the provisions of Table 7.1

- *Multiple dwelling*, subject to the provisions of Table 7.1
 - *Related accessory uses*;
- ii) A maximum *gross floor area* of 1,020 m² shall be permitted;
 - iii) Notwithstanding i) and ii) above, where the *building* only contains *business offices* and/or *professional offices*, a maximum *gross floor area* of 1,454 m² shall be permitted;
 - iv) The maximum *building height* shall be 11 metres and shall not exceed two (2) *storeys*;
 - v) A *drive-through service facility* shall not be permitted;
 - vi) The following site-specific relief shall be permitted as follows:
 - (a) A *parking space* length of 5.79 metres for the two rows of parking parallel to Regent Street composed of 27 *parking spaces*;
 - (b) A landscaped area with a minimum width of 2.39 metres *abutting* Regent Street;
 - (c) No *planting strip* shall be required along the westerly property line provided that a 2.13 metre-high opaque *fence* be installed along the westerly *interior side lot line*;
 - (d) A minimum *rear yard setback* of 0.6 metre for a 3.0 metre by 6.0 metre roofless garbage enclosure.

**(eeeeee) C2(110) (Limited General Commercial Uses)
Waters Township Map 5**

Notwithstanding any other provision hereof to the contrary, within any area designated C2 (110) 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 *service trade*, *commercial recreation centre*, *office* and an indoor agricultural use defined as the growing and harvesting of vegetables, fruits, grains, seed crops, mushrooms, berries, flowers or landscaping materials and the accessory sales of products grown on-site.
- ii) No *planting strip* shall be required abutting the *rear lot line* of Part 11, Plan 53R-12328 and abutting Part 1, Plan 53R19592; and

- iii) That an *accessory outdoor storage* area in the western *interior side yard* not to exceed 150 m² in area shall be permitted.

**(fffff) C2(111) (Light manufacturing and warehousing)
Dowling Township Map 6**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(111) on the *Zone Maps*, all provisions of this by-law applicable to the "C2", General Commercial zone shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in the C2 zone, the following *uses* shall also be permitted:
 - (a) *Light manufacturing*;
 - (b) *Warehouse*; and,
 - (c) *Related accessory uses*.
- (ii) No *public road frontage* shall be required.

**(ggggg) C2(112) (MULTIPLE DWELLINGS)
Garson Township Maps 2 and 4**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(112) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) That the *lot* described legally as PIN 73495-0352, Parcel 4555, Lot 12, Plan M-50, Lot 5, Concession 2, Township of Garson contain the following site-specific provisions:
 - (a) The only permitted *use* shall be a *multiple dwelling* containing a maximum of four *dwelling units*;
 - (b) That the minimum *lot area required* shall be 617 m²;
 - (c) That the minimum *lot frontage required* shall be 21 m;
 - (d) That a minimum *front yard setback* of 2.8 m be permitted; and,
 - (e) That a maximum *residential density* of 65 *dwelling units* per hectare be permitted.
- (ii) That the *lot* described legally as PIN 73495-0296, Parcel 5906, Lot 12, Plan M-50, Lot 5, Concession 2, Township of Garson contain the following site-specific provisions:

- (a) The only permitted *use* shall be a *multiple dwelling* containing a maximum of four *dwelling units*;
- (b) That the minimum *lot area required* shall be 443 m²;
- (c) That the minimum *lot frontage required* shall be 12 m;
- (d) That a minimum *front yard setback* of 2 m be permitted;
- (e) That the minimum number of *required parking spaces* for the *multiple dwelling* be *five parking spaces*; and,
- (f) That a maximum *residential density* of 91 *dwelling units* per hectare be permitted.

**(hhhh) C2(113) (MULTIPLE DWELLING & CONVENIENCE STORE)
McKim Map**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(113) 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 a *multiple dwelling* containing a maximum of eight *dwelling units* and a *convenience store* located on the *ground floor* within the *existing building*;
- (ii) That a minimum of nine *parking spaces* be provided including one *parking space* that is to be provided within the *existing building*;
- (iii) That a minimum of six *outdoor bicycle parking spaces* be provided; and,
- (iv) That a minimum of 10% *landscaped open space* be provided.

**(iiiiii) C2(114) (REDUCED SETBACKS AND QUEUEING)
Garson Map 5**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(114) on the *Zone Maps*, all provisions of this By-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) The minimum *front yard setback* shall be 12 m;
- (ii) A minimum of one (1) *queueing space* shall be provided for a fueling station;
- (iii) A minimum of seven (7) *queueing spaces* shall be provided for a *car wash*;
- (iv) A minimum of seven (7) *queueing spaces* shall be provided for a *restaurant*;
- (v) No *queueing lane* shall be located closer than 3.5 m from any Residential Zone south of a line 77 m from the *front lot line*; and
- (vi) A 1.5 m high opaque *fence* and reduced to 1 m high within 6 m of the *front lot line*, together with a 3.5 m landscaped area, shall be provided along the westerly *interior side lot line*.

**(iiiiii) C2(114) (VETERINARY CLINIC)
Broder Township Maps 1 and 6**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(114) on the *Zone Maps*, all provisions of this by-law applicable to the "C2", General Commercial zone shall apply subject to the following modifications:

- (i) Zero *lot frontage* shall be permitted subject to an encroachment permit from the Ministry of Transportation across PIN 73475-1258; and,
- (ii) No *loading spaces* and a minimum easterly *interior side yard setback* of 2.5 metres shall be permitted for a *veterinary clinic*.

**(kkkkk) C2(116) (INDOOR DOG TRAINING SCHOOL WITHIN EXISTING BUILDING)
Waters Township Map 5**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(116) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) That in addition to those *uses* permitted in a C2 Zone, an *indoor* dog training school and related *indoor accessory uses* having a maximum *gross floor area* of 615 square metres shall be permitted within the *existing building*;
- (ii) That the *indoor* dog training school *use* shall not extend to or include any breeding, raising and/or boarding of domestic animals or household pets;
- (iii) That no *outdoor* activity areas, *outdoor* dog runs, open animal pens or any other *outdoor accessory uses* are permitted;
- (iv) That no buffer distance from the *indoor* dog training school and related *indoor accessory uses* to any *residential building* or *residential zone* shall be *required*; and,
- (v) That the following additional *development* standards shall apply:
 - a) That minimum of 24 *parking spaces* which includes 1 *accessible parking space* for the *indoor* dog training school and related *indoor accessory uses* shall be *required*; and
 - b) That a minimum one *loading space* shall be *required* on the lands for all *uses*.

**(IIII) C2(117) (MIXED USE COMMERCIAL & RESIDENTIAL)
McKim Township Map Lot 1, Concession 4 & Neelon
Map Lot 12, Concession 4 (2020-105Z)**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(117) on the *Zone Maps*, all provisions of this by-law applicable to C2 Zones shall apply subject to the following modifications:

- (i) That all *uses* in the C2 Zone shall be *permitted*, except for the following *uses* that shall not be *permitted*:
 - (a) *animal shelter*,
 - (b) *automotive leasing establishment*,
 - (c) *automotive lube shop*,
 - (d) *car wash*,
 - (e) *dry cleaning establishment*,
 - (f) *funeral home*,

- (g) *long term care facility,*
 - (h) *mobile home dealership,*
 - (i) *modular home dealership,*
 - (j) *service trade; and,*
 - (k) *taxi stand.*
- (ii) *That a retirement home having a maximum of 160 guest rooms shall also be permitted subject to the following development standards:*
- (a) *Minimum Required Front Yard – 10 metres;*
 - (b) *Minimum Required Interior Side Yard – 10 metres, plus an additional 1 metre for each storey directly adjacent to such yard in excess of five storeys above finished grade;*
 - (c) *Maximum Building Height – 20 metres; and,*
 - (d) *Minimum Landscaped Open Space – 30%.*

(mmmmm) C2(118) (LIMITED C2 USES)
McKim Township Maps Lot 2, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated C2(118) 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 an *automotive lube shop* and *restaurant*;
- (ii) That the minimum required *front yard* along Lasalle Boulevard shall be 4.5 m;
- (iii) That 60% percent of the *front lot line* shall be occupied by a *building*;
- (iv) That the minimum required landscaped area along Lasalle shall be 2.3 m; and
- (v) That 10 *queuing spaces* shall be required for a *restaurant*.

(nnnnn) C2(119) (Mixed-use development)
McKim Township Maps Lot 4 Con 5; Lot 5 Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated C2(119) on the *Zone Maps*, all provisions of this by-law applicable to

the “C2”, General Commercial *zone* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in the C2 *zone*, the following *uses* shall also be permitted:
 - (a) *Row dwellings* and related *accessory uses*;
 - (b) Warehousing and storage *accessory* to an *office use*;
- (ii) The following site-specific provisions shall be applied to *row dwellings*:
 - (a) A minimum *privacy yard* of four (4) metres shall be *required*;
 - (b) A minimum *court* of 2.5 metres shall be permitted between opposing walls of one or more *row dwellings* provided that neither of such walls contains balconies or habitable room windows;
 - (c) The minimum difference in *setbacks* for adjacent groups of *row dwellings* shall be 0.95 metres.
- (iii) The minimum *front yard setback* shall be 13.7 metres;
- (iv) The minimum *rear yard setback* shall be 4.2 metres;
- (v) A minimum 3.0 metre-wide landscaped area abutting the *street line* on PINs 02127-0502 & 02127-0504 shall not be *required*;
- (vi) *Planting strips* shall be provided along the northerly and southerly *lot lines*;
- (vii) A *planting strip* shall not be *required* along the westerly limit of the subject lands;
- (viii) Parking shall be permitted within 3 metres of a Residential *zone*;
- (ix) The minimum width of the *driveway* aisle shall be 5.7 metres;
- (x) A refuse storage area may be permitted in the *required rear yard* provided it maintains the minimum *setback* of 1.2 metres from the *rear lot line*.

(3) SPECIAL LIMITED GENERAL COMMERCIAL ZONES - C3

(a) C3(1) Broder Township Map 3

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, medical offices and professional offices. (2013-161Z)*
- (ii) The minimum *front yard setback* shall be 8.4 metres.

**(b) C3(2) (MEDICAL/DENTAL CLINIC)
McKim Township Maps Lot 1, Con 5; Lot 1, Con 6;
Lot 2, Con 5; Lot 2, Con 6**

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 *medical offices*.
- (ii) The maximum *height* shall be one *storey*, with a full *basement*.
- (iii) Minimum *setbacks* for new *buildings* shall be as follows:
 - (a) *Setback* from north *lot line* - 8.5 metres
 - (b) *Setback* from east *lot line* - 1.8 metres
 - (c) *Setback* from south *lot line* - 1.8 metres
 - (d) *Setback* from west *lot line* - 6.0 metres

**(c) C3(3) (MEDICAL CLINIC)
McKim Township Maps Lot 1, Con 6; Lot 1, Con 5;
Lot 2, Con 6; Lot 2, Con 5**

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 Maps Lot 11, Con 6; Lot 12, Con 6

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 *medical offices, professional offices, a drugstore, a medical laboratory, other uses commonly accessory to a health care centre and trade schools. (2013-161Z)*

**(e) C3(5) (DRYWALL AND PLASTERING BUSINESS)
Broder Township Map 4**

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 Map 4

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 shop 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 Map 4

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 shop 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 Map 3

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) All C3 *uses* shall be permitted excluding a *restaurant*;
- ii) That a 3 metre wide landscape strip is required along Long Lake Road with the exception that a 0 metre wide landscape strip shall be permitted adjacent to the *sight triangle* joining Long Lake Road and Ester Street;
- iii) A 1.5 metre wide landscape strip shall be provided *abutting* a Residential *zone* and *corner side yard*;
- iv) *Parking spaces* shall be permitted with a 0 metre *setback* adjacent to the *sight triangle* joining Long Lake Road and Ester Street; and,
- v) A 0 metre *interior side yard* is permitted.

**(i) C3(9) (OFFICE)
Broder Township Map 4**

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 Maps Lot 7, Con 1; Lot 6, Con 1

Notwithstanding any other provision hereof to the contrary, 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) The only permitted *uses* shall be *offices* and *retail stores* at 419 Yale Street and a *single detached dwelling* and related *accessory uses* at 423 Yale Street.

(k) C3(11) (OFFICE AND BULK RETAIL)
Broder Township Map 3

Notwithstanding any other provision hereof to the contrary, 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 Map 4

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 service shop*;
 - a scientific or medical laboratory*;
 - a service trade*;
 - a small recreation vehicle sales and service establishment*;
 - a bake shop*;
 - a dry cleaning establishment*.

(m) C3(13) (PARKING LOT)
McKim Township Maps Lot 4, Con 5; Lot 4, Con 6

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 Maps Lot 11, Con 5; Lot 12, Con 5

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 Maps Lot 12, Con 3; Lot 11, Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated 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 Map Lot 3, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated 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)
McKim Township Maps Lot 5, Con 4; Lot 5, Con 3;
Lot 4, Con 4; Lot 4, Con 3

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 modifications:

- (i) That the only permitted uses on the lands be a multiple dwelling containing a total of 38 residential dwelling units along with institutional, office, and personal service shop uses on the main floor;
- (ii) That *institutional, office, and personal service shop uses* on the main floor be limited to a maximum *gross floor area* of 575 square metres;
- (iii) That a minimum of 29 *parking spaces* including 6 *accessible parking spaces* be required;
- (iv) That a maximum *building height* of 16 metres and/or five-storeys be permitted;
- (v) That the *front lot line* be deemed to be situated along the Pearl Street *street line* from the westerly *interior side lot line* to Montebello Street;
- (vi) That the *rear lot line* be deemed to be situated along the Fairview Avenue *street line* from the westerly *interior side lot line* for a length of 50 metres in a north-easterly direction; and
- (vii) That minimum *front yard* and *corner side yard* setbacks of 0 metres be required.

(r) C3(18) (PROFESSIONAL OFFICE/COMMERCIAL RECREATION CENTRE)
McKim Township Maps Lot 1, Con 3; Lot 2, Con 3

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 Maps Lot 7, Con 1; Lot 7, Con 2;
Lot 6, Con 1; Lot 6, Con 2

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*.
- (iii) For those lands *abutting* Regent Street between Anthony Street and Walford Road the minimum *building setback abutting* Regent Street shall be 6.0 m.

(t) C3(20) (PROFESSIONAL OFFICE)
McKim Township Maps Lot 3, Con 5; Lot 3, Con 6;
Lot 2, Con 5; Lot 2, Con 6

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 offices and professional offices*;
 - (b) *medical offices*;
 - (c) *retail store*;
 - (d) *personal service shop*; and,
 - (e) *two accessory dwelling units*.
- (ii) The *existing building* located on Part 1 Plan 53R-16350 shall be permitted as located on the *lot*.
- (iii) The following minimum *yards* shall apply to the lands, excluding those lands described as Parts 1, 2 and 3, Plan 53R-16350:
 - (a) *front yard* - 4.2 m;
 - (b) *easterly interior side yard* – 1.6 m
- (iv) *Planting strips* shall be required in accordance with the By-law with the following exceptions:
 - (a) no *planting strip* shall be required along the westerly *side lot lines* adjacent to a *parking area abutting a residential lot* or Residential Zone;
 - (b) no *planting strip* shall be required along the easterly *side lot line* adjacent to a walkway providing access to a *building abutting a residential lot* or Residential Zone;
 - (c) a *planting strip* with a minimum width of 2.8 m shall be required along the easterly *side lot line abutting a building* where there is no walkway providing access to the *building*.
- (v) The minimum required parking spaces shall be as follows:
 - (a) for uses located within the existing building on Part 1, Plan 53R-16350 shall be 7 spaces.
 - (b) for uses located on Parts 1, 2 and 3, Plan 53R-20989 excluding Parts 1, 2 and 3, Plan 53R-16350 shall be as follows:
 - business and professional offices – 1/30m² net floor area
 - medical offices – 1/26m² net floor area
 - retail store – 1/26m² net floor area
 - personal service shop – 1/26m² net floor area
 - *accessory dwelling units* – no *parking spaces* required
- (u) **C3(21) (DRIVE-THROUGHS PROHIBITED)**
McKim Map Lot 6, Con 4; Lot 6, Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated C3(21) on the *Zone Maps*, all provisions of this By-law applicable to C3 Zones shall apply subject to the following modifications:

- (i) A drive-through service facility shall not be permitted.

**(v) C3(22) (Relief for planting strip)
Broder Map 3**

Notwithstanding any other provision hereof to the contrary, within any area designated C3(22) on the Zone Maps, all provisions of this by-law applicable to the "C3", Limited General Commercial zone shall apply subject to the following modifications:

- i) The minimum lot frontage shall be 29 metres; and,
- ii) An opaque fence shall be provided along the south boundary of the property with no required setback for parking.

~~**(w) C3(23) (Office uses) (By-law 2016-64Z)
McKim Township Maps Lot 7 Con 1; Lot 6 Con 1**~~

~~Notwithstanding any other provision hereof to the contrary, within any area designated C3(23) on the Zone Maps, all provisions of this by-law applicable to the C3 Zone shall apply subject to the following modifications:~~

- ~~i) The only permitted uses shall be offices, related accessory uses, and any use permitted in all Zones under Section 4.40 of Part 4.~~

**(x) C3(24) (Office and retail uses)
Neelon Township Maps Lot 12, Con 6; Lot 12, Con 5; Lot 11,
Con 6; Lot 11, Con 5**

Notwithstanding any other provision hereof to the contrary, within any area designated C3(24) on the Zone Maps, all provisions of this by-law applicable to the C3 Zone shall apply subject to the following modifications:

- i) The only permitted uses shall be offices, retail, related accessory uses, and any use permitted in all Zones under Section 4.40 of Part 4;
- ii) The existing building as located on the lot shall be permitted; and,
- iii) The minimum lot frontage shall be 24 metres.

(y) C3(25) (TAKE OUT RESTAURANT)
Neelon Township Map Lot 12, Con 5; Lot 14, Con 4;
McKim Township Map Lot 1, Con 5; Lot 1, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated C3(25) 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 *use* shall be a *take-out restaurant*;
- ii) A minimum of 10 *parking spaces* shall be provided;
- iii) A 0 metre *planting strip* and an opaque *fence* with a minimum *height* of 1.5 metres shall be provided from the *established building line* to the easterly *lot line* along the *lot line* abutting Lot 2, Plan M-511; and
- iv) A refuse enclosure shall be permitted with a minimum 0.5m *setback* to the northern *side lot line* and with a minimum 5.0m setback to the *rear lot line*.

(z) C3(26) (OFFICES AND PERSONAL SERVICE SHOP)
McKim Township Maps Lot 6, Concession 2 and Lot 7, Concession 2

Notwithstanding any other provision hereof to the contrary, within any area designated C3(26) 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 *business office*, *medical office*, *professional office*, *personal service shop* and all other *uses* permitted under Section 4.40 of this By-law;
- (ii) That the permitted *uses* shall be located within the *existing building* as it was on December 12, 2016 having a *maximum gross floor area* of 1,400 square metres;
- (iii) That a minimum *front yard setback* of 1 metre to the canopy of the *existing building* shall be permitted;
- (iv) That a *retaining wall* having a maximum *height* of 2 metres be permitted in the *required rear yard* adjacent to Regent Street; and,
- (v) That a minimum of 54 *parking spaces* be *required*.

(aa) C3(27) (Limited General Commercial)
McKim Township Maps Lot 7 Con 1; Lot 6 Con 1

Notwithstanding any other provision hereof to the contrary, within any area designated C3(27) on the *Zone Maps*, all provisions of this by-law applicable to the "C3", Limited General Commercial zone shall apply subject to the following modifications:

- (i) The minimum required *corner side yard* shall be two (2) metres;
- (ii) The minimum required *rear yard* shall be two (2) metres;
- (iii) A minimum *lot frontage* of 28 metres shall be permitted;
- (iv) No *planting strip* shall be required along the northerly *lot line*;
- (v) A minimum two (2) metre-wide landscaped area adjacent to the full length of the westerly *lot line* shall be required;
- (vi) An *outdoor parking area* shall be permitted within three (3) metres of the easterly, westerly and northerly *lot lines*; and,
- (vii) A refuse storage area shall be permitted in the *front yard*.

