



West Nipissing Ovest

Joie de vivre

ZONING BY-LAW

By-Law No. ~~2014-45~~2026 - XX

~~CONSOLIDATION JANUARY 1, 2026~~

~~Adopted July 8, 2014~~



Bracebridge, Ontario

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Zoning By-law Consolidation

List of By-law Amendments included in this consolidation

(January 1, 2026)

By-law Number	Change in designation	Date Passed	Schedule/ Table
2014/04	Amend Zoning By-law 87-9 (Springer), as amended by By-law 2013/58, to CF and R4	21-Jan-2014	SF5
2014/25	Amend Zoning By-law 86-4 (Springer), to R1	18-Mar-2014	SF4
2014/26	Amend Zoning By-law 87-9 (Springer), to R4	18-Mar-2014	SF5
2014/56	C2-2	12-Aug-2014	SF5
2014/76	SR-2	2-Dec-2014	G4-3
2014/77	R4	2-Dec-2014	G4-2
2015/21	SR-3 Repealed by By-law 2018-37	17-Mar-2015	H5-4
2015/59	Table 6.3 Residential Zone Requirements: Height of Accessory Structures in R, R2, R3, R4, SR, RR, MRH, RU, A1, A2	14-Jul-2015	6.3 9.3
2015/60	C2	14-Jul-2015	SF4
2015/61	RU-3	14-Jul-2015	F5-4
2015/67	SR-4	11-Aug-2015	D4-3
2015/68	R2	11-Aug-2015	G4-2
2016/02	From C1 to R3-1	19-Jan-2016	SF6
2016/42	From C3 to RU	19-Apr-2016	K1
2016/43	From SR with HZ overlay to C3 with HZ overlay	19-Apr-2016	G4-4
2016/44	From RU to RU-4	19-Apr-2016	H3-2, H3-4
2016/66	From C3 to R1-1 and R4-1	21-Jun-2016	SF5
2016/67	From RU to RU-5	21-Jun-2016	E5-1
2016/77	From RU with HZ overlay to C3 with HZ overlay	9-Aug-2016	H5-1
2016/78	From R1 to R2	9-Aug-2016	SF5

By-law Number	Change in designation	Date Passed	Schedule/ Table
2016/79	From R1 with HZ overlay to SR-5 with HZ overlay	9-Aug-2016	H5-1, H5-3
2017/13	From CF to R2-1	21-Feb-2017	SF2
2017/14	From RU with HZ overlay to SR-6 with HZ overlay	21-Feb-2017	C3
2017/15	From R1, R1 (H-2), and R4 (H-2) to R2 and R3	21-Feb-2017	SF8
2017/47	From SR to SR-7	16-May-2017	H4-2
2017/70	From C1 to R1	5-Sept-2017	SF4, SF5
2017/82	From C2 to R2	20-Sept-2017	F3-3
2017/83	General Amendments	21-Nov-2017	Various
2018/37	From SR-3with HZ overlay to SR with HZ overlay and RR Repeals By-law 2015-21	April 17, 2018	H5-4
2018/38	From R2 to C1-1	April 17, 2018	SF5
2018/39	From C2 to R4	April 17, 2018	SF5
2018/40	From M2-1 to M2-1(T) (temporary use)	April 17, 2018	G5-1
2018/62	From C2 to RR	July 10, 2018	SF1
2018/63	From C1 to R3	July 10, 2018	SF5
2018/64	From RU to RU-6	April 17, 2018	L-1
2019/21	From A1 to RR-1	March 19, 2019	G3-3
2019/22	From C3 to SR	March 19, 2019	H5-1
2019/42	From RU to C1	March 21, 2019	C4-3
2019/58	From R2 to C1-2	July 16, 2019	SF1
2019/59	From SR Zone with Hazard Overlay to SR-9	July 16, 2019	E3-4
2019/71	From R1 to R1-2	August 13, 2019	SF-7
2019/72	From SR-6 to SR-10	August 13, 2019	C-3
2019/97	From CF to RR	December 3, 2019	F5-1
2020/16	From RU to CF	February 25, 2020	G4-2
2020/21	From R1 to R1-3	July 14, 2020	SF1
2020/22	From R1 to R1-4	July 14, 2020	SF2
2020/54	From RU to C1-3	October 20, 2020	E5-2
2020/55	From R4 to C2	October 20, 2020	G5-4

2020/56	From M2 to M1	October 20, 2020	SF4
2020/61	From RR to RR-3	January 19, 2021	F2-1
2020/69	From R1 to R3	December 1, 2020	SF3
2020/77	From C3 to SR-11	December 15, 2020	C6
2020/78	From M2 with HZ to R2 and HZ	December 15, 2020	SF4
2021/06	From R2 to R2-2	February 2, 2021	SF-4
2021/16	From R2 to R3-2, C2, and R2-H	March 16, 2021	F2-2
2021/30	From RU to Ru-7	April 20, 2021	F3-1
2021/51	From RU to RU-8	July 13, 2021	J2
2021/52	From RU to RU-9(a) and RU-9(b)	July 13, 2021	SF-9
2021/57	From M1 to M2	August 17, 2021	G6
2021/70	From SR and RU to SR-13	October 19, 2021	H3-4
2022/01	From C1 to R3-4	January 18, 2022	F3-1
2022/03	From RU to C2	January 18, 2022	SF-6
2022/04	From R1 to R2-3	January 4, 2022	SF-2
2022/13	From RR to RR-4	January 18, 2022	G6
2022/28	From SR to SR-14	April 5, 2022	M-1
2022/33	From SR to SR-15	April 5, 2022	C-6
2022/39	From R2 to R3	June 21, 2022	F3-1
2022/60	From R1 to R3-5	June 21, 2022	SF-6
2022/66	From SR to SR-12	July 12, 2022	H5-2
2022/74	From R1 to R2	July 12, 2022	SF-8
2022/75	From CF to RR	July 12, 2022	F5-1
2022/76	From RU to RU-10	July 12, 2022	E2
2022/83	From SR to SR-16	August 9, 2022	E4-2
2022/84	From RU to RU-11	August 9, 2022	I1
2022/91	From RU-2 to SR & SR-17	October 4, 2022	E4-4
2022/97	From OS to RU & SR	October 18, 2022	J5 & J6
2023/06	From R3 to C1-4	February 7, 2023	SF-5
2023/39	From R3 to R3-6	April 18, 2023	SF-5