(4) SPECIAL OFFICE COMMERCIAL ZONES – C4

- (a) C4(1) (DRIVE-THROUGHS PROHIBITED)**
McKim Township Maps Lot 5, Con 3; Lot 5, Con 4; Lot 6, Con 3 and Lot 6, Con 4

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 modification:

- (i) A *drive-through service facility* shall not be permitted.

- (b) C4(2) McKim Township Maps Lot 5, Con 3; Lot 4, Con 3**

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.

- (ii) A *drive-through service facility* shall not be permitted.

- (c) C4(3) McKim Township Maps Lot 6, Con 3; Lot 6, Con 4; Lot 7, Con 3; Lot 7, Con 4**

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 *business 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.

- (iii) A *drive-through service facility* shall not be permitted.

**(d) C4(4) McKim Township Maps Lot 7, Con 4; lot 6, Con 4;
Lot 6, Con 3; Lot 7, Con 3**

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*.
- (iii) A *drive-through service facility* shall not be permitted.

**(e) C4(5) (MARTIAL ARTS AND BUSINESS OFFICE)
McKim Township Maps Lot 6, Con 4; Lot 6, Con 5**

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) Three *parking spaces* and no *loading space* shall be provided for a *business office*.
- (iv) The *existing building*, as located on September 9, 2020, is permitted.
- (v) A *drive-through service facility* shall not be permitted.

**(f) C4(6) (MAXIMUM 4 STOREYS)
McKim Township Maps Lot 7, Con 1; Lot 6, Con 1**

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*.
- (ii) In addition to the *uses* permitted in the C4 zone, a *food processing plant* in the form of a brewery shall also be permitted.

(g) C4(7) (LIMITED USES)
McKim Township Map Lot 6, Con 2

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:

- (i) The only permitted *uses* shall be:
 - (a) an *institutional use*;
 - (b) an *office*;
 - (c) a *scientific or medical laboratory*;
 - (d) a medical related *retail store*;
 - (e) a *pharmacy*;
 - (f) any *use* permitted in an R3-1 Zone.

(h) C4(8) (CLOTHING BOUTIQUE)
McKim Township Maps Lot 6, Con 3; Lot 7, Con 3;
Lot 6, Con 4; Lot 7, Con 4

Notwithstanding any other provision hereof 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.
- (iv) A *drive-through service facility* shall not be permitted.

(i) C4(9) (CUSTOM FRAMING)
McKim Township Maps Lot 6, Con 3

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, custom framing shall also be permitted.
- (ii) A *drive-through service facility* shall not be permitted.

(j) C4(10) (OFFICE LIMITED USES)
McKim Township Map Lot 6, Con 2

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 93 m²;
 - (e) *scientific or medical laboratory*;
 - (f) any *use* permitted in an R3-1 zone
- ii) the maximum permitted *height* shall not exceed 7 *storeys*

(k) C4(11) (GUEST ROOMS)
McKim Township Maps Lot 6, Con 3; Lot 6, Con 4

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 *retirement home*;
 - (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 by this By-law.
- (iii) *Required parking spaces* for a *retirement home* 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*.
- (iv) A *drive-through service facility* shall not be permitted.

(l) C4(12) (CARPET RETAIL AND APPRAISAL)
McKim Township Maps Lot 6, Con 4; Lot 6, Con 3

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*.
- (iii) A *drive-through service facility* shall not be permitted.

(m) C4(13) (ROOMING HOUSE)
McKim Township Maps Lot 7, Con 2; Lot 6, Con 2

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 Maps Lot 5, Con 3; Lot 4, Con 3

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 dwelling* and *duplex dwelling* are permitted.
- (ii) A *drive-through service facility* shall not be permitted.

(o) C4(15) (FLORAL GIFT SHOP)
McKim Township Maps Lot 5, Con 3; Lot 4, Con 3

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 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.

- (iii) A *drive-through service facility* shall not be permitted.

(p) C4(16) (PARKING AND CANOPIES)
McKim Township Maps Lot 6, Con 4; Lot 5, Con 4

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 Maps Lot 6, Con 4; Lot 6, Con 3

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.
- (ii) A *drive-through service facility* shall not be permitted.

(r) C4.D90(18) (RETAIL AND MERCHANDISE SERVICE)
McKim Township Maps Lot 5, Con 3; Lot 4, Con 3

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.
- (iii) A *drive-through service facility* shall not be permitted.

(s) C4(19) SINGLE DWELLING
McKim Township Map Lot 6, Con 3

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.
- (ii) A *drive-through service facility* shall not be permitted.

(t) C4(20) (BRADY SQUARE)
McKim Township Maps Lot 5, Con 3; Lot 4, Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated C4(20) 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*.
- (iii) A *drive-through service facility* shall not be permitted.

(5) SPECIAL SHOPPING CENTRE COMMERCIAL ZONES - C5

**(a) C5(1) (RAYSIDE-BALFOUR SHOPPING CENTRE)
Balfour Township Map 5**

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) (By-law 2014-235Z)
McKim Township Maps Lot 1, Con 5; Lot 1, Con 6;
Lot 2, Con 5; Lot 2, Con 6**

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 Township Maps Lot 6, Con 1; Lot 7, Con 1; Lot 5, Con 1
Broder Township Maps 3 and 4**

Notwithstanding any other provision hereof to the contrary, within any area designated C5(3) 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*.

(d) C5(4) Hanmer Township Map 8

Notwithstanding any other provision hereof to the contrary, within any area designated C5(4) on the *Zone Maps*, all provisions of this By-law applicable to C5 zones shall apply subject to the following modifications:

- (i) The minimum *lot frontage* shall be 36 metres.

(6) SPECIAL DOWNTOWN COMMERCIAL ZONE – C6

**(a) C6(1) Capreol Township Maps 3 and 4
Balfour Township Maps 3 and 4
Waters Township Map 7**

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) A *multiple dwelling* shall be limited to a maximum of 30 *dwelling units* per *building* and a maximum net *density* of 60 units per hectare with or without permitted *non-residential uses* provided the *lot* is a fully serviced lot.
- (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;
- (iv) In mixed use *buildings* where the *uses* consist of both residential and *non-residential uses*, the *residential uses* shall be located above *non-residential uses*;
- (v) Subsection 5.5.2 paragraph b) shall not apply to the C6(1) Zone;
- (vi) *boarding house dwellings* and *rooming houses* shall not be permitted.
(By-law 2011-49Z) (By-law 2012-67Z) (By-law 2014-235Z)

**(b) C6(2) (VETERINARY CLINIC)
Balfour Township Map 3
(By-law 2021-55Z)**

Notwithstanding any other provision hereof to the contrary, within any area designated C6(2) on the *Zone Maps*, all provisions of this by-law applicable to the “C6(1)”, Downtown Commercial Special zone shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in the C6(1) zone, a *veterinary clinic* shall also be permitted.

**(c) C6(3) (TWO MULTIPLE DWELLINGS HAVING FOUR AND FIVE DWELLING UNITS)
Balfour Township Map 3**

Notwithstanding any other provision hereof to the contrary, within any area designated C6(3) on the *Zone Maps*, all provisions of this By-law applicable to C6 Zone shall apply subject to the following modifications:
C3(17)

- (i) That the only permitted *uses* of the lands be two *multiple dwellings* having a total of nine residential *dwelling units* along with permitted *accessory uses*;
- (ii) That the location of the existing *multiple dwelling* on the easterly portion of the lands shall be permitted;
- (iii) That a minimum of six *parking spaces* be provided;
- (iv) That a *parking area* be permitted to be located within 0 metres of a *public road*;
- (v) That a minimum *court* of 12 metres be provided between the opposing walls two *multiple dwellings*;
- (vi) That no *planting strip* be required along the *rear lot line* from a point measuring 8.9 metres from the easterly extent of the *rear lot line*; and,
- (vii) That a privacy *fence* having a minimum *height* of 1.5 metres be required along the *rear lot line* where no *planting strip* is provided.

(7) SPECIAL RESORT COMMERCIAL ZONE – C7

**(a) C7(1) (AIRPORTS)
Rayside Township Map 7**

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-Davies Township Map 1**

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 of a *Provincial Highway*.

**(c) C7(3) (RESORT COMMERCIAL)
Denison Township Map 1
Fairbank Township Map 2**

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 Map 1
Fairbank Township Map 2**

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
Fairbank Township Map 2

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 duplex 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 Map 2
Denison Township Map 1

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 detached 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 Map 2**

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 dwelling* that is intended to be used as a year-round *dwelling*.

**(h) C7(8) (32 Camp sites and 4 guest suites)
Dill Township Maps 1 and 4**

Notwithstanding any other provisions hereof to the contrary, within any area designated “C7(8)” on the *Zone Maps*, all provisions of this by-law applicable to “C7”, Resort Commercial Zone shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *camping ground* with a total of 32 camp sites and an *accessory building* containing four guest suites;
- (ii) Each camp site shall have a minimum area of 360 square metres;
- (iii) A chain link *fence* with a minimum height of 1.8 metres shall be located along the entire length of the northerly *lot line*;
- (iv) A minimum 20 metre wide *landscaped open space area* shall be maintained abutting Whippoorwill Avenue, excluding the *existing driveway* and *parking area*.

SECTION 3 SPECIAL INDUSTRIAL ZONES

(1) SPECIAL MIXED LIGHT INDUSTRIAL /SERVICE COMMERCIAL - M1

(a) M1(1) (INDUSTRIAL EQUIPMENT SALES/CONTRACTOR'S BUSINESS) Rayside Township Map 3

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 Map 2

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 Maps Lot 3, Con 5; Lot 2, Con 5

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*, an *automotive 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 Map 4**

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 Map 3
(By-law 2020-131Z)**

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 and service establishment, an automotive sales establishment, one dwelling unit* and any *use* permitted in all Zones under Section 4.40 of Part 4.
- (ii) The minimum *front yard setback* shall be 9 metres.

**(f) M1(6) (AUTO REPAIR AND BODY SHOP)
Dowling Township Map 3**

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, an automotive body shop, storage uses, and related accessory uses*.

**(g) M1(7) (AUTO BODY SHOP)
Blezard Township Map 4 and 6**

Notwithstanding any other provision hereof 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 *automotive body shop* shall be permitted.

**(h) M1(8) (AUTOMOTIVE REPAIR SHOP)
Levack Township Map 3**

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 Maps 2 and 7**

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 Maps Lot 7, Con 2; Lot 8, Con 2

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 Maps Lot 7, Con 2; Lot 8, Con 2**

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 Maps Lot 9, Con 2; Lot 8, Con 2

Notwithstanding any other provision 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 Maps Lot 12, Con 2

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 the following:
 - 1. *Offices*;
 - 2. *Rental store*;
 - 3. *Scientific or medical laboratory*;
 - 4. *Service trade*;
 - 5. *Warehouse*;
 - 6. *Light industrial uses*; and,
 - 6. *Related accessory uses*.
- (ii) *Accessory outdoor storage* shall not be permitted;
- (iii) No *buildings* may be erected on Lots 127 and 128 of Plan M-1023; and,
- (iv) The location of the *existing building* shall be permitted.

(n) M1(14) (RAILWAY LANDS)
McKim Township Maps Lot 5, Con 3; Lot 6, Con 3;
Lot 4, Con, 3

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 Maps Lot 6, Con 4; Lot 7, Con 4

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 Maps Lot 6, Con 5; Lot 6, Con 4;
Lot 7, Con 4**

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 Map 1

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 Map 1

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 Map 3

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 Map 3**

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 a *building* not to exceed 590m².

**(u) M1(21) COMMERCIAL PUBLIC GARAGE AND CONTRACTOR'S YARD
Dill Township Map 3**

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, a contractor's yard and accessory uses*; and
- (ii) Only the *existing building* shall be permitted.

**(v) M1(22) Mini-storage facility
Dill Township Map 3**

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 Map 3**

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 uses shall be a *building supply* and *lumber outlet*, *contractor's yard* and *commercial* or *public garage*, limited to a total *gross floor area* of all *buildings* to a maximum 2,000m²
- (ii) No *outdoor storage* shall be permitted within 50 metres of a *Residential zone*;
- (iii) *Driveway* access is restricted to Pioneer Road;
- (iv) The minimum westerly *interior side yard setback* for *existing buildings* located on Part 3, Plan 53R-20166 shall be five (5) metres;
- (v) The following *planting strips* shall be required:
 - a. A minimum width of 15 metres *abutting* Parts 1 and 4, Plan SR-1164;
 - b. A minimum width of 15 metres *abutting* Parts 1 and 4, Plan SR-1164;
 - c. A minimum width of 12 metres *abutting* Desloges Road.

(x) M1(24) Dill Township Map 3

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) (LIGHT INDUSTRIAL USES)
McKim Township Map Lot 4, Con 4**

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:
 - a. The fabrication or assembly, storage and distribution of windows, doors and related building products, *accessory office* space and their related *accessory uses*;

b. *Light Industrial Uses* limited to: designing and/or producing apparel and finished textile products other than the production of synthetic fibres, the fabrication or assembly, storage and distribution of finished metal products, lumber products, light machinery, computer software, electronic products or components, finished plastic-ware or similar articles and *warehousing* or storing of goods or materials indoors;

c. *Service Trade Uses* limited to: a *service shop*, a custom print or copy shop, business premises for a printer, plumber, electrician, tinsmith, cabinet maker, upholsterer, office cleaning services, and locksmith; and

d. *Home Improvement Centre*.

**(z) M1(26) (TRUCK REFUELLING CENTRE)
Broder Township Map 1**

Notwithstanding any other provision hereof to the contrary, within any area designated 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*.

**(aa) M1(27) (SHIPPING AND STORAGE CONTAINERS, RENTAL,
SALE, DISTRIBUTION)
Broder Township Map 4**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(27) on the *Zone Maps*, all provisions of this By-law applicable to M1 Zones shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in an M1 Zone, shipping and storage containers may be placed on a *lot* for the purposes of rental, sale and distribution for *use off site*.

**(bb) M1(28) (DRIVETHROUGHS PROHIBITED)
McKim Township Map Lot 6, Con 4**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(28) on the *Zone Maps*, all provisions of this By-law applicable to M1 Zones shall apply subject to the following modification:

- (i) A *drive-through service facility* shall not be permitted.

(cc) M1(29) (TRANSPORT TERMINAL)
Neelon Township Maps 1, 2 and Lot 6, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated M1(29) 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 a *transport terminal* and *warehouse* with *accessory uses* and a *maximum gross floor area* of 840 m².

(dd) M1(30) RETAIL STORE
Broder Township Map 4

Notwithstanding any other provision hereof to the contrary, within the area designated M1(30) on the *Zone Maps*, all provisions of this By-law applicable to M1 Zones shall apply subject to the following modification:

- (i) In addition to the uses permitted in an M1 Zone, a *retail store* shall also be permitted.

~~**(ee) M1(31) (Contractor's Yard and Office including, Fabrication, Manufacturing and Outside Storage)**~~
~~**Neelon Map Lot 9, Con 4, and Lot 10, Con 4**~~

(By-law 2015-72Z)

~~Notwithstanding any other provision hereof to the contrary, within any area designated M1(31) on the *Zone Maps*, all provisions of this by-law applicable to "M1", Light Industrial/Service Commercial Zones shall apply subject to the following modifications:~~

- ~~(i) the only permitted use shall be an office of a *Contractors Yard, Office, Fabrication, Manufacturing and Outside Storage*~~

(ff) M1(32) (Automotive Body Shop)
Rayside Map 11 & Balfour Map 5

Notwithstanding any other provision hereof to the contrary, within any area designated M1(32) on the *Zone Maps*, all provisions of this by-law applicable to "M1", Mixed Light Industrial/Service Commercial zone shall apply subject to the following modifications:

- (i) that in addition to the permitted uses in the M1 zone, an *automotive body shop* shall also be permitted.

(gg) M1(33) (Site Plan Control)
Blezard Township Maps 1, 4 & 6

Notwithstanding any other provision hereof to the contrary, within any area

designated M1(33) on the Zone Maps, all provisions of this by-law applicable to the "M1", Mixed Light Industrial/Service Commercial zone shall apply subject to the following modification:

- i) The subject lands are designated as an area of "Site Plan Control" pursuant to Section 41 of the Planning Act., R.S.O. 1990, Chapter P. 13.

(hh) M1(34) (WALK-IN CLINIC, MEDICAL OFFICE AND PHARMACY) Neelon Township Maps Lot 12, Con 5; Lot 11, Con 5; Lot 11, Con 6; Lot 12, Con 6

Notwithstanding any other provision hereof to the contrary, within any area designated M1(34) on the Zone Maps, all provisions of this by-law applicable to the "M1", Mixed Light Industrial/Service Commercial zone shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a walk-in clinic, *medical office* and *pharmacy*;
- (ii) That a minimum of 19 *parking spaces* shall be provided which shall include 2 *accessible parking spaces*; and,
- (iii) That no *loading space* shall be required.

(ii) M1(35) (Reduced lot frontage) Neelon Township Map Lot 11, Con 5; Lot 10, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated M1(35) on the Zone Maps, all provisions of this by-law applicable to the M1 Zone shall apply subject to the following modifications:

- i) The minimum lot frontage shall be 21 metres.

(jj) M1(36) Neelon Township Maps Lot 12, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated M1(36) on the *Zone Maps*, all provisions of this By-law applicable to M1 *Zones* shall apply subject to the following modifications:

- (i) That *retail, service trade, and personal service uses* shall not exceed a *gross floor area* of 430 m²;
- (ii) That *office uses* shall not exceed a *gross floor area* of 790 m² ;
- (ii) That a minimum of 46 *parking spaces* shall be provided.

(kk) M1(37) (AUTOMOTIVE BODY SHOP AND BUSINESS OFFICE)
Garson Township Maps 3 and 4

Notwithstanding any other provision hereof to the contrary, within any area designated M1(37) on the *Zone Maps*, all provisions of this By-law applicable to M1 *Zones* shall apply subject to the following modification:

- i) In addition to the *uses* permitted in an "M1" zone, an *automotive body shop* and a *business office* shall also be permitted.

(ll) M1(38) (CHILDREN'S PLAY AND PARTY FACILITY)
Neelon Township Maps Lot 11, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated M1(38) 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 a M1 zone, a *place of amusement* in the form of a children's play and party facility shall also be permitted.

(mm) M1(39) (Transport terminal)
Bleazard Township Map 4

Notwithstanding any other provision hereof to the contrary, within any area designated M1(39) on the *Zone Maps*, all provisions of this by-law applicable to the "M1", Mixed Light Industrial/Service Commercial *zone* shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in the "M1", Mixed Light Industrial/Service Commercial *zone*, a *transport terminal* shall also be permitted.

(nn) M1(40) (OFFICE, TAVERN AND TELEWAGERING FACILITY)
Neelon Township Maps Lot 11, Con 5; Lot 10, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated M1(40) 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 a M1 zone, the following uses shall also be permitted:
 - a. A *place of amusement* in the form of a telewagering facility,
 - b. *Office*, and
 - c. *Tavern*.

(oo) M1(41) (Automotive Body Shop)
Neelon Township Maps Lot 11, Con 5; Lot 11, Con 4; Lot 12, Con 5; Lot 12, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated M1(41) on the *Zone Maps*, all provisions of this by-law applicable to the "M1", Mixed Light Industrial/Service Commercial zone shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in the M1 Zone, an *automotive body shop* shall also be permitted.

(pp) M1(42) (CONTRACTOR'S YARD)
Blezard Township Map 4

Notwithstanding any other provision hereof to the contrary, within any area designated M1(42) 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, a *contractor's yard* shall be permitted.

(qq) M1 (43) (MEDICAL OFFICE)
Neelon Township Maps Lot 11, Concession 5, Lot 11, Concession 6, Lot 12, Concession 5 & Lot 12, Concession 6

Notwithstanding any other provision hereof to the contrary, within any area designated M1(43) on the *Zone Maps*, all provisions of this By-law applicable to M1 Zones shall apply subject to the following modifications:

- (a) That in addition to those *uses* permitted in the M1 Zone a *medical office* shall also be permitted.

(rr) M1(44) (Limited mixed light industrial/service commercial uses)
Garson Township Map 1, Falconbridge Township Map 1

Notwithstanding any other provision hereof to the contrary, within any area designated M1(44) on the *Zone Maps*, all provisions of this by-law applicable to the "M1", Mixed Light Industrial/Service Commercial zone shall apply subject to the following modifications:

- (i) The only permitted uses shall include the following:
 - (a) *Accessory outdoor display and sales;*
 - (b) *Accessory outdoor storage;*
 - (c) *Accessory retail store;*

- (d) *Automotive sales establishment, excluding the servicing and repair of vehicles;*
 - (e) *Contractor's yard;*
 - (f) *Dry light industrial use;*
 - (g) *Rental store;*
 - (h) *Service trade;*
 - (i) *Warehouse;*
 - (j) *Related accessory uses; and,*
 - (k) *Any use permitted in all Zones under Section 4.40;*
- (ii) For the purposes of Part 11, Section 3, Subsection (1), Paragraph (rr), a dry *light industrial use* shall be defined as "A *light industrial use* that generates less than 4,500 litres of wastewater per day";
 - (iii) A natural vegetative buffer shall be maintained to a minimum depth of 40 metres from the *street line* excluding the *driveway*; and,
 - (iv) The provisions of Section 4.28 related to *outdoor storage* shall apply, except that screening by opaque fencing shall not be required.
- (ss) M1(45) (Telewagering facility)**
Neelon Township Maps Lot 11, Con 5; Lot 11, Con 6; Lot 12, Con 5; Lot 12, Con 6

Notwithstanding any other provision hereof to the contrary, within any area designated M1(45) on the *Zone Maps*, all provisions of this by-law applicable to the "M1", Mixed Light Industrial/Service Commercial *zone* shall apply subject to the following modification:

- (i) In addition to the *uses* permitted in the M1 *zone*, a *place of amusement* in the form of a telewagering facility shall also be permitted.

(tt) M1(46) (RETAIL STORE)

Notwithstanding any other provision hereof to the contrary, within any area designated M1(46) on the *Zone Maps*, all provisions of this By-law applicable to M1 Zones shall apply subject to the following modifications:

- (i) That in addition to those *uses* permitted in an “M1” *Zone*, a *retail store* shall also be permitted;
- (ii) That the *corner side yard* location of the existing *parking area* as it existed on May 29, 2017 be permitted;
- (iii) That a maximum of five *parking spaces* be provided in the *corner side yard* and that one of the five *parking spaces* is required to be an *accessible parking space*; and,
- (iv) That one *loading space* and two *bicycle parking spaces* shall be provided.

**(uu) M1(47) (Paint Spray Booth)
Broder Township Maps 1, 3 and 6**

Notwithstanding any other provision hereof to the contrary, within any area designated M1(47) on the *Zone Maps*, all provisions of this by-law applicable to the "M1", Mixed Light Industrial/Service Commercial zone shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in the M1 *zone*, the following *uses* shall also be permitted:
 - (a) one (1) paint spray booth within the *existing* maintenance garage; and,
 - (b) the temporary parking or *outdoor storage* of *vehicles* for the purposes of display, hire or sale shall be permitted within the *front yard*, except that screening by opaque fencing shall not be required. (By-law 2021-159Z)

(2) SPECIAL BUSINESS INDUSTRIAL – M1-1

(a) M1-1(1) SETBACKS
McKim Township Maps Lot 1, Con 4; Lot 1, Con 5;
Neelon Township Maps Lot 12, Con 4; Lot 12, Con 5

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 Maps Lot 6, Con 3; Lot 6, Con 4;
Lot 5, Con 3; Lot 5, Con 4

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*.
- (ii) A *drive-through service facility* shall not be permitted.

(c) M1-1(3) SHOE REPAIR AND DWELLING UNITS
McKim Township Maps Lot 6, Con 3; Lot 7, Con 3

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:
 - (a) a shoe repair business and a maximum of 3 *dwelling* units; or
 - (b) a maximum of 4 *dwelling units*.
- (ii) No *parking spaces* shall be required.

(d) M1-1(4) NEWGATE AVENUE
McKim Township Maps Lot 4, Con 5; Lot 5, Con 5

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 Maps Lot 4, Con 5; Lot 5, Con 5

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 259.08 metres C.G.D.

(f) M1-1(6) GLASS SHOP
McKim Township Maps Lot 4, Con 5; Lot 5, Con 5

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 Maps Lot 11, Con 5; Lot 10, Con 5

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 Maps Lot 5, Con 5; Lot 4, Con 5

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 Map Lot 6, Con 3

Notwithstanding any other provision hereof 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.

(j) M1-1(10) (DRIVE-THROUGHS PROHIBITED)
**McKim Township Maps Lot 5, Con 3; Lot 6, Con 3;
Lot 5, Con 4; Lot 6, Con 4**

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(10) on the *Zone Maps*, all provisions of this By-law applicable to M1-1 *Zones* shall apply subject to the following modification:

- (i) A *drive-through service facility* shall not be permitted.

(k) M1-1(11) (TRANSPORT TERMINAL)
Neelon Map 2

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(11) on the *Zone Maps*, all provisions of this By-law applicable to M1-1 Zones shall apply subject to the following modification:

- (i) The only permitted *use* shall be a *transport terminal/warehouse* with *accessory uses* and a *maximum gross floor area* of 840 m².

(l) M1-1(12) (Building location, lot size and driveway width)
Neelon Township Map Lot 11, Con 5;
Lot 12, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(12) on the *Zone Maps*, all provisions of this by-law applicable to the M1-1 Zone shall apply subject to the following modifications:

- i) The location of the existing building and size of the existing lot shall be permitted;
- ii) The minimum width of the driveway shall be 4.8 metres.

(m) M1-1(13) (Building location, lot size and permitted uses)
Neelon Township Maps Lot 11, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(13) on the *Zone Maps*, all provisions of this By-law applicable to M1-1 Zones shall apply subject to the following modification:

- (i) The minimum *lot area* shall be 770 m²;
- (ii) The minimum *lot depth* shall be 25 m;
- (iii) The *existing buildings* as located are permitted.
- (iv) The only permitted *uses* shall be as follows:
 - (a) *Audio Visual Studio*,
 - (b) *Business Office*,
 - (c) *Professional Office* excluding *Medical Office*,
 - (d) *Personal Service Shop*,
 - (e) *Private Club* (f) *Rental Store*,
 - (g) *Scientific or Medical Laboratory*,
 - (h) *School, Commercial*,
 - (i) *Service Trade*
 - (j) *Custom Print or Copy Shop*

**(n) M1-1(14) (Drive-throughs prohibited and permitted uses)
McKim Township Maps Lot 6, Con 3**

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(14) on the *Zone Maps*, all provisions of this By-law applicable to M1-1 Zones shall apply subject to the following modification:

- (i) *A drive-through service facility shall not be permitted.*
- (ii) In addition to the *uses* permitted in a M1-1 Zone, the following uses shall also be permitted:
 - (a) *Art Gallery,*
 - (b) *Bake Shop,*
 - (c) *Commercial School,*
 - (d) *Custom Print or Copy Shop,*
 - (e) *Day Care Centre,*
 - (f) *Financial Institution,*
 - (g) *Pet Grooming Establishment,*
 - (h) *Retail Store, and*
 - (i) *Tavern.*

~~**(o) M1-1(15) (Institutional building and contractor's yard)
McKim Township Maps Lot 5, Con 5; Lot 4, Con 5**~~

~~Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(15) on the *Zone Maps*, all provisions of this by-law applicable to the "M1-1", Business Industrial zone shall apply subject to the following modifications: 2-~~

- ~~i) In addition to the uses permitted in the M1-1 zone, the following uses shall also be permitted:~~
 - ~~1. On lands described as Parts 2 & 3, Plan 53R-13402, institutional uses and related accessory uses;~~
 - ~~2. On land described as Part 2, Plan 53R-6294, institutional uses, a contractor's yard and related accessory uses. Accessory outdoor storage for the contractor's yard shall be permitted subject to the provisions of Section 4.28.~~

(p) M1-1(16) (CASINO)
Neelon Township Maps Lot 9, Con 3; Lot 9, Con 4; Lot 10, Con 3; Lot 10, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(16) 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 the M1-1 zone, a *place of amusement* in the form of a casino shall be permitted;
- (ii) An *outdoor* plaza shall be permitted as an *outdoor accessory use* to a *place of amusement*, and no parking shall be required for the *outdoor plaza*;
- (iii) A maximum *building height* of 55 m shall be permitted;
- (iv) The *street line* of the street intersecting with the Kingsway shall be deemed to be the *front lot line*;
- (v) A 0 metre *interior side yard* shall be permitted.

(q) M1-1(17) (PUBLIC ARENA)
Neelon Township Maps Lot 9, Con 3; Lot 9, Con 4; Lot 10, Con 3; Lot 10, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(17) 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 the M1-1 zone, a *recreation and community centre* shall be permitted;
- (ii) An *outdoor* plaza shall be permitted as an *outdoor accessory use* to a *recreation and community centre*, and no parking shall be required for the *outdoor plaza*;
- (iii) That a maximum *building height* of 35 m shall be permitted;
- (iv) That a 0 metre *interior side yard* shall be permitted.

(s) M1-1(19) (VEHICLE REPAIR SHOP)
McKim Township Maps Lot 4, Con 5; Lot 5, Con 5;

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(19) 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 the M1-1 zone, a *vehicle repair shop* shall also be permitted.

(t) M1-1(20) (Two dwelling units)
McKim Township Maps Lot 6 Con 3; Lot 7, Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(20) on the *Zone Maps*, all provisions of this by-law applicable to the "M1-1", Business Industrial zone shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in the M1-1 zone, two (2) *dwelling units* shall also be permitted;
- (ii) The location of *existing buildings* is permitted; and,
- (iii) The size of the *existing lot* is permitted.

(u) M1-1(21) (OUTDOOR STORAGE OF VEHICLES)
McKim Township Maps Lot 4, Con 5; Lot 5, Con 5

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(21) on the *Zone Maps*, all provisions of this by-law applicable to the "M1-1", Business Industrial zone shall apply subject to the following modifications:

- i) In addition to the *uses* permitted in the M1-1 Zone, the *outdoor storage* of *vehicles accessory to a vehicle repair shop* shall be permitted.

(v) M1-1(22) (Food processing in the form of a brewery)
McKim Map 1

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(22) 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 the M1-1 zone, a *food processing plant* in the form a brewery shall also be permitted.

(3) SPECIAL LIGHT INDUSTRIAL ZONE - M2

(a) M2(1) (LIGHT INDUSTRIAL AND SERVICE COMMERCIAL) Capreol Township Map 5

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 Map 10

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 Map 2

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 Map 10

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 Map 3 and 4

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 Map 1

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 Township Map 1
MacLennan Township Map 2

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 Map 7

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 Maps Lot 9, Con 1; Lot 9, Con 2;
Lot 8, Con 1; Lot 8, Con 2

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 Maps 2; Lot 8, Con 3; Lot 7, Con 4
Lot 8, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated 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 lands designated M2(10), 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.
- (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.

- (k) **M2(11) (AUTOMOTIVE BATTERIES)**
Broder Township Map 4

Notwithstanding any other provision hereof to the contrary, within any area designated M2(11) 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 retailing , wholesaling and warehousing of automotive batteries shall also be permitted.
(By-law 2011-49Z)

**(l) M2(12) (TEMPORARY STORAGE AND PROCESSING OF
FLUORESCENT LIGHT BULBS)
Broder Township Map 1**

Notwithstanding any other provision hereof to the contrary, within any area designated "M2(12)" on the *Zone Maps*, all provisions of this by-law applicable to the "M2", Light Industrial Zone shall apply subject to the following modifications:

- (i) In addition to the uses permitted in an M2 zoning the crushing and temporary storage of fluorescent light bulbs shall only be permitted in an enclosed *building* having a maximum *gross floor area* of 10 square metres;
- (ii) The crushing and temporary storage of fluorescent light bulbs shall only be permitted on those lands located outside of the *floodplain*; and,
- (iii) The *building* containing the crushing and temporary storage of fluorescent light bulbs shall have a minimum *setback* of 14 metres from Highway #17.

**(m) M2(13) (Automotive sales establishment)
Neelon Township Maps Lot 10, Con 5; Lot 10, Con 6**

Notwithstanding any other provision hereof to the contrary, within any area Designated M2(13) on the *Zone Maps*, all provisions of this By-law applicable to the "M2", Light Industrial zone shall apply subject to the following modification:

- i) In addition to the *uses* permitted in the M2 zone, an *automotive sales establishment* and related *accessory uses* shall also be permitted.

**(n) M2(14) (Reduced setbacks and queueing spaces)
Capreol Township Map 5**

Notwithstanding any other provision hereof to the contrary, within any area designated M2(14) on the *Zone Maps*, all provisions of this by-law applicable to the "M2", Light Industrial zone shall apply subject to the following modifications:

- i) All *uses* permitted in the M2(1) zone shall be permitted;
- ii) The minimum *front yard setback* shall be 10 metres;
- iii) The minimum *rear yard setback* shall be 20 metres; and,
- iv) A minimum three (3) *queueing spaces* shall be provided for each fuel pump.

(o) M2(15) (PARKING LOT)
Neelon Township Maps Lot 9, Con 4; Lot 10, Con 4

Notwithstanding any other provision hereof to the contrary, within any aredesignated M2(15) 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 the M2 zone, a *parking lot* shall be permitted.

(p) M2(16) (Commercial recreation centre and medical office)
McKim Township Maps Lot 8, Con 2; Lot 7, Con 2

Notwithstanding any other provision hereof to the contrary, within any area designated M2(16) on the *Zone Maps*, all provisions of this by-law applicable to the "M2", Light Industrial zone shall apply subject to the following modifications:

- i) In addition to the *uses* permitted in the M2 zone, a *commercial recreation centre* and *medical office* shall also be permitted limited to 590 m² of *gross floor area*; and;
- ii) A minimum of 88 *parking spaces* shall be provided.

(q) M2(17) (FUEL DEPOT)
McKim Township Map Lot 9, Con 2

Notwithstanding any other provision hereof to the contrary, within any area designated M2(17) 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 the M2 Zone, a *fuel depot* and related *accessory uses* shall also be permitted.

(r) M2(18) (ACCESSORY MEDICAL OFFICE)
McKim Township Maps Lot 9, Con 2; Lot 8, Con 2

Notwithstanding any other provision hereof to the contrary, within any area designated M2(18) 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 a M2 Zone a *medical office accessory* to the manufacturing and fabrication of prosthetic limbs and orthotic devices shall also be permitted

(s) M2(19) (Contractor's yard)
Dill Township Map 2

Notwithstanding any other provision hereof to the contrary, within any area designated M2(19) on the *Zone Maps*, all provisions of this by-law applicable to the "M2", Light Industrial zone shall apply subject to the following modifications:

- (i) The only permitted *uses* on the portion of the property described as Parcel 26911 S.E.S., Part 1, Plan SR-551, Part 2, Plan SR-2355 in Lot 1, Concession 2, Township of Dill, shall be a *contractor's yard, commercial self-storage, service trade, warehouse* and related *accessory uses*;
- (ii) *Outdoor storage* shall be permitted subject to the provisions of Section 4.28, except no *outdoor storage* shall be permitted within 50 metres of the southerly *interior side lot line abutting* Part 2, Plan 53R-17031;
- (iii) The existing natural vegetative buffer shall be maintained as follows:
 - (a) 60 metres from the easterly limit of Part 1, Plan SR-2355;
- (iv) The location of the *existing building* shall be permitted; and,
- (v) That the *uses* permitted on the portion of the property described as Part 1, Plan SR-2355 in Lot 1, Concession 2, Township of Dill shall be restricted to the *uses* permitted in the "RU", Rural zone and the Rural zone standards shall apply to those lands.

(4) SPECIAL HEAVY INDUSTRIAL ZONE - M3

**(a) M3(1) (EXPLOSIVES MANUFACTURING)
Garson Township Map 2**

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 Maps 1; Lot 3, Con 5**

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 Map 1**

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 Maps Lot 2, Con 5; Lot 3, Con 5**

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 Map 2
Dowling Township Map 4

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 Maps 2; Lot 9, Con1; Lot 9, Con 2

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 Maps Lot 9, Con 6; Lot 10, Con 6
Garson Township Map 3

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) Minimum *building setback* from Falconbridge Road (Municipal Road 86) shall be 23 metres except a 0 metre *corner side yard* setback shall be required to the existing storage building.

- (iii) Minimum *building setback* from the northerly boundary of parts 1, 2 and 3 on Plan 53R-19396 shall be 130 metres.
- (iv) Maximum *building height* shall be 20 m except where:
 - (a) on lands located within 150 metres of the nearest Residential zone a maximum *building height* of 9 m shall be permitted; and,
 - (b) on that portion of the lands located within Parts 1 to 9, Plan 53R-19396 that are located more than 150 metres from the nearest Residential zone, a maximum *building height* of 12.2 metres shall be permitted.
- (v) *Outdoor storage* shall:
 - (a) along with *landscaped open space*, be the only permitted *uses* on the lands described as Parts 12, 13, 14 and 15, Plan 53R-8738;
 - (b) south of the storage building referred to in clause (ii), be permitted with a 0 m *setback* from the corner *side lot line* along Falconbridge Road.
 - (c) not be permitted within 80 metres of the nearest Residential zone.

**(h) M3(8) (CONCRETE PLANT)
Broder Township Map 1**

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 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 Map 1~~

~~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 in a M3 Zone, 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 Maps 1 and 8

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 in a M3 Zone, 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*.

(k) M3(11) (CONTRACTOR'S YARD)
Neelon Township Map 1

Notwithstanding any other provision hereof to the contrary, within any area designated M3(11) 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 dry industrial uses including garage/warehouse *buildings*, and a *contractor's yard*;
- (ii) For the purposes of the lands designated M3(11), "dry industrial uses" shall mean, any *industrial use*, whose wastewater consists solely of

sewage of domestic origin such as a washroom or kitchen waste and whose subsurface sanitary sewer system has an average daily flow of less than 4500 litres. Notwithstanding the foregoing, a *food processing plant*, a *drycleaning establishment* and a *restaurant* shall not be considered as dry industrial uses.

(l) M3(12) Waters Township Maps 1 and 8

Notwithstanding any other provision hereof to the contrary, within any area designated M3(12) 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 a M3 Zone, *light industrial uses* shall also be permitted.

**(m) M3(13) (RECREATIONAL VEHICLE SALES & SERVICE ESTABLISHMENT)
Garson Township Map 3**

Notwithstanding any other provision hereof to the contrary, within any area designated M3(13) on the *Zone Maps*, all provisions of this By-law applicable to M3 Zones shall apply subject to the following modification:

- (i) That in addition to those *uses* permitted in the M3 Zone, a *recreational vehicle sales and service establishment*, including the sale, servicing and inspection of *recreation vehicles*, motorcycles and related equipment shall also be permitted.

**(n) M3(14) (Aggregate Processing Plant and Biomass & Organic Waste Processing Plant)
McKim Township Map 1**

Notwithstanding any other provision hereof to the contrary, within any area designated M3(14) 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 aggregate processing plant and a waste processing plant for the processing of biomass and organic waste shall also be permitted.

**(o) M3(15) (PARKING LOT)
Neelon Township Maps Lot 9, Con 4; Lot 10, Con 4**

Notwithstanding any other provision hereof to the contrary, within any designated M3(15) 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 the M3 zone, a *parking lot* shall be permitted.

**(p) M3(16) (LIGHT INDUSTRIAL USES & ACCESSORY SALES)
Waters Township Map 8**

Notwithstanding any other provision hereof to the contrary, within any area designated M3(16) 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 the M3 zone, the following shall be permitted:
 - (a) *Light industrial uses*; and
 - (b) *Accessory sales of products not manufactured on-site, in conjunction with a warehouse use for vehicle parts and accessories.*

(5) SPECIAL MINING INDUSTRIAL - M4

**(a) M4(1) (HEAVY EQUIPMENT SALES & SERVICE AND
METALS WHOLESALE AND STORAGE)
Blezard Township Map 2**

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 Maps 2; Lot 12, Con 2**

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 Maps 1 and 4**

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 Map 2**

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 Map 2**

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 Maps 1 and 2**

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 Maps 1 and 2
Dryden Township Map 2

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 Map 2

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 Maps 1 and 2

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 Maps 1 and 3**

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.
- (ii) In addition to the *uses* permitted in an M5 Zone, the *uses* permitted in a RU, Rural Zone shall also be permitted subject to the RU Zone standards.

**(i) M5(9) (QUARRY SETBACK)
Lorne Township Maps 1 and 2**

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.
- (ii) In addition to the *uses* permitted in an M5 Zone, the *uses* permitted in a RU, Rural Zone shall also be permitted subject to the RU Zone standards.

**(j) M5(10) (CEMENT MANUFACTURING PLANT)
Capreol Township Maps 1 and 2**

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 Map 1**

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 of the centre line of the Rapid River.

**(l) M5(12) (CLASS B PIT AS ADDED USE)
Hanmer Township Maps 1 and 2**

Notwithstanding any other provision hereof to the contrary, within any area designated 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) Dill Township Map 2

Notwithstanding any other provision hereof to the contrary, within any area designated 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.

(n) M5(14) (PIT WITH SPECIAL SETBACK)
Dowling Township Map 2

Notwithstanding any other provision hereof to the contrary, within any area designated M5(14) on the *Zone Maps*, all provisions of this By-law applicable to M5 *Zones* shall apply subject to the following modifications:

- i) That no part of any *pit* excavation or *quarry* shall be located within 30 metres of any *public road*, or within 30 metres of any *residential use* on another *lot*.

(7) SPECIAL DISPOSAL INDUSTRIAL - M6

(a) M6(1) Hanmer Township Map 7

Notwithstanding any other provision hereof to the contrary, within any area designated 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 salvage yard;
 - (b) a saw mill;
 - (c) a planing mill;
 - (d) a lumber *yard* including the sale of lumber products and the customizing of vans and their sale;
 - (e) a *single detached dwelling*
- (ii) All *uses* in the M6(1) zone, shall be located on the lot such that they comply with Section 4.42 Wellhead Protection Areas.

**(b) M6(2) (WRECKING YARD AND AUTOMOTIVE USES WITH SPECIAL SETBACK)
Snider Map 1**

Notwithstanding any other provision hereof to the contrary, within any area designated M6(2) on the *Zone Maps*, all provisions of this By-law applicable to M6 Zones shall apply subject to the following modification:

- (i) The only permitted *uses* shall be a *salvage or wrecking yard*, an *automotive sales establishment*, *automotive repair shop*, an *automotive body shop*, and an *impounding yard*;
- (ii) no new *outdoor storage* be allowed within 70 m of the north property boundary; and,
- (iii) That a maximum of twenty-five (25) *vehicles* shall be permitted to be displayed as a part of the *automotive sales use*.

SECTION 4 SPECIAL RURAL ZONES

(1) SPECIAL AGRICULTURAL ZONES - A

(a) A(1) (AGRICULTURAL USES ONLY) Rayside Township Maps 1 and 2 Lumsden Township Map 2

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 Maps 1 and 2

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 Maps 1 and 2

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 Map 1**

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 an A, Agricultural zone, an animal feed and agricultural supply store shall also be permitted.

**(e) A(5) (Enclosed Mini Golf)
Rayside Township Map 1**

Notwithstanding any other provision hereof to the contrary, within any area designated 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 an A Zone, the following *uses* are permitted:
 - (a) An enclosed mini-golf facility.

**(f) A(6) (SINGLE DWELLING, WELDING AND REPAIR SHOP)
Balfour Township Map 2**

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 an 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*, and 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 Map 2**

Notwithstanding any other provision hereof 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 however, shall be permitted within 50 metres of a *public road*.

**(h) A(8) (REDUCED LOT AREA)
Hanmer Township Map 2**

Notwithstanding any other provision hereof 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) Minimum *Lot Area* - 29 hectares

**(i) A(9) (MINIMUM LOT AREA)
Rayside Township Map 1**

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

- (i) Minimum *lot area* 2 ha.

**(j) A(10) (REDUCED LOT AREA AND FRONTAGE)
Rayside Township Map 1**

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

- i) The minimum *lot area* shall be 0.8 hectares;
- ii) The minimum *lot frontage* 60 metres;

(k) A(11) (AGRICULTURAL USES ONLY)
Rayside Township Map 1

Notwithstanding any other provision hereof to the contrary, within any area designated A(11) on the *Zone Maps*, all provisions of this by-law applicable to the "A", Agricultural zone 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(11) Zone a *dwelling unit* shall not be permitted as a *main use*, nor as an *accessory use*.

(l) A(12) (REDUCED MINIMUM LOT FRONAGE & RESIDENTIAL USES PROHIBITED)
Rayside Township Map 1

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

- (i) The minimum *required lot frontage* shall be 22 metres; and,
- (ii) That no *residential uses* are permitted.

(2) SPECIAL RURAL ZONES - RU

**(a) RU(1) (17 SINGLE DETACHED DWELLINGS & ONE MOBILE HOME)
Capreol Township Maps 3 and 4**

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)
Rayside Township Map 2**

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 137 metres from the south limit of Parcels 84 and 14998 SWS, save and except the following:
 - (a) A fencing contractor's *driveway*.
 - (b) One existing 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 within 137 metres from the south limit of Parcels 84 and 14998 SWS.
 - (c) A storage building with a *gross floor area* not exceeding 326 m².
- (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 side lot line*, commencing at the south *lot line* of Parcel 14998 SWS and extending 90 metres along the southwesterly *interior side 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, Plan 53R-18693.

(c) RU(3) (BODY & REPAIR SHOP, SINGLE DETACHED DWELLING)
Rayside Township Map 9

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 Map 6

Notwithstanding any other provision hereof to the contrary, within any area designated 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)
Balfour Township Maps 6 and 7

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 Map 2**

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 RU 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 Map 2
Louise Township Map 1**

Notwithstanding any other provision hereof 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 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 Map 1**

Notwithstanding any other provision hereof to the contrary, within any area designated 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 Zone, a *commercial tourist facility* 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 Map 1**

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 Zone a *single detached dwelling* with an *accessory* guest residence shall be permitted.

**(j) RU(10) (LAWN CARE BUSINESS AND APARTMENT UNITS)
Waters Township Maps 5 and 6**

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 Zone a landscaping, irrigation and lawn care business and four (4) apartment *dwelling units* shall be permitted.

**(k) RU(11) (RADAR BASE) (By-law 2014-235Z)
Capreol Township Map 2
Garson Township 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 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* permitted in a C1 Zone on Tables 7.1 and 7.2.

- (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) 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 Map 1**

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 Map 1**

Notwithstanding any other provision hereof 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 Maps 1 and 2**

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) (LANDSCAPE CONTRACTOR'S YARD AND SINGLE
DETACHED DWELLING)
Broder Township Map 8**

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 *uses* shall be a landscape *contractor's yard* and a single *detached dwelling* and related *accessory uses*;
- ii) That the maximum *gross floor area* of *buildings* for the landscape *contractor's yard use* shall be 465 square metres;
- iii) The *outdoor storage* provisions of Section 4.28 shall apply; and
- iv) Lands zoned RU(15) are designated as a Site Plan Control Area pursuant to Section 41(3) of the Planning Act, as amended, and no *development* will be permitted unless the owners enter into an agreement with the City of Greater Sudbury regarding the facilities to be provided in accordance with the approved plan of *development*.

**(p) RU(16) Broder Township Map 1
McKim Township Map 2**

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 Map 1
McKim Township Map 2**

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:

- a) the only permitted *uses* shall be a *warehouse* and a *contractor's yard* and related accessory offices and accessory shipping and storage containers.

**(r) RU(18) (GOOD NEIGHBOUR SALVAGE)
Dill Township Map 4**

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 detached dwelling*, 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 Maps 3 and 4~~

~~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 Map 1

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 Maps 1 and 9

(By-law 2015-72Z)

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*.
 - (e) A 243 m² garage *building*; and,
 - (f) A 1,227 m² storage *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 designated as a “Site Plan Control Area”, pursuant to Section 41 of the Planning Act, R.S.O. 1990, Chapter P. 13.
 - (v) That a maximum of 20 storage containers be permitted
- (v) **RU(22) Dryden Township Map 2
Cleland Township Map 1**

Notwithstanding any other provision hereof to the contrary, within any area designated 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 shop* and *automotive body shop* and *accessory* office, together with *accessory buildings* and *structures*.

(w) **RU(23) Dill Township Map 2**

Notwithstanding any other provision hereof to the contrary, within any area designated 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</i> area	300 square metres
Maximum <i>height</i>	6 metres

Minimum *setbacks* shall be:

east	4 metres
west	20 metres
north	20 metres
south	2 metres

**(x) RU (24) (REDUCED LOT AREA AND WOODWORKING SHOP)
Dill Township Map 2**

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

- (i) On Part 1, Plan 53R-19599 in Lot 6, Concession 3, Township of Dill, City of Greater Sudbury:
 - (a) the only permitted *use* shall be one *single-detached dwelling and accessory uses*;
 - (b) Minimum *Lot Area* - 0.74 hectares; and,
 - (c) Minimum *Lot Frontage* - 75 metres.
- (ii) On Part 2, Plan 53R-19599 in Lot 6, Concession 3, Township of Dill, City of Greater Sudbury:
 - (a) the only permitted *uses* shall be a woodworking manufacturing shop, other uses, *buildings* and *structures accessory* to the above-noted use, which may include one commercial showroom and two *warehouses* within the *existing buildings* and *structures*;
 - (b) one accessory dwelling unit within the *existing* woodworking manufacturing shop and commercial showroom building shall also be permitted;
 - (b) Minimum *Lot Area* - 1 hectare; and,
 - (c) *Interior Side Yard* setback for all *existing* accessory buildings and structures - 3 metres.

**(y) RU(25) INTERIOR SIDE YARD
Graham Township Map 2**

Notwithstanding any other provision hereof to the contrary, within any area designated 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 minimum easterly *interior side yard* shall be 3 metres.

(z) RU(26) Dill Township Map 2

Notwithstanding any other provision hereof to the contrary, within any area designated 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 Zone, a mechanical repair shop, not including an automotive body shop or welding shop shall be permitted.

**(aa) RU(27) (PIT AS ADDED USE)
Balfour Township Maps 2 and 6**

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 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 Map 1**

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 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 Map 2
Broder Township Map 1**

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 Map 6**

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 Zone, a woodworking and carpentry shop is permitted.

(ee) RU(31) (ANIMAL FEED STORE)
Rayside Township Map 2

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 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 Township Map 1
Garson Township Map 2
Neelon Township Map 1
MacLennan Township Map 2

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 Zone, a *duplex dwelling* is permitted.

(gg) RU(33) (RESIDENTIAL DWELLING & WOODWORKING SHOP)
Rayside Township Map 10

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 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 DWELLING, WATER WELL DRILLING BUSINESS)
Balfour Township Map 6**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(34) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) The only the following *uses* are permitted:
 - (a) a single *dwelling*;
 - (b) a water well drilling business in conjunction with a single *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 Township Map 1
Rayside Township Map 1**

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 Township Map 1
Dryden Township Map 1**

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 Zone, a *private* railroad siding and associated loading areas shall be permitted.

(kk) RU(37) (MULTIPLE FAMILY BUILDING)
Bleazard Township Maps 10, 11 and 12

Notwithstanding any other provision hereof to the contrary, within any area designated RU(37) 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 *multiple dwelling* containing not more than seven (7) *dwelling units* shall be permitted.

(ll) RU(38) (3 UNIT MULTIPLE FAMILY BUILDING)
Dowling Township Maps 1 and 2
Balfour Township Maps 1 and 2

Notwithstanding any other provision hereof 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 modification:

- (i) In addition to the *uses* permitted in a RU, Rural Zone, a three unit *multiple dwelling* shall be a permitted *use*.

(mm) RU(39) (PRIVATE CAMPING GROUND)
Dowling Township Map 2

Notwithstanding any other provision hereof 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 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)
Capreol Township Maps 1 and 2

Notwithstanding any other provision hereof to the contrary, within any area designated RU(40) 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 be permitted:
 - (a) an *industrial use* engaged primarily in sawing, splitting or storing timber;

**(oo) RU(41) (TRIPLEX DWELLING)
Capreol Township Map 2**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(41) 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 following *use* is permitted:
 - (a) a triplex *dwelling*.

**(pp) RU(42) (DUPLEX DWELLING)
Capreol Township Maps 2, 7 and 8
Broder Township Maps 1 and 9**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(42) 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 following *use* is permitted:
 - (a) a duplex *dwelling*.

**(qq) RU(43) (FIREWOOD BUSINESS)
Hanmer Township Maps 1 and 11**

Notwithstanding any other provision hereof 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 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 Map 2
Garson Township Map 1

Notwithstanding any other provision hereof 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 Zone, a wild game and domestic farm animal butchering business shall be permitted.

(ss) RU(45) (WOODEN FLOOR CONTRACTING BUSINESS)
Blezard Township Maps 4 and 5

(BY-law 2015-72Z)

Notwithstanding any other provision hereof 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 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 Map 2

Notwithstanding any other provision hereof 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 Maps 1 and 11

Notwithstanding any other provision hereof 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 an RU Zone, the storage, maintenance and sale of *mobile home dwellings*, *trailers*, cargo containers and storage garages shall be permitted.
- (ii) The storage, maintenance and sale of *mobile home dwellings*, *trailers*, cargo containers and storage garages shall be located a minimum of 609.6 metres north of the *front lot line*, and a minimum of 731.5 metres south of the *rear lot line*. A 22.8 metre wide 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 a "Site Plan Control Area" pursuant to Section 41 of the Planning Act, R.S.O. 1990, Chapter P. 13.

(vv) RU(48) (RETAIL SALE OF FIREWOOD)
Hanmer Township Map 8

Notwithstanding any other provision hereof 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 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 Map 1

Notwithstanding any other provision hereof 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 Zone, an *automotive repair shop* shall be permitted.

(xx) RU(50) (BED AND BREAKFAST/HEATING CONTRACTOR)
Capreol Township Map 7

Notwithstanding any other provision hereof to the contrary, within any area designated 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 RU 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 establishment* with a maximum of 10 *guest 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 Map 2
Garson Township Map 1

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 Map 2

Notwithstanding any other provision hereof to the contrary, within any area designated 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) As an *accessory use* to a *commercial riding school* and *indoor riding arena*, a retail tack shop is permitted, 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;

(aaa) RU(53) (TRIPLEX DWELLING)
Morgan Township Map 2
Balfour Township Map 1

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 Township Map 2

Notwithstanding any other provision hereof to the contrary, within any area designated 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 Map 1
Dowling Township Map 2

Notwithstanding any other provision hereof 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 Map 2

Notwithstanding any other provision hereof 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 Maps 5 and 6**~~ (By-law 2016-70Z)

~~Notwithstanding any other provision hereof 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 *uses* permitted in the RU 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 Map 1

Notwithstanding any other provision hereof 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 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* 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) (DWELLING & CARPENTRY SHOP)
Rayside Township Map 2

Notwithstanding any other provision hereof 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) In addition to the *uses* permitted in a RU, Zone, the following *uses* are permitted:
 - (a) A detached carpentry shop together with a *single detached 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.

**(hhh) RU(60) Accessory Building Height
Balfour Township Map 2**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(60) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) An *accessory structure* with a ground floor area of 135 m² shall be permitted to have a *maximum building height* of 8.6 metres.

**(iii) RU(61) (Water bottling facility)
Rayside Township Maps 1 & 9**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(61) on the *Zone Maps*, all provisions of this by-law applicable to the "RU", Rural zone shall apply subject to the following modification:

- i) In addition to the uses permitted in the RU zone, a water bottling and distribution facility and related accessory uses shall also be permitted.

**(jjj) RU(62) (REDUCED LOT FRONTAGE AND LOT AREA)
Rayside Township Map 2**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(60) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) Minimum *Lot Area* - 0.2 hectares
- (ii) Minimum *Lot Frontage* - 32 metres

**(kkk) RU(63) (MINIMUM LOT FRONTAGE)
Fairbank Township Map 1**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(63) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) Minimum *lot frontage* 64 m.

**(III) RU(64) (REDUCED LOT FRONTAGES)
Balfour Township Maps 2 and 7**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(64) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) On those lands described as Parcel 347 SWS, Lot 4, Concession 3, Township of Balfour, the minimum *Lot Frontage* shall be 35 metres;
- (ii) On those lands described as Parcel 1535 SWS, Lot 5, Concession 3, Township of Balfour, the minimum *Lot Frontage* shall be 0 metres;
- (iii) *Buildings* may be erected on Parcel 1535 SWS notwithstanding that the *lot* has no frontage on an *assumed road*, provided that there is access to the *lot* via a *private access road*, or legal right-of-access to a *public road* is provided across the rail line *abutting* the *lot*.

**(mmm) RU(65) (MINIMUM LOT FRONTAGE)
Balfour Township Map 3**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(65) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) Minimum *lot frontage* 75 m.

**(nnn) RU(66) Environmental Drilling Business
Balfour Township Map 2**

Notwithstanding any other provisions hereof to the contrary, within any area designated RU(66) 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, an environmental drilling business is permitted.
- (ii) The repair, maintenance and washing of equipment shall be restricted to an indoor use.
- (iii) The outside storage of vehicles shall be restricted to those relating to the business.

**(ooo) RU(67) (REDUCED LOT FRONTAGES, EXISTING ACCESSORY BUILDING & NO MAIN BUILDING)
Capreol Township Map 2**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(67) 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* - 60 metres
- (ii) The *existing accessory* building located to the east of those lands described as Part 1 of Plan 53R-19764, may remain on a *lot* with or without a *main*

building and the existing *accessory building* shall maintain a minimum *interior side yard* of 3.6 metres.

**(ppp) RU(68) (Reduced lot frontage)
Dryden MAPS 1 & 5**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(68) on the Zone Maps, all provisions of this by-law applicable to the "RU", Rural zone shall apply subject to the following modification:

- i) The minimum *lot frontage* shall be 22 metres.

**(qqq) RU(69) (Waterfront setback and lot frontage)
Dryden MAPS 1 & 5**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(69) on the Zone Maps, all provisions of this by-law applicable to the "RU", Rural zone shall apply subject to the following modifications:

- i) The minimum *lot frontage* shall be 22 metres; and,
- ii) The minimum setback from the *high water mark* of the Wanapitei River shall be 15 metres.

**(rrr) RU(70) (Utility trailer sales and rental)
Capreol Township Map 1**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(70) on the Zone Maps, all provisions of this by-law applicable to the RU Zone shall apply subject to the following modifications:

- i) In addition to the uses permitted in the RU zone, a sales and rental establishment for utility trailers shall also be permitted;
- ii) The sale, repair or storage of motorized vehicles or *recreational vehicles*, including travel or tent trailers, shall not be permitted;
- iii) The outdoor display and sales of utility trailers shall be permitted under the provisions of Section 4.27.2, subject to the following modifications:
 - (a) A minimum 3-metre wide *planting strip* shall be maintained along the northerly *interior lot line* where it abuts the outdoor display and sales area and the customer *parking area*;
 - (b) The outdoor display and sales area and the customer *parking area* shall be set back a minimum 15 metres from the *front lot line* and a minimum 3 metres from the northerly *interior lot line*.

(sss) RU(71) (SPLIT-ZONE PROVISIONS)

Notwithstanding any other provision hereof to the contrary, within any area designated RU(71) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) Notwithstanding Section 4.23 b) the minimum lot frontage shall be as provided in the R1-2(2) Zone.

(ttt) RU(72) (MINIMUM LOT FRONTAGE)

Notwithstanding any other provision hereof to the contrary, within any area designated RU(72) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) Minimum *Lot Frontage* - 30 metres

(uuu) RU(73) (SPLIT-ZONE MINIMUM FRONTAGE & GARAGE SETBACK)

- i) Notwithstanding Section 4.23 (b) the minimum *lot frontage* shall be 67 metres as measured at the *front lot line* along Highway 17 East; and,
- ii) The minimum setback for a detached garage accessory to a residential dwelling along the southerly RU zone boundary shall be 0 metres.

**(vvv) RU(74) (REDUCED LOT FRONTAGE)
Cleland Township Map 1
Dryden Township Map 2**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(74) 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* - 60 metres

(www) RU(75) Garson Township Maps 6 and 7

Notwithstanding any other provision hereof 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) The minimum *lot frontage* shall be 83 metres.

(xxx) RU(76) (SEASONAL DWELLING)
Morgan Township Map 2

Notwithstanding any other provision hereof to the contrary, within any area designated RU(76) 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 the RU Zone, a *seasonal dwelling* and *accessory uses* shall be permitted on a *lot* that is not a *legal existing waterfront lot*.

(yyy) RU(77) (CONTRACTOR'S YARD)
Dill Township Map 2

Notwithstanding any other provision hereof to the contrary, within any area designated RU(77) 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 *contractor's yard*;
- (ii) *Outdoor storage* shall not be required to be screened by fencing.

**(zzz) RU(78) (Day Spa/Wellness Centre)
Garson Township Maps 1 & 10**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(78) on the *Zone Maps*, all provisions of this by-law applicable to the RU Zone shall apply subject to the following modifications:

- i) In addition to the *uses* permitted in the RU zone, a day spa/wellness centre with an *accessory outdoor recreation area* shall also be permitted;
- ii) The maximum *gross floor area* of the day spa/wellness centre shall be 572 m²;
- iii) A natural vegetative buffer with a minimum width of 3 metres shall be maintained along the westerly *lot line* where it *abuts* Parts 1, 2 & 3, Plan 53R-18637 excluding any clearance required to address drainage and easements; and,
- iv) The subject land is designated as an area of "*Site Plan Control*" pursuant to Section 41 of the Planning Act.

**(aaaa) RU(79) (REDUCED LOT FRONTAGE)
Garson Township Map 4**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(79) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) Minimum *lot frontage* – 70 metres.

(bbbb) RU(80) Waters Township Map 2

Notwithstanding any other provision hereof to the contrary, within any area designated RU(80) on the *Zone Maps*, all provisions of this By-law applicable to M1 Zones shall apply subject to the following modifications:

- 1. The only buildings permitted as part of a contractor's yard use shall be:
 - i) An office building with a *gross floor area* that shall not exceed 195m² ; and
 - ii) A shop building with a *gross floor area* that shall not exceed 280m².
- 2. A minimum 5 metre wide *landscape strip* shall be provided along all *lot lines*; and

3. Lands zoned RU(80) are designated as a "Site Plan Control Area" pursuant to Section 41 of the Planning Act, R.S.O. 1990 Chapter P. 13.

**(cccc) RU(81) (AUTOMOTIVE MUSEUM)
Bleazard Map 1**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(81) on the *Zone Maps*, all provisions of this by-law applicable to the "RU", Rural Zone shall apply subject to the following modifications:

- i) In addition to the *uses* permitted in the RU Zone an *automotive museum* shall be permitted those lands described as Parts 1 & 3, Plan 53R-20289.
- ii) An *automotive museum* is defined herein as a premises for the indoor storage and display to the public of antique and classic automobiles along with accessory uses, including the indoor sales of antique and classic automobiles, but shall not include an *automotive body shop, automotive leasing establishment, automotive lube shop, automotive repair shop* or an *automotive service station*.
- iii) That the *automotive museum* be accessed from Valleyview Road across Part 2 on Plan 53R-20289.
- iv) That the maximum *gross floor area* of buildings for the *automotive museum* shall be 2,500 square metres.
- v) That a minimum *lot frontage* of 60 metres be permitted for the *lot* abutting to the west of Parts 1 & 3, Plan 53R-20289 described as the Remainder of Parcel 292 SES, Lot 12, Concession 4, Township of Bleazard.

**(dddd) RU(82) (REDUCED LOT FRONTAGE)
Hanmer Map 2**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(82) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (ii) Minimum *lot frontage* – 57 metres

**(eeee) RU(83) (REDUCED LOT FRONTAGES)
Bleazard Township Map 1**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(83) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- i) On those lands described as Part 2 on Plan 53R-20362, Part of Lot 2, Concession 6, Township of Bleazard, the minimum *lot frontage* shall be 0 metres;
- ii) *Buildings* may be erected on Part 2 on Plan 53R-20362, Part of Lot 2, Concession 6, Township of Bleazard notwithstanding that the *lot* has no *lot frontage* on an *assumed road*, provided that there is access to the *lot* across a legal right-of-access to a *public road*; and,
- iii) On those lands described on December 9, 2014 as PIN 73502-0834, Lot 2, Concession 6, Township of Bleazard, excluding Part 2, Plan 53R-20362, the minimum *lot frontage* shall be 60 metres.

**(ffff) RU(84) (REDUCED LOT AREA)
Waters Map 5**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(84) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) Minimum *lot area* – 1.4 hectares

**(gggg) RU(85) (REDUCED LOT AREA)
Hanmer Township Maps 1 and 2**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(85) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modification:

- (i) Minimum *lot area* – 0.8 ha.

(hhhh) RU(86) (Reduced lot frontage)
Hanmer Township Maps 2 and 11

Notwithstanding any other provision hereof to the contrary, within any area designated RU(86) on the *Zone Maps*, all provisions of this by-law applicable to the "RU", Rural zone shall apply subject to the following modification:

- (i) The minimum *lot frontage* shall be 57 metres.

(iiii) RU(87) (REDUCED MINIMUM LOT FRONTAGES)
Hanmer Township Map 8

Notwithstanding any other provision hereof to the contrary, within any area designated (RU)87 on the *Zone Maps*, all provisions of this by-law applicable to the RU Zone shall apply subject to the following modification:

- (i) The minimum *lot frontage* shall be 56 metres.

(jjjj) RU(88) (REDUCED LOT AREAS AND FRONTAGES)
Hanmer Township Maps 8 & 9

Notwithstanding any other provision hereof to the contrary, within any area designated RU(88) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) Minimum *Lot Area* – 0.30 hectares
- (ii) Minimum *Lot Frontage* – 42 metres

(kkkk) RU(89) (Lot frontage and access)
Bleazard Township Map 1

Notwithstanding any other provision hereof to the contrary, within any area designated RU(89) on the *Zone Maps*, all provisions of this by-law applicable to the "RU", Rural zone shall apply subject to the following modifications:

- i) The minimum *lot frontage* shall be 45 metres;
- ii) Notwithstanding Section 4.3 of the By-law respecting access to an *assumed road*, the *use* of a *lot* for a permanent *residential use* is permitted where a registered right-of-way over *private* land provides access from the *lot* to a *public road*;
- iii) A *shoreline buffer area* extending to a minimum depth of 15 metres from the *high water mark* shall be maintained in a natural vegetative state; and,
- iv) The clearance of natural vegetation within the *shoreline buffer area* shall be permitted subject to the provisions of Section 4.41.3.

(IIII) RU90 (RAIL CAR)
Fairbank Township Map 2

Notwithstanding any other provision hereof to the contrary, within any area designated RU(90) 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 the RU Zone, one rail car shall be permitted as an *accessory building* for storage purposes;
- (ii) The following minimum *setbacks* shall apply to the rail car:

Front lot line - 40 metres;

Side lot lines – 20 m

High watermark of Fairbank Lake – 25 m”

(mmmm) RU(91) (Reduced lot frontage on Martin Road)
Bleazard Maps 1, 3 & 4

Notwithstanding any other provision hereof to the contrary, within any area designated RU(91) on the *Zone Maps*, all provisions of this by-law applicable to the "RU", Rural zone shall apply subject to the following modifications:

- (i) Martin Road shall be deemed to be the *front lot line*;
- (ii) The minimum *lot frontage* shall be 60 metres; and,
- (iii) The location of *existing buildings* and *structures* shall be permitted.

(nnnn) RU(92) (Reduced lot frontage on Peter Street)
Bleazard Maps 1, 3 & 4

Notwithstanding any other provision hereof to the contrary, within any area designated RU(92) on the *Zone Maps*, all provisions of this by-law applicable to the "RU", Rural zone shall apply subject to the following modifications:

- (i) Notwithstanding Section 4.23 (b), the minimum *lot frontage* shall be 36 metres as measured at the *front lot line* on Peter Street.

(oooo) RU(93) (Lot frontage and regulated area)
Hanmer Township Maps 3 and 4

Notwithstanding any other provision hereof to the contrary, within any area designated RU(93) on the *Zone Maps*, all provisions of this by-law applicable to the "RU", Rural zone shall apply subject to the following modifications:

- (iii) The minimum *lot frontage* shall be 25 metres;
- (iv) *Buildings, structures* and *private sewage disposal systems* shall be located outside the regulated area of Conservation Sudbury.

(pppp) RU(94)

(SEASONAL DWELLINGS & FOUR RURAL WATERFRONT LOTS)

Denison Township Map 2, Graham Township Map 2 &
Louise Township Map 1
(By-law 2020-155Z)

Notwithstanding any other provision hereof to the contrary, within any area designated RU(94) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) That the only permitted *use* on a *waterfront lot* shall be one *seasonal dwelling* along with related *accessory uses*; and
- (ii) The four *waterfront lots* being comprised of Parts 8 to 24, Plan 53R-21361 shall be considered to be four *legal existing waterfront lots*, 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*.

(qqqq) RU (95)

(REDUCED MINIMUM LOT FRONTAGES ON GRAVEL DRIVE)

Notwithstanding any other provision hereof to the contrary, within any area designated RU(95) on the *Zone Maps*, all provisions of this By-law applicable to RU Zones shall apply subject to the following modifications:

- (i) That the minimum lot frontage shall be 61 metres.

(rrrr) RU(96)

(SEPARATION DISTANCE BETWEEN PRIMARY & SECONDARY DWELLING UNIT)

Hanmer Township Map 2
By-law 2021-37Z

Notwithstanding any other provision hereof to the contrary, within any area designated RU(96) on the *Zone Maps*, all provisions of this By-law applicable to RU Zone shall apply subject to the following modifications:

- a. That a *secondary dwelling unit* be permitted having a maximum setback distance of 75 metres from the *primary dwelling unit*.

**(ssss) RU(97) (REDUCED MINIMUM LOT AREA, LOT FRONTAGE
& EXTERIOR SIDE LOT LINE)
Waters Township Map 6
By-law 2021-109Z**

Notwithstanding any other provision hereof to the contrary, within any area designated RU(97) on the *Zone Maps*, all provisions of this By-law applicable to RU Zone shall apply subject to the following modifications:

- (i) That a minimum *lot area* of 0.87 hectares be required;
- (ii) That a minimum *lot frontage* of 60 metres be required; and,
- (iii) That a minimum *exterior side lot line* of 72 metres be required.

(3) SPECIAL RURAL SHORELINE ZONES - RS

(a) RS(1) (RECONFIGURED LOTS) MacLennan Township Map 1

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 Map 1

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 Hanmer Township Map 1 Capreol Township Map 1

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%;
- (ii) Minimum *interior side yard* - 1.2 m, plus 0.6 m for each *full storey* above the *first storey abutting* such *yard*.

(d) RS(4) (Seasonal dwellings on Whitson Lake)
Bleazard Township Map 1

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

- i) The only permitted *use* shall be a *seasonal dwelling* and related *accessory uses*;
- ii) No *public road frontage* shall be required;
- iii) A *shoreline buffer area* extending to a minimum depth of 15 metres from the *high water mark* shall be maintained in a natural vegetative state; and,
- iv) The clearance of natural vegetation within the *shoreline buffer area* shall be permitted subject to the provisions of Section 4.41.3.

(4) SPECIAL SEASONAL LIMITED SERVICE ZONES - SLS

**(a) SLS(1) (SEASONAL RESIDENTIAL WITH LARGE LOTS)
Hutton Township Maps 1 and 2**

Notwithstanding any other provision hereof to the contrary, within any area designated 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 Map 1**

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 Map 1**

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 Township Map 1
Drury Township Map 1
Fairbank Township Maps 2 and 3
Denison Township Map 1**

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) Minimum setback for *main* and *accessory buildings*, other than *boathouses*, pump houses and *docks* from the *high water mark* - 25 m;
- (iii) *Private sewage disposal 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 Map 1

Notwithstanding any other provision hereof to the contrary, within any area designated 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 sewage disposal 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 Map 1

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 Map 2

Notwithstanding any other provision hereof to the contrary, within any area designated 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 Maps 2 and 4

Notwithstanding any other provision hereof to the contrary, within any area designated 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 Map 1

Notwithstanding any other provision hereof to the contrary, within any area designated 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 *Cown Land shoreline* reserve shall be 37 metres.

(j) SLS(10) (Seasonal limited service)
Snider MAP 1

Notwithstanding any other provision hereof to the contrary, within any area designated SLS(10) on the Zone Maps, all provisions of this by-law applicable to the "SLS", Seasonal Limited Service zone shall apply subject to the following modifications:

- i) A shoreline buffer zone extending to a minimum depth of 20 metres from the high-water mark shall be maintained in a natural vegetative state;
- ii) Within the shoreline buffer zone, the maximum area of cleared shoreline of a waterfront lot shall be 25% of the shoreline or up to 23 metres frontage, whichever is lesser;
- iii) The minimum setback for all main buildings shall be 30 metres from the high-water mark;
- iv) All waterfront lots are designated as an area of "Site Plan Control" pursuant to Section 41 of the Planning Act., R.S.O. 1990, Chapter P. 13.

(k) SLS(11) (MINIMUM LOT AREA & ACCESSORY BUILDINGS)

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

- (i) That the minimum *lot area required* shall be 6,500 m²; and,
- (ii) That all *existing buildings* and *accessory buildings* and *structures* located on the lands on August 13, 2019 shall be permitted.

SECTION 5 SPECIAL OTHER ZONES

(1) SPECIAL INSTITUTIONAL ZONES – I

(a) I(1) (ADDITIONAL USES) Capreol Township Map 5

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:

- (i) In addition to *institutional uses*, the following shall be permitted:
 - (a) A *commercial recreation centre*, a *rooming house*, a *trade school*, an *office*.

(b) I(2) (MEDICAL OFFICE) Capreol Township Map 4, Waters Township Map 5 Bleazard Township Map 7 McKim Township Maps Lot 4, Con 5; Lot 5, Con 5

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 Zone, a *medical office* shall also be permitted.

(c) I(3) (DAY CARE CENTRE, ASSEMBLY HALL & MEETING FACILITIES) Waters Township Map 6

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 Map 7**

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 Map 8**

Notwithstanding any other provision hereof to the contrary, within any area designated 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 an I Zone, an audio/visual studio and an *office* shall be permitted.

**(f) I(6) (PUBLIC WORKS)
Hanmer Township Map 7**

Notwithstanding any other provision hereof to the contrary, within any area designated I(6) 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 *public works yard*, in accordance with the *requirements* for *open storage* areas in M3 Zones shall be permitted.;

**(g) I(7) (MEDICAL OFFICE BUILDING)
Levack Township Map 3**

Notwithstanding any other provision hereof to the contrary, within any area designated I(7) 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* are permitted:
 - (a) a *medical office*;
 - (b) a *pharmacy*

**(h) I(8) (MUNICIPAL OFFICES, RECREATION FACILITIES, TRADE SCHOOL AND OFFICES)
Dowling Township Map 3**

Notwithstanding any other provision hereof 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 *Zone*, the following *uses* are permitted:
 - (a) *a trade school;*
 - (b) *offices*

**(i) I(9) (PLACE OF WORSHIP)
Hanmer Township Maps 4 and 5**

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 modification:

- (i) The only permitted *uses* shall be a *place of worship* and related *accessory uses*.

**(j) I(10) (SPECIAL NEEDS FACILITY)
Blezard Township Maps 4 and 5**

Notwithstanding any other provision hereof 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 Map 9**

Notwithstanding any other provision hereof 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 the I *Zone*, a *medical office* and a *carnival* which is accessory to a permitted *institutional use* shall also be permitted.

(l) I(12) (RECREATION CAMP)
Wisner Township Map 2
Bowell Township Map 2

Notwithstanding any other provision hereof 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 Map Lot 7, Con 2

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 Maps Lot 12, Con 3; Lot 11, Con 3

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 Map 1 and 7**

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 Map 1
McKim Township Map 2**

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 *place of worship* 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 Maps Lot 12, Con 2; Lot 12, Con 3
Snider Township Map 4**

Notwithstanding any other provision hereof to the contrary, within any area designated I(17) 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 *use* shall be permitted:
 - (a) *Offices*;
- (ii) The maximum number of *guest rooms* in a *retirement home* shall be 94.
- (iii) *Required parking spaces* for a *retirement home* shall be provided at a minimum ratio of one (1) *parking space* per four (4) *guest rooms*.

(r) I(18) McKim Township Maps Lot 7, Con 2; Lot 6, Con 2

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 Maps Lot 8, Con 2; Lot 8, Con 3**

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 Maps Lot 3, Con 6; Lot 3, Con 5; Lot 4, Con 6

Notwithstanding any other provision hereof to the contrary, 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* 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 Maps Lot 5, Con 2; Lot 6, Con 2; Lot 6, Con 1; Lot 5, Con 1

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 Maps Lot 7, Con 4; Lot 6, Con 4

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 modification:

- (i) In addition to the *uses* permitted in an I Zone, sales and servicing of electronic and communications merchandise of all kinds, *private schools*, *commercial schools*, *offices* and *service trades* shall also be permitted.

(w) I(23) (OFFICES AND PERSONAL SERVICES)
McKim Township Map Lot 5, Con 4

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 service shops*.

(x) I(24) (Retirement home)
McKim Township Maps Lot 5, Con 4; Lot 6, Con 4

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 the I Zone shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in the “I”, Institutional zone, a *retirement home* shall be limited to a maximum 198 *guest rooms* and related *accessory uses*;
- (ii) A minimum 0.25 *parking spaces* per *guest room* shall be required;
- (iii) A minimum 10 bicycle *parking spaces* shall be provided;
- (iv) The minimum easterly *interior side yard* shall be 5 metres;
- (v) The minimum *rear yard* shall be 3 metres; and,
- (vi) The location of the *existing building* shall be permitted.

(y) I(25) SENIORS HOUSING COMPLEX
McKim Township Maps Lot 3, Con 2; Lot 2, Con 2

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 dwellings*, *semi-detached dwellings* 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 *retirement home* containing a maximum of 85 *guest rooms*.
 - (d) *accessory* support services which may include *personal service shops*, a *pharmacy* and *medical offices*.
 - (e) related *accessory uses*.
- (i) That parking for the *retirement home* containing up to 85 *guest rooms* shall be provided in accordance with the following:

- 2 spaces for the *retirement home*, 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 Maps Lot 4, Con 4; lot 4, Con 5;
Lot 5, Con 4; Lot 5, Con 5

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 the I Zone, a computer software business, *business office*, *professional office* and *personal service shop* shall be permitted.

(aa) I(27) (SCHOOL)
McKim Township Map Lot 6, Con 2

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 Maps 3 and 8

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 an I Zone, *offices*, an auditorium, a *commercial recreation centre*, a *rooming house* and a *commercial school* shall be permitted.

(cc) I(29) (SEPARATE SCHOOL BOARD)
McKim Township Maps Lot 8, Con 3; Lot 7, Con 3

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 Map Lot 6, Con 4**

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 Map 5**

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 Zone, the following *uses* are permitted:
 - (a) a light industrial use which for the purposes of the lands zoned I(31) 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 Map 4**

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.

**(gg) I(33) (CHURCH PROPERTY)
McKim Township Map Lot 6, Con 4**

Notwithstanding any other provision hereof to the contrary, within any area designated I(33) on the *Zone Maps*, all provisions of this By-law applicable to I Zones shall apply subject to the following modifications:

- (i) The size and location of the *existing building* and concrete steps shall be permitted;
- (ii) The minimum *lot area* shall be 371 m²;
- (iii) No minimum *parking spaces* shall be required.

**(hh) I(34) (OFFICES)
Neelon Township Lot 9, Con 3**

Notwithstanding any other provision hereof to the contrary, within any area designated I(34) 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, non-institutional offices not exceeding 93 m² are permitted.

**(ii) I(35) (Additional Parking)
McKim Township Map Lot 6, Con 2**

Notwithstanding any other provision hereof to the contrary, within any area designated "I(35)" on the *Zone Maps*, all provisions of this by-law applicable to "I", Institutional Zones shall apply subject to the following modifications:

- (i) in addition to the uses permitted in an "I", Institutional zone a parking lot to service the adjacent commercial development on lands currently zoned C4(7) shall also be permitted

**(jj) I(36) (Location of Grotto office)
McKim Township Maps Lot 5, Con 3; Lot 4, Con 3**

Notwithstanding any other provision hereof to the contrary, within any area designated I(36) on the *Zone Maps*, all provisions of this by-law applicable to the "I", Institutional zone shall apply subject to the following modification:

- i) The location of the existing building on Lot 112, Plan 2-S shall be permitted.

**(kk) I(37) (ADDITIONAL USES)
Neelon Township Maps Lot 10, Con 6; Lot 11, Con 6; Lot 10, Con 5;
Lot 11, Con 5**

Notwithstanding any other provision hereof to the contrary, within any area designated I(37) 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 the uses permitted in an I Zone, the following shall be permitted:
 - (a) A school of dance/dance studio and office uses.
- ii) Required parking for the existing building shall be a minimum of 46 parking spaces.

**(II) I(38) (Paper products company)
Broder Township Map 7**

Notwithstanding any other provision hereof to the contrary, within any area designated I(38) on the Zone Maps, all provisions of this by-law applicable to the I Zone shall apply subject to the following modification:

- i) In addition to the uses permitted in the "I", Institutional zone, a warehouse and office facility for the wholesale distribution of paper products and related products and services, to include periodic warehouse sales, shall also be permitted.

**(mm) I(39) (Dog training school)
Garson Township Map 7**

Notwithstanding any other provision hereof to the contrary, within any area designated I(39) on the Zone Maps, all provisions of this by-law applicable to the "I", Institutional zone shall apply subject to the following modification:

- i) The only permitted uses shall be a dog training school and related *accessory uses*, all within the *existing building*, and any *use* permitted in all *Zones* under Section 4.40 of Part 4;
- ii) The breeding, raising and/or boarding of domestic animals or household pets is not permitted; and,
- iii) Outdoor activity areas, outdoor dog runs and open animal pens are not permitted.

**(nn) I(40) (Place of worship)
Broder Township Map 4**

Notwithstanding any other provision hereof to the contrary, within any area designated I(40) on the *Zone Maps*, all provisions of this by law applicable to the "I", Institutional *zone* shall apply subject to the following modifications:

- i) The only permitted *uses* shall be a *place of worship*, related *accessory uses*, and any *use* permitted in all *Zones* under Section 4.40;

- ii) The minimum easterly *interior side yard setback* shall be 3 metres; and,
- iii) The maximum *building height* shall be 11 metres.

**(oo) I(41) (Light manufacturing and office uses)
Capreol Township Map 5**

Notwithstanding any other provision hereof to the contrary, within any area designated I(41) 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 the *uses* permitted in the I Zone, *light manufacturing and office uses* shall also be permitted; and,
- ii) The location of the *existing building* shall be permitted.

**(pp) I(42) (Cemetery and aggregate extraction)
Dowling Township Map 2**

Notwithstanding any other provision hereof to the contrary, within any area designated I(42) 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 the *uses* permitted in the "I", Institutional zone, a *pit use* shall also be permitted on the lands identified as Part 2, Plan 53R-20430. No *uses accessory* to the *pit* shall be permitted

**(qq) I(43) (Place of Worship)
McKim Township Maps Lot 2, Con 3; Lot 1, Con 3**

Notwithstanding any other provision hereof to the contrary, within any area designated I(43) on the *Zone Maps*, all provisions of this by-law applicable to the "I", Institutional zone shall apply subject to the following modifications:

- i) The only permitted *uses* shall be a *place of worship*, related *accessory uses*, and any *use* permitted in all *Zones* under Section 4.40 of Part 4 hereof;
- ii) The location of the *existing building* shall be permitted; and;
- iii) The maximum *building height* shall be 11 metres.

**(rr) I(44) (Reduced interior side yard setbacks)
Dowling Township Map 6**

Notwithstanding any other provision hereof to the contrary, within any area designated I(44) on the *Zone Maps*, all provisions of this by-law applicable to the "I", Institutional zone shall apply subject to the following modifications:

- (i) The following minimum *setbacks* shall apply:
 - (a) Easterly *interior side yard abutting* Part 2, Plan 53R-20693 shall be 3 metres; and,
 - (b) Southerly *interior side yard abutting* Parts 2 and 3, Plan 53R-20693 shall be 4.6 metres.

(ss) I(45) RESEARCH AND DEVELOPMENT FACILITY
Dill Township Map 2, Cleland Township Map 3

Notwithstanding any other provision hereof to the contrary, within any area designated I(45) 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 *institutional uses* a *light industrial use* in the form of a research and development facility including the assembly of electrical components, automated software systems and products shall be permitted, and;
- (ii) No *outdoor* storage shall be permitted.

(tt) I(46) (LONG TERM CARE FACILITY WITH ACCESSORY USES)
Broder Township Map 4

Notwithstanding any other provision hereof to the contrary, within any area designated I(46) on the *Zone Maps*, all provisions of this By-law applicable to I Zones shall apply subject to the following modifications:

- (i) That the only permitted *use* shall be a *long term care facility* containing a maximum of 256 beds along with *accessory uses* that are directly related to the *principal use*;
- (ii) That the *long term care facility* have a maximum *building height* of four-stores;
- (iii) That a maximum of 160 *parking spaces* be permitted; and,
- (iv) That a minimum of two *loading spaces* be provided.

(uu) I(47) (Office uses)
McKim Township Maps Lot 5, Con 4; Lot 6, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated I(47) 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 the *uses* permitted in the Institutional *zone*, *offices* shall also be permitted;
- (ii) Notwithstanding the above, *medical offices* shall be limited to 740 m² of *net floor area*;
- (iii) The *lot line abutting* Mackenzie Street shall be deemed to be the *front lot line*;
- (iv) The location of the *existing building* shall be permitted;
- (v) A retaining wall shall be permitted with zero *setback abutting* Lot 94, Plan RCP 85-S.

(vv) I(48) (Existing parking area and detached garage)
McKim Township Maps Lot 5, Con 4; Lot 6, Con 4

Notwithstanding any other provision hereof to the contrary, within any area designated I(48) 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 the *uses* permitted in the Institutional *zone*, the *existing parking area* comprising 60 *parking spaces* and an *existing detached garage* shall also be permitted.

(ww) I(49) Long-term care facility
Neelon Township Maps Lot 10 Con 3; Lot 9 Con 3

Notwithstanding any other provision hereof to the contrary, within any area designated I(49) on the *Zone Maps*, all provisions of this by law applicable to the "I", Institutional *zone* shall apply subject to the following modifications:

- (i) The only permitted *uses* shall be a *long-term care facility* containing a maximum of 320 beds along with *accessory uses* that are directly related to the principal *use*;
- (ii) The maximum *building height* shall be 21 metres;
- (iii) The minimum *lot frontage* shall be 26 metres;
- (iv) A minimum of two (2) *loading spaces* shall be provided; and,
- (v) A maximum of 160 *parking spaces* shall be permitted.

**(xx) I(50) Former Pinecrest PS site
Hanmer Township Maps 4 and 5**

Notwithstanding any other provision hereof to the contrary, within any area designated I(50) 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 the uses permitted in the I zone, the following uses shall also be permitted:
 - (a) Maximum 19 *row dwelling units*;
 - (b) Maximum 24 *multiple dwelling units* within the *existing building*;
 - (c) Maximum 500 m² of *gross floor area* within the *existing building* allocated to commercial uses to include *personal service shop, medical office, professional office and service shop*; and,
 - (d) *Related accessory uses*.
- (ii) The location of the *existing building* shall be permitted;
- (iii) The minimum *rear yard abutting* Lot 26, Plan M-347 and the minimum *interior side yard* abutting the southerly *lot line* of Lot 44, Plan M-347 shall be 1.8 metres;
- (iv) The maximum *building height* of a *dwelling unit abutting* the southerly *lot line* of Lots 26 & 44, Plan M-347 shall be one (1) *storey*;
- (v) A minimum 68 *parking spaces* shall be provided;
- (vi) The following site-specific provisions shall be applied to *row dwellings*:
 - (a) The minimum *setback* from a *street line* shall be six (6) metres;
 - (b) *Driveways* for each pair of *units* shall be paired and centred at the common wall;
 - (c) The provisions of the "R3", Medium Density Residential zone shall apply in regards to *privacy yards, required courts, planting strips and building offsets*.

**(yy) I(51) Former St. Raphael School site
McKim Township Maps Lot 2, Con 5; Lot 1, Con 5**

Notwithstanding any other provision hereof to the contrary, within any area designated I(51) on the Zone Maps, all provisions of this by-law applicable to the "I", Institutional zone shall apply subject to the following modifications:

- (i) The location of the *existing building* shall be permitted;
- (ii) *Existing landscaped open space* including *planting strips* shall be permitted;
- (iii) A steel guardrail, constructed in a manner consistent with applicable provincial standards, to prevent *vehicles* leaving the travelled portion of the south *driveway*, adjacent to the slope, to be constructed along the south boundary of the south *driveway*, as it extends to the north and the length of Part 1 on Plan 53R-3835, PIN 02124-0158; and;

- (iv) A board-to-board *fence* of quality materials, at the maximum *height* permitted by the City's By-law(s) relating to *fences* shall be constructed along the length of the north boundary of Part 1 on Plan 53R-3835, PIN 02124-0158.

(2) SPECIAL PARKS ZONES – P

**(a) P(1) (BELL GROVE)
McKim Township Maps Lot 5, Con 2; Lot 4, Con 2**

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 Map Lot 12, Con 2**

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 Map 5**

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 *commercial school*, 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 Maps Lot 12, Con 4; Lot 3, Con 4;
Lot 1, Con 4

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) McKim Township Map Lot 1, Con 1**
Falconbridge Township Map 3

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 an 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 Map 4

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.

- (d) OSP(4) (Communal Well)**
MacLennan Township Map 4

Notwithstanding any other provision hereof to the contrary, within any area designated OSP (4) 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 communal well shall also be permitted; and
- (ii) The location of the *existing building* shall be permitted.

(f) OSP(6) (ACCESS DRIVEWAY)
McKim Township Maps Lot 4, Con 5; Lot 5, Con 5

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

- (i) In addition to the *uses* permitted in the OSP Zone, an access *driveway* shall be permitted.

(g) OSP(7) (Outdoor recreation area accessory to row dwellings)
Hanmer Township Map 8

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

- (i) A *gazebo* and pavilion shall be permitted as *accessory uses* to an *outdoor recreation area*;
- (ii) For the purposes of Part 11, Section 5, Subsection (4), Paragraph (g), a pavilion shall be defined as a light *building* in an *outdoor recreation area* used as shelter or for private entertainment.

(5) SPECIAL OPEN SPACE –RECREATION ZONES – OSR

**(a) OSR(1) (GOLF COURSE FRONTAGE AND SIDE YARD)
Balfour Township Map 4**

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 Maps 1 and 9**

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 Maps 1 and 6**

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 park* including but not restricted to rides, games, retail concessions and *restaurants*;
 - (b) *camping ground*;
 - (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 *Provincial Highway 17*..

- (iii) All parking generated by the *development* shall be provided on the site.

(d) OSR(4) (ANGLERS & HUNTERS CLUB)
Broder Township Map 2

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)
Broder Township Maps 1 and 6

Notwithstanding any other provision hereof to the contrary, 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 Map 7

Notwithstanding any other provision hereof to the contrary, 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 Map 4

(By-law 2015-72Z)

Notwithstanding any other provision hereof to the contrary, 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 371 m² shall be permitted.

(h) OSR(8) (SINGLE DETACHED DWELLING)
Garson Township Map 2

Notwithstanding any other provisions hereof to the contrary, within any area designated “OSR(8)” on the *Zone Maps*, all provisions of this by-law applicable to “OSR”, Open Space Recreation Zone shall apply subject to the following modification:

- i) In addition to the uses permitted in an OSR Zone, a single detached dwelling and *accessory uses*, shall be permitted on Part 1, Plan 53R-20553;
- ii) *Minimum lot area* for a *lot* contained within Part 1 Plan 53R-20553 shall be 0.4 ha;
- iii) *Minimum lot frontage* for a *lot* contained within Part 1, Plan 53R-20553 shall be 0 m;
- (iv) No *lot frontage* is required onto an *assumed road* in order for a *building permit* to be issued provided that an *easement* for access purposes is registered in favour of the lands comprising Part 1, Plan 53R-20553, providing access to Maley Drive; and
- (v) In addition to the uses permitted in an OSR Zone, a *driveway* providing access, and sewer and water services to uses permitted on Part 1, Plan 53R-20553, shall be permitted on Part 2, Plan 53R-20553.

(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 Map 6**

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 Map 6**

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 Maps 1 and 5**

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.

(d) FD(4) (SINGLE DWELLING PERMITTED)
Rayside Township Maps 7 & 8

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

- i) A *single detached dwelling* may be permitted; and
- ii) The *minimum lot area* shall be 0.30 hectares.

(e) FD(5) (BARN PERMITTED)
Rayside Maps 3 and 8

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

- (i) That a barn with a maximum *gross floor area* of 465 m² (5000 ft²) shall be permitted as a *main building*;
- (ii) That the housing of *livestock* shall not be permitted; and
- (iii) The minimum *setback* from all *lot lines* shall be 10 m.

(f) FD(6) (ONE SINGLE-DETACHED DWELLING & SITE PLAN CONTROL)
Hanmer Township Maps 2, 10 & 11

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

- (i) That the only permitted use shall be *use* shall be one *single-detached dwelling*; and,
- (ii) That those lands zoned “FD(6)” are designated as an area of “Site Plan Control” pursuant to Section 41 of the Planning Act, R.S.O. 1990, c. P.13.

PART 12

TEMPORARY USE ZONES

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 (By-law 2012-67Z)	R1-1(6)	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> .	September 29, 2010	April 29, 2017
T2 (By-law 2019-134Z)	RU	Parcel 49981 SES, Part 1, Plan 53R-14091, Lot 2, Concession 3, Township of Hanmer	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> .	May 13, 2019	May 12, 2022
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.	September 29, 2010	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> .	September 29, 2010	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</i> unit on the <i>second floor</i> of a two <i>storey garage</i> a with a minimum <i>corner side yard</i> width of 4 metres.	September 29, 2010	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 (By-law 2012-67Z)	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> , which is to be occupied as a <i>garden suite</i> .	September 29, 2010	March 27, 2012
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> .	September 29, 2010	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> .	September 29, 2010	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> .	October 29, 2019	October 1, 2022
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>	June 9, 2020	June 9, 2023
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> .	June 9, 2020	July 13, 2023
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 29, 2010	September 16, 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
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> .	September 29, 2010	August 10, 2017
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> .	September 29, 2010	August 5, 2015
T15	R1-5	Parcel 27922 S.E.S., Lot 1, Concession 3, Township of Hanmer	A second <i>dwelling unit</i> , which is to be occupied as a <i>garden suite</i> .	September 29, 2010	April 12, 2016
T16	RU	Parcel 2076 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.	September 29, 2010	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.	September 29, 2010	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> , which is to be occupied as a <i>garden suite</i> .	September 29, 2010	May 23, 2017
T19	RU	Part 3, Plan 53R-19256, Lot 7, Concession 2, Township of Capreol	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> .	September 29, 2010	February 10, 2020
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 29, 2010	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> .	September 29, 2010	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> .	September 29, 2010	May 23, 2018
T23 (By-law 2012-67Z)	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> .	September 29, 2010	March 27, 2012
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> .	September 29, 2010	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 .	September 29, 2010	July 9, 2018
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> .	September 29, 2010	April 15, 2019

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
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> .	September 29, 2010	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> .	September 29, 2010	May 5, 2015
T29	R1-5	Parcel 23850 and 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> .	September 29, 2010	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> , which is to be occupied as a <i>garden suite</i> .	September 29, 2010	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> , which is to be occupied as a <i>garden suite</i> .	September 29, 2010	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> .	September 29, 2010	May 9, 2017
T33	R1-5	Lot 1, Plan 53M-1364, Part Lot 8, Concession 1 Township of Garson	A model manufactured home retail sale display area.	September 29, 2010	October 14, 2012

T34	RU	Parcel 9286 S.W.S. Lot 6, Concession 6, 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 <i>building</i> and/or contractor's business operation(s) <i>setback</i> shall be 30 metres from the west limits of Parcel 9286 S.W.S. and 10 metres from any other <i>lot line</i> .	July 7, 2015	July 16, 2018
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> .	September 29, 2010	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> .	September 29, 2010	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 29, 2010	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> .	August 11, 2015	August 11, 2018
T39	C4	Lot 14, Plan 3S, Lot 6, Concession 3, Township of McKim	A <i>dwelling unit</i> in the lower level of the <i>building</i> .	September 29, 2010	August 11, 2012
T40	RU	Parcel 49266 S.E.S., Part 1, Plan 53R-12670, Lot 12, Concession 3, Township of Capreol	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> .	September 29, 2010	May 19, 2020

T41	M3	Parts 2 to 7, 11 to 18, 28, 30, 31 and 55 to 60, Plan 53R-13393, Lot 9, Concession 6, Township of Neelon	A <i>pit</i> and related <i>accessory uses</i>	September 29, 2010	August 11, 2013
T42	R1-2	PIN 73498-0071, Parcel 50922 S.E.S., Lot 11, Plan M-270, Lot 7, Concession 4, Blezard Township	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> .	September 29, 2010	August 11, 2020
T43	A	Parcel 50549 S.E.S., Part 1, Plan 53R-14487, Lot 10, concession 6, Township of Blezard	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> The minimum north <i>interior side yard</i> for the <i>garden suite</i> shall be 2 metres.	September 29, 2010	August 11, 2020
T44	A	Parcel 18267 S.W.S., Part 1 and 2, Plan 53R-17946, Lot 5, Concession 3, Township of Rayside	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> . The minimum west <i>interior side yard</i> and the minimum <i>rear yard</i> for the <i>garden suite</i> shall be 2 metres.	September 29, 2010	August 11, 2020
T45	RU (By-law 2019-137Z)	Parcel 46360 S.E.S., Part 1, Plan 53R-9283, Lot 12, Concession 5, Township of Blezard	A second <i>dwelling</i> which is to be occupied as a <i>garden suite</i> .	August 13, 2019	August 13, 2022
T46	RU	Parcel 49847 SES, Part 2, Plan 53R-12627 in Lot 5, Concession 4, Township of Hanmer	A second dwelling which is to be occupied as a garden suite	October 29, 2019	November 10, 2022
T47	R1-5	PIN 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. No part of the <i>parking area</i> shall be located closer than 1.8 metres to a <i>residential lot</i> , nor closer than 3 metres to Arthur Street.	May 7, 2019	May 13, 2022

T48	RU	Parcel 42953 SES, Part 1, Plan 53R-6726, Lot 11, Concession 1, Township of Hanmer	A second <i>dwelling</i> unit in the form of a <i>garden suite</i>	November 10, 2010	September 29, 2020
T49	RU	Parcel 11178 SWS, Lot 2, Concession 3, Township of Lorne	A second <i>dwelling</i> unit in the form of a <i>garden suite</i>	November 24, 2010	October 13, 2020
T50	A	Parcel 7158 SES, Lot 11, Concession 1, Township of Hanmer	Second dwelling unit (garden suite)	February 9, 2011	February 9, 2021
T51	A	Parcel 1657 SES in Lot 12, Concession 2, Township of Hanmer	A second dwelling unit in the form of a garden suite.	February 23, 2011	February 23, 2021
T52	RU	PIN 73509-0317, Part 2, Reference Plan 53R-19120, Lot 6, Concession 3, Township of Capreol	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	October 16, 2012	October 16, 2022
T53	RU	PIN 73506-0035, Parcel 53033 SES, Part 1, 53R-16038, Lot 5, Concession 4, Township of Hanmer	Second dwelling unit (garden suite)	March 30, 2011	March 30, 2021
T54	M2	PIN 73587-0105, Parcel 39232 S.E.S., Part 1, Plan 53R-5444 in Lot 9, Concession 2, Township of McKim	An <i>automotive sales establishment</i> accessory to an <i>automotive repair shop</i> with a maximum of 10 vehicles on the property for the purposes of sale.	March 30, 2011	March 30, 2014
T55 (2021 -56Z)	RU	PIN 73507-1637, Parts 1 & 2, 53R-17544, Lots 9 & 10, Concession 4, Township of Capreol	Second dwelling unit (garden suite)	April 13, 2021	March 30, 2024

T56 (By-law 2021- 139Z)	A	Parcel 49368 SES, Part 2, Plan 53R-12854, Lot 12, Concession 6, Township of Blezard	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	July 14, 2021	May 11, 2024
T57	Rural	PIN 73504-2991, Part 2, Plan 53R-19141, Lot 5, Concession 3, Township of Hanmer	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	May 25, 2011	May 25, 2021
T58	RU	PIN 73348-0514, Part 1, 53R-18669, Lot 3, Concession 1, Township of Balfour	A second <i>dwelling</i> unit in the form of a <i>garden suite</i>	June 15, 2011	June 15, 2021
T59	RU	PIN 73506-0109, Parcel 44985 SES, Part 2, Plan 53R-8404, Lot 6, Concession 4, Township of Hanmer	A second <i>dwelling</i> unit in the form of a <i>garden suite</i>	September 14, 2011	September 14, 2021
T60	A	PIN 73505-0153, Parcel 46010 SES, Part 1, Plan 53R-9148 in Lot 9, Concession 1, Township of Hanmer	A second <i>dwelling</i> unit in the form of a <i>garden suite</i>	November 23, 2011	November 23, 2021
T61	R1-1	PIN 73513-0052, Parcel 45027 SES, Part 7, 53R-7788, Lot 6, Concession 4, Township of MacLennan	A second <i>dwelling</i> unit in the form of a <i>garden suite</i>	December 14, 2011	December 14, 2021
T62	RU	PIN 73351-0621, Part 1, Plan 53R-19176, Lot 2, Concession 4, Township of Balfour	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	March 6, 2012	March 6, 2022

T63	P	PINs 02132-0402 & 02132-0597, Parcels 31700 & 38788 SES, Lots 1 to 4 Plan M-979, Lot 6 Plan M-906, Lots 2 & 3, Concession 5, Township of McKim	A motion picture staging and equipment rental business within the <i>existing</i> arena building; There shall be no <i>outdoor storage</i> of equipment or materials, and; No additional parking, beyond the <i>existing parking area</i> , shall be required for the temporary use.	June 29, 2021	March 20, 2024
T64	RU	PIN 73395-0353, Parcel 31072 S.W.S., Part 4, Plan 53R-13850 in Lot 5, Concession 5, Township of Lorne	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> , which shall be set back a minimum of 125 metres from the southerly <i>interior lot line</i> and a minimum of 90 metres from the westerly (<i>rear</i>) <i>lot line</i> .	May 29, 2012	May 29, 2022
T65	R1-2	PIN 73476-0380, Parcel 27747 SES, Lot 53, Plan M-379, Lot 5, Concession 4, Township of Broder	The existing accessory detached garage as located on the lot is permitted to be used as a second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	July 9, 2012	July 9, 2022
T66	RU	PIN 73500-0052, Parcel 50000 SES, Part 3, Plan 53R-12838, Lot 10, Concession 5, Township of Blezard	The <i>existing</i> two storey accessory structure is permitted to be used as a <i>garden suite</i> .	August 14, 2012	August 14, 2022
T67	RU	PIN 73506-0072, Parcel 50243 SES, Part 2, Plan 53R-13640, Lot 6, Concession 4, Township of Hanmer	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	August 14, 2012	August 14, 2022

T68	RU	PIN 73479-0066, Parcel 50488 S.E.S., Parts 2 to 7, Plan 53R-14439 in Lot 11, Concession 5, Township of Dill	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	October 30, 2012	October 30, 2022
T69	C2	Part 1, Plan 53R-5883, Lot 6, Concession 1, Township of Garson	Outdoor storage and parking of construction and mining equipment on the lands located within 57 metres of the rear lot line being the southerly boundary of Part 1, Plan 53R-5883. The outside storage area shall not be required to be screened by opaque fencing.	December 11, 2012	December 11, 2015
T70	RU	PIN 73560-0497, Part 1, Plan 53R-18867 in Lot 7, Concession 4, Township of Hanmer	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	December 11, 2012	December 11, 2022
T71	RU	PIN 73505-0079, Parcel 51072 SES, Part 1, Plan 53R-15473, Lot 7, Concession 3, Township of Hanmer	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	December 11, 2012	December 11, 2022
T72	A	PIN 73350-0295, Parcel 29846 S.W.S., Part 1, Plan 53R-13878 in Lot 7, Concession 2, Township of Balfour	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	January 29, 2013	January 29, 2023
T73	RU	PIN 73470-0168, Parcel 12570, Lot 6, Concession 1, Township of Dill	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	February 26, 2013	February 26, 2023

T74	R1-5	PIN 73501-1138, Part of Lot 16, Plan M-390, Parcel 33682A in Lot 9, Concession 6, Township of Blezard	A second <i>dwelling</i> unit (<i>garden suite</i>) in the form of a <i>mobile home</i> with a maximum size of 85 m ² . Minimum <i>setbacks</i> for the <i>garden suite</i> shall be 15 metres from the <i>front lot line</i> and 3 metres from the southerly <i>lot line</i> .	March 26, 2013	March 26, 2023
T75	M1-1(10)	Part of PIN 73585-1049, Parts 37 & 43, Plan 53R-14343, Lot 6, Concession 3, Township of McKim, Energy Court, Sudbury	A retail store.	May 13, 2014	November 13, 2015
T76	RU	PINs 73475-1365 and 73475-1359, Parts 4 , 8, 9 & 14, Plan 53R-18060, Lots 7 & [8, Concession 5, Township of Broder	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	June 11, 2013	June 11, 2023
T77	RU	PIN 73346-1008, Parcel 30011 SWS, Lot 2, Concession 2, Township of Blezard	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	June 25, 2013	June 25, 2023
T78	RU	PIN 73503-0524, Parcel 407 SES, Lot 3, Concession 1, Township of Hanmer	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> . The <i>existing dwelling</i> is permitted to be used as a <i>garden suite</i> .	June 25, 2013	June 25, 2023
T79	RU	PIN 73470-0209, Parcel 23804 SES, in Lot 2, Concession 3, Township of Dill	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	June 25, 2013	June 25, 2023

T80	RU	PIN 73482-0203, Parcel 11382 SES, Lot 8, Concession 4, Township of Dryden	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	July 9, 2013	July 9, 2023
T81	RU	PIN 73503-1524, Part 1, Plan 53R-18725, Lot 1, Concession 2, Township of Hanmer	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	October 8, 2013	October 8, 2023
T82	R1-5	PIN 73378-0260, Lot 2, Plan M-531, Parcel 21776 S.W.S., in Lot 8, Concession 4, Township of Waters	A second <i>dwelling</i> unit (<i>garden suite</i>) in the form of a <i>mobile home</i> with a maximum size of 101 m ² . Minimum <i>setbacks</i> for the <i>garden suite</i> shall be 15 metres from the <i>front lot line</i> and 3 metres from the southerly <i>lot line</i> .	October 8, 2013	October 8, 2023
T83	RU	PIN 73369-0082, Parcel 30664 SWS, Parts 4 & 8, Plan 53R-14951, Lots 9 & 10, concession 6, Township of Snider	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	October 8, 2013	October 8, 2023
T84	A	PIN 73345-0280, Parcel 25987 SWS, Part 2, Plan 53R-7315, Lot 2, Concession 4, Township of Rayside	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	October 8, 2013	October 8, 2023
T85	R1-2	PIN 73478-1087, Parcel 17362 SES, Parts 1 & 2, Plan 53R-19711, Lot 1, Concession 5, Township of Broder	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	February 11, 2014	February 11, 2024
T86	R3	PINs 73575-0450, 73576-0235, & 73575-0448, Parts 1, 4, 8, 9, & 10, 53R-18250, Lots 9 & 10, Concession 3, Township of Neelon	A <i>contractor's yard</i> .	February 25, 2014	February 25, 2016

T87	RU	Parts 1, 2, 3 & 4, Plan 53R-18233, Lot 8, Concession 3, Township of Dryden	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	March 25, 2014	March 25, 2024
T88	M1	Parts 13 and 14, Plan 53R-11852, Lot 9, Concession 1, Township of Garson	A landscape <i>contractor's yard</i> including the storage, display, and sale of aggregate and landscaping products; Notwithstanding Section 4.28 of By-law 2010-100Z <i>outdoor storage</i> shall be permitted, but not closer than 9 metres to a <i>street line</i> ; and Access to the temporary use shall be provided from Maley Drive; direct access to Falconbridge Highway is not permitted.	April 29, 2014	April 29, 2017
T89	RU	PIN 73510-0251, Parcel 1894 SES, in Lot 6, Concession 4, Township of Capreol	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	May 27, 2014	May 27, 2024
T90	RU	PIN 73351-0243, Parcel 16518B SWS, in Lot 6, Concession 4, Township of Balfour	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	May 27, 2014	May 27, 2024
T91	RU	PIN 73479-0262, Parcel 22728 SES, Part 3, Plan 53R-7705, Lot 12, Concession 5, Township of Dill	<i>Outdoor</i> sale of blueberries.	May 5, 2020	May 5, 2023
T92	A	PIN 73505-0071, Parcel 51454 SES, Part 1, Plan 53R-15911, Lot 9, Concession 1, Township of Hanmer	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	August 12, 2014	August 12, 2024

T93	R1-5	PIN 73347-0585, Parcel 26302 S.W.S., Part 1, Plan 53R-7722 in Lot 6, Concession 1, Township of Rayside	A second <i>dwelling unit</i> on the <i>second floor</i> of a detached <i>garage</i> , which is to be occupied as a <i>garden suite</i> .	October 7, 2014	October 7, 2024
T94	RU	PIN 73395-0295, Parcel 25470 SWS, Parts 1, 2 & 4, Plan 53R-6368, Lot 1, Concession 5, Township of Lorne	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	October 7, 2014	October 7, 2024
T95	A	PIN 73345-0408, Parts 3 & 4, Plan 53R-13618, Parcel 29721, Lot 7, Concession 4, Township of Rayside	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	December 9, 2014	December 9, 2024
T96	RS	PIN 73522-0057, Parcel 22274 S.E.S., in Lot 5, Concession 2, Township of Wisner	A second <i>dwelling unit</i> on the <i>second floor</i> of a detached <i>garage</i> , which is to be occupied as a <i>garden suite</i> .	January 27, 2015	January 27, 2025
T97	A	PIN 73505-0617, Parcel 261 SES, Lot 7, Concession 2, Township of Hanmer	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	February 10, 2015	February 10, 2025
T98	RU	PIN 73508-0066, Parcel 53241 SES, Parts 3 & 4, Plan 53R-16351, Lot 10, Concession 1, Township of Capreol	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	March 31, 2015	March 31, 2025
T99	RU	PIN 73353-0161, Parcel 25466 SWS, Part 4, Plan 53R-5936, Lot 1, Concession 2, Township of Dowling	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	July 7, 2015	July 7, 2025
T100	RU	PIN 73507-1672, Part 1, Plan 53R-18377, Lot 9, Concession 5, Township of Capreol	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	August 11, 2015	August 11, 2025

T101	RU	Parcel 14928 S.E.S., in Lot 2, Concession 6, Township of Neelon	A contractor's business being comprised of the storage, servicing and operation of boom trucks and cranes, and <i>accessory office uses</i> . Minimum <i>setbacks</i> for the operations of any temporary use associated with a contractor's business shall be 90 metres from the <i>front lot line</i> and 37 metres from any other <i>lot line</i> .	August 11, 2015	August 11, 2018
T102	RU	PIN 73506-0491, Remainder of Parcel 1419 S.E.S., Pt. of Part 2, Plan 53R-16691 in Lot 3, Concession 4, Township of Hanmer	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	August 11, 2015	August 11, 2025
T103	R1-5	PIN 73350-0201, Parcel 21408 SWS, Lot 4, Plan M-421, Lot 4, Concession 2, Township of Balfour	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	September 30, 2015	September 30, 2025
T104	RU	PIN 73509-0003, Parcel 53726 SES, Part 1, Plan 53R-5150, Part 1, Plan 53R-17012, Lot 8, Concession 1, Township of Capreol	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	November 24, 2015	November 24, 2025
T105	A	PIN 73509-0045 (LT), Part 1, Plan 53R-9542, Lot 7, Concession 2, Township of Capreol	A second <i>dwelling</i> unit in the form of a <i>garden suite</i> .	December 15, 2015	December 15, 2025
T106	RU	PIN 73382-0703, Parcel 8208, Lot 6, Concession 2, Township of Denison	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	April 12, 2016	April 12, 2026

T107	RU	PIN 73506-0468, Part 1, Plan 53R-18461, Lot 4, Concession 4, Township of Hanmer	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	June 28, 2016	June 28, 2026
T108	RU	PIN 73346-1006, Parcel 29914, Part 3, Plan 53R-13565, Lot 2, Concession 2, Township of Rayside	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	June 28, 2016	June 28, 2026
T109	R2-3	PIN 73584-0719, Part of Lots 103-105, Plan 4S, Lot 5, Concession 3, Township of McKim	A <i>business office</i> in the <i>existing</i> detached <i>accessory structure</i> . No storage or transfer of any construction material or construction equipment related to the business operations shall be permitted.	August 14, 2018	November 30, 2020
T110	RU	PIN 73345-0426, Parcel 30420, Part 3, Plan 53R-14849, Lot 5, Concession 5, Township of Rayside	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	February 28, 2017	February 28, 2027
T111	RU	PIN 73506-0236 (LT), Parcel 2337 Rem, Part 2, Plan 53R-16779, Lot 4, Concession 4, Township of Hanmer	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	April 25, 2017	April 25, 2020
T112	RU	PIN 73508-1017, Parcel 7381 SES in Lot 9, Concession 3, Township of Capreol	A <i>garden suite</i> in the form of a <i>mobile home</i> .	July 11, 2017	July 11, 2027

T113	P	PIN 73503-1158, Parcel 22063 SES, Lot 60, Plan M-453, Lot 1, Concession 3, Township of Hanmer	A foodbank and the use of a maximum of two storage containers. The owner shall erect an opaque fence buffering the storage containers to the satisfaction of the Director of Planning Services by no later than December 1, 2017.	September 12, 2017	September 12, 2020
T114	RU	PIN 73507-1247, Parcel 31565, Part 2, Plan SR-793, Lot 9, Concession 4, Township of Capreol	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	July 10, 2018	July 10, 2028
T115	RU	PIN 73351-0645, Parcel 5606 S.W.S., Part 3, Plan 53R-19631 in Lot 4, Concession 4, Township of Balfour	A second <i>dwelling unit</i> in the form of a <i>garden suite</i> .	August 14, 2018	August 14, 2028
T116	R1-5	PIN 73475-1622, part of Parcel 26272, Part of Lot 6, Plan M-340, Part 1, Plan 53R-21247, Lot 6, Concession 6, Township of Broder	Outdoor <i>vehicle</i> storage. A 1.5 m high opaque <i>fence</i> together with a 1.8 m landscaped area protected by a barrier is required along the west boundary. A 3.0 m <i>planting strip</i> including a continuous row of trees protected by a barrier is required along the south boundary. Access will only be permitted by way of those lands known municipally as 2097 & 2091 Long Lake Road.	January 21, 2020	January 21, 2024

T117	OSP(3)	PIN 73560-0152, Parcel 46240, Parts 2, 9 to 12, 20 to 31 & 34-46, Plan 53R-8358, Lots 2 & 3, Concession 3, Township of Neelon	A private <i>bus terminal</i> and related <i>accessory uses</i> including a parking area containing 176 parking spaces and 4 accessible spaces.	October 20, 2020	October 20, 2023
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PART 13

HOLDING PROVISIONS

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 development agreement is required	PIN 73565-0936, Parcel 53775, Parts 5 to 7, Plan 53R-17123, Lot 10, Con 6, Neelon Twp	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 development agreement has been executed.	July 15, 2011	
H2	<i>Existing</i> and former <i>waste disposal sites</i> and adjacent lands	Multiple properties	<p>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 10.6 (Waste Disposal Assessment Areas) of the Official Plan and Guideline D-4 (April 1994) of the Province of Ontario or its successor.</p> <p>The Holding Provision shall not apply to the issuance of a <i>building permit</i> for:</p> <ul style="list-style-type: none"> a) Interior <i>alterations</i> to <i>existing buildings</i> and/or <i>structures</i>; b) Exterior <i>alterations</i> that do not expand the <i>floor area</i> of the <i>first storey</i> of an <i>existing building</i> or <i>structure</i>; and, c) New <i>buildings</i> or <i>structures</i>, or <i>alterations</i> to <i>existing buildings</i> and/or <i>structures</i> that do not prevent the free movement of air into the atmosphere. <p>In addition to the above, the Holding Provision shall not apply in a circumstance where a <i>building permit</i> is not required.</p>	<p>September 29, 2010</p> <p>August 13, 2013 (on lands described as PIN 73353-0089, Parcel 17061 SWS, Lot 7, Concession 2, Township of Dowling</p>	

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	<p>Until such time as the H symbol has been removed by amendment to this By-law by Council only the following shall be permitted:</p> <ol style="list-style-type: none"> 1. The replacement, <i>alteration</i> and reconstruction of <i>legal existing non-conforming buildings and structures</i> in accordance with Sections 4.24 and 4.25 of this By-law. 2. The replacement, <i>alteration</i>, reconstruction and expansion of <i>legal existing buildings or structures</i> 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 <i>gross floor area</i> of the <i>building or structure</i> that existed on the date that the Holding provision came into effect. 3. The construction of new <i>structures</i> up to 38 m² <i>gross floor area</i> which are <i>accessory</i> to a <i>legally existing</i> permitted <i>use</i> but shall not include a <i>garden suite</i>. <p>The Holding (H3) provision applying to lands within 120 metres of the Environmental Protection (EP) <i>Zone</i> may be lifted if a Development Permit and/or exemption has been obtained from the Nickel District Conservation Authority or its successor, an approval has been obtained from the Sudbury and District Health Unit or its successor and provided the proposed <i>development</i> will not have a negative impact on the wetland and its associated ecological functions.</p>	September 29, 2010	<p>July 10/12 Parts 8 & 9, Plan 53R-5805, and Part 6, Plan 53R-19723, Lot 6, Con 5, Hanmer Twp Aug 13/13 PIN 73353-0089, Pcl 17061, Lot 7, Con 2, Dowling Twp Oct 29/13 PIN 73560-0020 & 73506-0118, Pts 6 & 7, 53R- 5805, Lot 6, Con 5, Hanmer Twp March 24/14 PIN 73353- 0141, Pcl 21933, Part 4, SR-1457, Lot 2, Con 2, Dowling Twp July 8/14 PIN 73506- 0182, Parcel 31171 SES, Part 1, Plan 53R-5598, Lot 7, Concession 5, Township of Hanmer October 7/14 PIN 73351-0515 & PIN 73351- 0097, Part of Parcel 4677, Lot 10, Concession 6, Township of Balfour, 1676 Morgan Rd., Chelmsford</p> <p>CONT'D</p>

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(cont'd)	Lands adjacent to Provincially Significant Wetlands	Multiple properties	<p>Until such time as the H symbol has been removed by amendment to this By-law by Council only the following shall be permitted:</p> <ol style="list-style-type: none"> 1. The replacement, <i>alteration</i> and reconstruction of <i>legal existing non-conforming buildings and structures</i> in accordance with Sections 4.24 and 4.25 of this By-law. 2. The replacement, <i>alteration</i>, reconstruction and expansion of <i>legal existing buildings or structures</i> 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 <i>gross floor area</i> of the <i>building or structure</i> that existed on the date that the Holding provision came into effect. 3. The construction of new <i>structures</i> up to 38 m² <i>gross floor area</i> which are <i>accessory</i> to a <i>legally existing</i> permitted <i>use</i> but shall not include a <i>garden suite</i>. <p>The Holding (H3) provision applying to lands within 120 metres of the Environmental Protection (EP) <i>Zone</i> may be lifted if a Development Permit and/or exemption has been obtained from the Nickel District Conservation Authority or its successor, an approval has been obtained from the Sudbury and District Health Unit or its successor and provided the proposed <i>development</i> will not have a negative impact on the wetland and its associated ecological functions.</p>	September 29, 2010	<p>April 28/15 PIN 73351-0396, Parcel 28437 SWS, Part 3, Plan 53R-8791, Lot 10, Concession 6, Township of Balfour</p> <p>Sept 30/15 Part of PIN 73353-0088(LT), Parcel 17033 SWS, Part of Lot 7, Concession 1, Township of Dowling</p> <p>July 10, 2018 PIN 73353-0135, Parcel 21631 SWS, Part 7, Plan SR-1457, Lot 2, Concession 2, Township of Dowling</p>

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.	September 29, 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
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	<p>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:</p> <ol style="list-style-type: none"> 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. 	September 29, 2010	July 10, 2012

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 (By-law 2017-90Z)	Architectural and engineered drawings	Parcel 7517 SWS, Lot 2, Concession 5, Township of Rayside	<p>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(5)" 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:</p> <p>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>.</p>	September 29, 2010	
H7	Floodproofing of <i>existing building</i>	Parcel 4383 SES, Lots 23 and 24, Plan M-36, Lot 4, Concession 3, Township of Neelon	<p>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:</p> <p>1. <i>Council</i> has been advised by the Nickel District Conservation Authority that any section of the <i>existing building</i> which will be used for residential occupancy has been flood proofed.</p>	September 29, 2010	June 13, 2017

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 <i>flood plain</i>	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	<p>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:</p> <ol style="list-style-type: none"> 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</i> Solicitor, and 2. <i>Council</i> has been advised by the Nickel District Conservation Authority that the lands have been removed from the <i>flood plain</i> 	September 29, 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
H9	Sanitary sewer test manhole	Parcel 20703 SWS, Lot 18, Plan M-367, Lot 4, Concession 4 Township of Dowling	<p>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:</p> <ul style="list-style-type: none"> - 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>. <p>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:</p> <p>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.</p>	September 29, 2010	
H10	Site plan agreement	Part 1, Plan 53R-15814, Lot 4, Concession 1, Township of Blezard	<p>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:</p> <p>1. The owner shall enter into a <i>Site Plan Control Agreement</i>.</p>	September 29, 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
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.	September 29, 2010	
H12	Removal of <i>building</i>	PIN 02136-0045, Lot 140, Plan 1S, Lot 6, Concession 4 McKim Township	<p>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:</p> <p>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>.</p>	September 29, 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
H13	Improvements to water supply	<p>1. Part PIN 73504-2823, part Parcel 22436A S.E.S., Lot 6, Concession 2, Township of Hanmer</p> <p>2. Part of Parcel 400, S.E.S., Part 1, Plan 53R-15633, Lot 2, Concession 3, Township of Hanmer</p>	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.	September 29, 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
H14	Construction of left turn lane	Parts 1 to 4 inclusive, Plan 53R-15217, Lot 12, Concession 4, Township of Neelon.	<p>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 park, 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:</p> <p>1. That satisfactory arrangements have been made for construction of a left turn lane to the satisfaction of the General Manager of Infrastructure.</p>	September 29, 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
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.	<p>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:</p> <ol style="list-style-type: none"> 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. 	September 29, 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
H16	Consolidation with <i>abutting</i> lots	Parts 5 and 7, Plan 53R-17192, Concession 3, Lot 10 Township of Dryden	<p>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:</p> <p>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</p>	September 29, 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
H17	Site Plan Control Agreement, Access restrictions, Agreement for road dedication	<p>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</p> <p>PIN 73596-0729 in Lot 1, Concession 7, Township of McKim</p>	<p>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:</p> <ol style="list-style-type: none"> 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 <i>abut</i> Regent Street within a 	<p>September 29, 2010</p> <p>September 23, 2014</p>	

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 3 metre wide 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.	September 29, 2010	
H18	Adequate municipal water and sanitary sewer services	Parts 8, 9, 10 and 45, Plan 53R-13393, in Lot 9, Concession 6, Township of Neelon.	<p>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:</p> <p>1. The General Manager of Infrastructure must advise that municipal water and sanitary sewer services are adequate to service the <i>development</i>.</p>	September 29, 2010	
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 6, Township of Neelon.	<p>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:</p> <p>1. The General Manager of Infrastructure must advise that municipal water and sanitary sewer services are adequate to service the <i>development</i>.</p>	September 29, 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
H20	Adequate municipal water services	Part 14, Plan 53R-13355 in Lot 7, Concession 1, Township of McKim.	<p>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:</p> <p>1. The General Manager of Infrastructure must advise that municipal water services are adequate to service the <i>development</i>.</p>	September 29, 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
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	<p>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:</p> <ol style="list-style-type: none"> 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. 	September 29, 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
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 sewage disposal system	1. Parcel 43115 being Parts 1 and 2, Plan 53R-6789; 2. That part of Parcel 7263 located on the south side of South Bay Road	<p>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 <i>Zone</i>. 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:</p> <p>1. The proof of an adequate supply of potable water on the property to the satisfaction of the General Manager of Infrastructure.</p> <p>2. Approval from the Sudbury and District Health Unit to establish a subsurface sewage disposal system on the property to the satisfaction of the <i>Health Unit</i>.</p>	September 29, 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
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.	<p>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:</p> <ol style="list-style-type: none"> 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. 	September 29, 2010	Dec 11, 2012

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.	September 29, 2010	
H25	Transfer of lands to the City	Property Description: Part 1 of Plan 53R-18356 in Lot 3, Concession 3, Township of McKim.	<p>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:</p> <p>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.</p>	September 29, 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
H26	Installation of municipal sanitary sewer	Parts 2, 3, 8 and 9, Plan 53R-17577, in Lot 7, Concessions 3 and 4, Neelon Township.	<p>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 industrial uses".</p> <p>For the purpose of this By-law, the following definition shall apply:</p> <p>'dry industrial use' 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 <i>dry cleaning establishment</i> and a <i>restaurant</i> shall not be considered as dry industrial uses.</p> <p>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:</p> <p>1. The General Manager of Infrastructure must advise that municipal sanitary sewer services have been installed on the subject property.</p>	September 29, 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
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.	September 29, 2010	November 21, 2017
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 2050m ² shall be permitted on the subject property in accordance with the M1-1 <i>Zone</i> with the 560m ² one <i>storey</i> portion of the <i>existing 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. (By-law 2011-49Z)	September 29, 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
H29	Traffic study	Part of PIN 73592-0412, being Parts 10 to 16, Plan 53R-17763 in Lot 3, Concession 2, McKim Township	<p>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 <i>single detached dwellings</i>, <i>semi-detached dwellings</i> and/or <i>row dwellings</i> and whereby the "H29", Holding designation shall only be removed upon fulfilment of the following condition:</p> <p>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.</p>	September 29, 2010	<p>May 8, 2017</p> <p>On Parts 1 to 5, Plan 53R-20414 and Parts 1 to 4, Plan 53R-20819 in Lot 3, Concession 2, Township of McKim</p>

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H30	Traffic study, agreement and site plan agreement	Parcel 23150A S.E.S., and Parcel 24426, Part 1, Plan 53R-9027, Lot 6, Concession 1, Township of Hanmer	<p>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:</p> <ol style="list-style-type: none"> 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. 	September 29, 2010	
H31	Removal of lands from <i>flood plain</i>	Remainder of Parcel 1023, Part Lot 6, Concession 6, Township of Blezard	<p>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:</p> <ol style="list-style-type: none"> 1. <i>Council</i> has been advised by the Nickel District Conservation Authority that the lands have been removed from the <i>flood plain</i>. 	September 29, 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
H32	Lands where adequate water and sanitary services can be provided, a site plan agreement and draft plan of condominium approval is required	Parts 1, 2, 3, 4, 7 and 8, 53R-19527, Lot 7, Concession 6, Waters Township	<p>The "H32", 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 conditions are first satisfied:</p> <ol style="list-style-type: none"> 1. The applicant demonstrating that water and sanitary services can be provided to the satisfaction of the General Manager of Infrastructure and Emergency Services. 2. The owner having entered into a site plan agreement with the City for any revisions required to the layout of the golf course to accommodate the residential development and for any multiple dwellings comprising more than four dwelling units. 3. Draft plan of condominium approval having been granted by the City. 	Aug 9, 2011	Feb 25, 2014

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H33	Lands where a development agreement is required	<p>Part 1, Plan 53R-19574, Part of Lot 7, Concession 2, Township of Drury</p> <p>Parts 1 & 2, Plan 53R-19642, Part of Lot 7, Concession 1, Township of Drury</p> <p>PIN 73383-0175, Part 1, Miscellaneous Plan 643, Part of Lot 7, Concession 1, Township of Drury</p> <p>North of the Lands Granted under Patent A1830, Part of Lot 7, Concession 1, Township of Drury</p>	<p>The only permitted use of the subject property until such time as the “H” Holding designation has been removed by <i>Council</i> shall be those uses permitted in the Rural Zone. The “H” Holding designation 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 condition is first satisfied:</p> <p>That the owner enter into an agreement with the City to upgrade Spanish River Road, from High Falls Road to Municipal Road 4, to the satisfaction of the General Manager of Infrastructure Services.</p>	December 14, 2011	May 31, 2016

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H34	Phase I & II ESA	PIN 73349-1279, Parcel 15070 S.W.S., Lot 1, Plan M-320 in Lot 2, Concession 3, Township of Balfour	<p>The “H34”, 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:</p> <p>i) The owner shall prepare a Phase I Environmental Site Assessment in accordance with the Environmental Protection Act to the satisfaction of the Chief Building Official. If no issues related to former land use activities are identified, the holding designation can be removed.</p> <p>ii) If the Phase I ESA reveals the potential for site contamination, a Phase II Environmental Site Assessment will be required in accordance with the Environmental Protection Act subject to the following:</p> <p>(a) If the Phase II ESA determines that there are no impacts from former land use activities and that no site remediation is required to allow for residential uses on the site, the holding designation can be removed.</p> <p>(b) If the Phase II ESA determines that the site exceeds the applicable criteria for residential use, the holding designation shall not be lifted until such time that the site has been remediated and a Record of Site Condition is prepared and submitted to the City to the satisfaction of the Chief Building Official.</p>	January 24, 2012	July 10, 2012

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	Installation of maintenance access chamber(s).	PIN 73570-0166, Parcels 21098 & 24597, Lots 11 & 12, Plan M-341, Lot 11, Concession 5, Township of Neelon, City of Greater Sudbury	<p>The "H35", 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 conditions are first satisfied:</p> <p>1. The only permitted uses of the property shall be those uses permitted in the M1 Zone until such time as a maintenance access chamber(s) has been installed on the subject lands to the satisfaction of the General Manager of Growth and Development.</p>	January 24, 2012	June 12, 2012
H36	Geotechnical Report, Development Agreement and Nickel District Conservation Authority	Parts 1 through 32, Plan 53R-19503, Lots 7 & 8, Concession 1, Parts 2 & 5 on Plan 53R-17538 in Lot 8, Concession 1, Township of McKim	<p>The only permitted uses of the subject property until such time as the "H" Holding designation has been removed by <i>Council</i> shall be those uses permitted in the OSC Zone. The "H36", Holding symbol in this By-law shall only be removed by <i>Council</i> 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:</p> <p>1) That the applicant/owner undertake and submit to the City a Geotechnical Report to the satisfaction of the Chief Building Official;</p> <p>2) That the applicant/owner enter into a development agreement with the City which addresses the completion of a preconstruction survey of adjacent properties, excavation plans, weeping tile design and other matters to the satisfaction of the Director of Planning Services; and,</p> <p>3) That the applicant/owner submit a Section 28 application to the Nickel District Conservation Authority. The Nickel District Conservation Authority shall inform the City that said application has been received and approved to their satisfaction.</p>	March 27, 2012	February 25, 2014

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H37	Access	PIN 73584-0652 and PIN 73591-0047 being Part 2, Plan 53R-3947 in Lot 5 Concessions 2 and 3, Township of McKim	<p>The "H37", 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 condition is first satisfied:</p> <p>1.The General Manager of Growth and Development advising that the owner has made satisfactory arrangements for access, if required, across the <i>abutting</i> lands.</p>	November 20, 2012	July 8, 2014
H38	Installation of test manhole	PINs 73599-0311, 73599-0312 & 73599-0313, Parcels 40779, 40780 & 40781 S.E.S., Lots 126 to 128, Plan M-1023 in Lot 12, Concession 2, Township of McKim	<p>The "H38", Holding symbol in this By-law shall only be removed by <i>Council</i> 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 condition is first satisfied:</p> <p>i) The owner shall install a test manhole (maintenance access chamber) to the satisfaction of the Director of Planning Services.</p> <p>Until such time as the "H" symbol has been removed by amendment to this By-law by <i>Council</i>, the only permitted <i>uses</i> shall be the following:</p> <p>i) <i>Offices</i> excluding a <i>medical office</i>;</p> <p>ii) <i>Rental store</i>;</p> <p>iii) <i>Service trades</i> excluding a custom print or copy shop, a <i>dry cleaning</i> or laundering establishment, painter, cabinet maker, taxidermist, pest exterminator or cleaner; and,</p> <p>iv) <i>Warehouse</i>.</p>	January 15, 2013	May 28, 2013

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H39	Removal of lands from the <i>flood plain</i>	Parts 1 to 3, Plan 53R-19931 in Lot 6, Concession 1, Township of Hanmer	<p>The “H39”, Holding symbol in this By-law shall only be removed by <i>Council</i> 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 condition is first satisfied:</p> <p>i) That the lands located within the <i>flood plain</i> have been removed from the <i>flood plain</i> to the satisfaction of the Nickel District Conservation Authority and the General Manager of Infrastructure Services.</p>	Jan 29, 2013	
H40	Public road connection	Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 Plan 53R-20418, Lot 4, Concession 5, Township of Border	<p>Until such time as the “H40” symbol has been removed by amendment to this By-law by <i>Council</i>, a maximum of 55 <i>dwelling units</i> shall be permitted. The “H40”, 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:</p> <p>1. That a <i>public road</i> connection exists from the lands subject to the H40 Holding Symbol to Maurice Street or Tuscany Trail to the satisfaction of the General Manager of Infrastructure Services</p>	March 31, 2015	
H42	Sewage capacity	PIN 73377-1440, Parts 1 & 2, Plan 53R-16585 except Parts 1 & 2, Plan 53R-17181 in Lot 7, Concession 5, Township of Waters	<p>The “H42”, Holding symbol in this By-law shall only be removed by <i>Council</i> 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 condition is first satisfied:</p> <p>i) Sewage capacity is or will be made available to the satisfaction of the General Manager of Infrastructure Services.</p>	November 24, 2015	June 13, 2017

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H43	Extension of sanitary sewer services, Traffic Impact Analysis & Stormwater Management Report	Parts 1, 2, 13 & 14, Plan 53R-18226 in Lot 5, Concession 3, Township of Hanmer Part 3, Plan 53R-21074 in Lot 5, Concession 3, Township of Hanmer	<p>The “H43”, Holding symbol in this By-law shall only be removed by <i>Council</i> 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:</p> <p>i) The owners shall have entered into a servicing agreement with the City of Greater Sudbury respecting the extension of municipal sanitary sewer services to service the lands subject to the “H”, Hold symbol, and agree to contribute towards the cost of the extension of the sanitary sewer;</p> <p>ii) Municipal sanitary services are available to service the development;</p> <p>iii) A traffic impact analysis which identifies those road improvements which are required to support the uses permitted on the lands subject to the “H”, Hold symbol and that the owner enter into an agreement with the City to contribute towards the cost of any improvements or upgrades identified in the study including a paved shoulder on the west side of Deschene Road from the north limit of the lands subject to the “H” to Municipal Road 80;</p> <p>iv) Stormwater Management Report, to include details concerning a stormwater drainage outlet for the site and that the owner enter into an agreement with the City to contribute towards the cost of any drainage improvements identified in the report.</p>	June 28, 2016	

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H44	Adequate water services	Parts 3 to 8, Plan 53R-20805, Lot 4, Concessions 3 & 4, Township of Neelon	<p>The only permitted use of the subject property until such time as the “H” Holding designation has been removed by <i>Council</i> shall be those uses permitted in the FD, Future Development Zone. The “H44” Holding Symbol in this By-law shall only be removed by <i>Council</i> 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 condition is first satisfied:</p> <p>1. That the owner shall have entered into a servicing agreement with the City of Greater Sudbury respecting improvements to the municipal water supply system to provide adequate flows of domestic water and fire protection to the subject lands to the satisfaction of the General Manager of Growth &Infrastructure.</p>	April 11, 2017	September 28, 2021 (By-law 2021-163Z)
H45	Traffic Study	Parts 7, 11, 15, 16, 17 and 18, Plan 53R-20256, Lot 6, Concession 1, Township of Rayside	<p>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:</p> <p>1. The owner having submitted a traffic impact study to the satisfaction of the General Manager of Growth & Infrastructure;</p> <p>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, to the satisfaction of the General Manager of Growth & Infrastructure.</p>	July 11, 2017	

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H46	Private sewage disposal system	PIN 73479-0540 Part 2, Plan 53R-10088 and Part 1, Plan 53R-20262, Lot 10, Concession 5, Township of Dill	<p>Until such time as the “H46” symbol has been removed by amendment to this By-law by Council, a maximum of 12 camp sites and 4 guest suites shall be permitted. The “H46” 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:</p> <p>1. The owner shall have:</p> <p>i) demonstrated how a new or expanded septic system can be accommodated while maintaining the required 20 m wide <i>landscaped open space area</i> abutting Whippoorwill Avenue, and</p> <p>ii) obtained approval from the permitting authority for the expanded or new private sewage system;</p> <p>all to the satisfaction of the Director of Planning Services.</p>	January 23, 2018	

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H47	Wetland boundary re-delineation	<p>1. Parts 1-8, Plan 53R-13785, Lot 4, Concession 5, Township of McKim</p> <p>2. PIN 02123-0420, Parcel 573, Lot 4, Concession 5, Township of McKim located between a line connecting the south east corner of Lot 3, Plan M1059 and the north east corner of Lot 4, Plan M1059, and a line drawn due south between Lots 3 and 4, Plan M1059 from a point located 30 m west of the south west corner of Part 7, Plan 53R-13785, Lot 4, Concession 5, Township of McKim</p>	<p>The only permitted use of the subject property until such time as the “H” Holding designation has been removed by <i>Council</i> shall be uses which legally existed on the date the By-law applying the “H” Holding symbol. The “H47” Holding Symbol in this By-law shall only be removed by <i>Council</i> 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:</p> <ol style="list-style-type: none"> 1. Approval from the Ministry of Natural Resources and Forestry of a re-delineation of a portion of the Ponderosa Provincially Significant Wetland (PSW) boundary such that lands are located outside of the PSW to the satisfaction of the City's Director of Planning Services. 2. The submission of an Environmental Impact Study (EIS) to the satisfaction of the Director of Planning Services that demonstrates that there will be no negative impacts on the Ponderosa PSW or its ecological functions, including habitat for species at risk. 	July 10, 2018	

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H48	Site Plan Control Agreement, Adequate Water and Sanitary Sewer Services & Sidewalk Extension	Parcel 7542 SES, Lot 9, Concession 1, Township of McKim	<p>Until such time as the “H48” symbol has been removed by amendment to this By-law by <i>Council</i>, the only permitted <i>uses</i> of the land shall be those <i>uses</i> permitted in the “FD” Future Development Zone.</p> <p>The “H48” shall only be removed by <i>Council</i> pursuant to Section 36 of the Planning Act, R. S. O. 1990, C. P. 13 provided that the following conditions are satisfied:</p> <ol style="list-style-type: none"> 1. That the owner has entered into a site plan control agreement with the City of Greater Sudbury pursuant to Section 41 of the Planning Act, R. S. O. 1990, C. P. 13, to the satisfaction of the Director of Planning Services; and, 2. That the General Manager of Growth and Infrastructure has advised that municipal water and sanitary sewer services are adequate and available to service the development; and, 3. That the existing sidewalk at Janmar Court is extended to the subject lands. 	May 7, 2019	
H49	Extension of services and the public road	Part of PINs 73576-0116 & 73576-0138, Parts 1 and 2, Plan 53R-21176, in Lot 10, Concession 3, Township of Neelon	<p>The “H49”, Holding symbol in this By-law shall only be removed by <i>Council</i> 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:</p> <ol style="list-style-type: none"> i) Municipal water and sanitary services are available to service the development; ii) Public road frontage exists for the lands subject to the Holding symbol. 	July 9, 2019	June 23, 2020

Col. 1	Column 2	Column 3	Column 4	Col. 5	Col.6
Symbol	Application	Property/ Legal Description	Conditions for Removal	Date Enacted	Date Removed
H50	Future low density urban residential lots	Part 9, Plan 53R-20437, Lots 10 & 11, Concession 4, Township of Neelon	The Holding (H50) provision may be removed once the Director of Planning Services is satisfied that Part 9 on Reference Plan 53R-20437 would meet all applicable development standards of the "R1-5" Zone.	October 20, 2020	

PART 14

ENACTMENT

**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 READING BY COUNCIL

READ AND PASSED IN OPEN COUNCIL THIS 29TH DAY OF SEPTEMBER, 2010.

"J. Rodriguez" MAYOR

"A.Haché" CLERK