2023/46	General Amendments	May 16, 2023	Various
2023/56	From C3 to SR-18	June 20, 2023	J1
2023/57	From RU to RU-12	June 20, 2023	SF-8
2023/58	From M1 to M1-1	June 20, 2023	G5-1
2023/66	From C1 to R4	August 15, 2023	SF5
2023/80	From R2-1 to R4-4	October 17, 2023	SF-2
2023/84	From RU to SR-8	November 7, 2023	E4-3
2024/30	From SR to C3	April 16, 2024	H4-2
2024/38	From MHR to R1	May 21, 2024	SF-3
2024/39	From RU to R2	May 21, 2024	SF7
2024/40	From A1 to RU	May 21, 2024	F4-4
2024/41	From A2 to A1	May 21, 2024	G3-2
2024/43	From SR to C3-2	May 21, 2024	K1
2024/59	From RU to SR	August 13, 2024	J1
2024/61	From RU to SR-20	August 13, 2024	F2-1
2024/64	From SR to RR	August 13, 2024	E2
2024/65	From SR to SR-19	August 13, 2024	H5-1
2024/71	From SR to SR-21	September 17, 2024	D5-4
2024/77	From RR to R2	October 15, 2024	SF1
2025/10	From R1 to C2-3	January 23, 2025	B2-1
2025/36	From RU to RR-6	April 15, 2025	F4-4
2025/45	From R2 and R3 to R4	May 20, 2025	SF2
2025/47	From RR and A1 to A1-1	May 20, 2025	G3-4, H3-2
2025/58	From SR to C3-2	July 8, 2025	H4-2
2025/59	From SR to SR-22	July 8, 2025	F5-4
2025/66	From RU to RU-14	August 12, 2025	E5-3
2025/67	From SR-20 to SR-23	August 12, 2025	F2-1
2025/71	From RR to C3-2	September 16, 2025	H4-2
2025/83	From C3 to SR-24	October 21, 2025	H3-4
2025/90	From R1 to R1-5	November 18, 2025	SF2

2025/91	From RU-6 to SR	November 18, 2025	L1
2025/104	From RU to RR-7	December 16, 2025	G4-4

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Municipality of/Municipalite de
West Nipissing Ouest
Comprehensive Zoning By-law

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- ~~C. MDS Calculations~~

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Municipality of/Municipalite de
West Nipissing Ouest
Comprehensive Zoning By-law 2014-45

~~Consolidation to: June 1, 2018~~

Section 1 - Administration and Interpretation

1.1 Title

This by-law shall be known as the “Municipality of West Nipissing Zoning By-Law”.

1.2 Application

- a) The provisions of this By-law apply to all lands, including islands, within the boundaries of the Municipality of West Nipissing.
- b) The provisions of this By-law may not apply to Crown Land. However, this By-law reflects the established planning policies of the Municipality, and it is intended that the Crown shall have regard for the provisions of this By-law.

1.3 Administration and Enforcement

- a) This By-law shall be administered and enforced by municipal staff as appointed by the Council of the Municipality.
- b) Any designated employee of the Municipality acting under their direction may, at any reasonable hour and upon producing proper identification, enter and inspect any property but shall not enter any building or structure used as a dwelling unit without the consent of the occupier, or the authority of a Search Warrant issued pursuant to the provisions of the Provincial Offences Act.

1.4 Conformity and Compliance with By-law

- a) No land, building or structure may be used, erected or altered except in accordance with the provisions of this By-law.
- b) In the event of an inconsistency or conflict between two or more provisions in this By-law, the more restrictive provision shall apply.
- c) Any existing use or structure established in compliance with the provisions of a predecessor of this By-law or in accordance with a variance granted by the Committee of Adjustment continues to be permitted by this By-law. Any new use or structure, or

addition to an existing structure shall meet the provisions of this By-law.

- d) Any use established in contravention or violation of a predecessor of this By-law is deemed to have been established unlawfully and shall not be considered in compliance with this By-law.

1.5 Interpretation

- a) The provisions of this By-law are the minimum requirements except where the word “maximum” is used, in which case the maximum requirement applies.
- b) 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 Municipality or any requirement of the Province of Ontario or Government of Canada that may affect the use of lands, buildings or structures in the Municipality.
- c) All measurements in this By-law appear in metric. ~~Appendix “A” has been included for information purposes only and the imperial figures are not exact conversions of the metric figures.~~ Reference shall always be made to the metric figures in determining conformity with the By-law.
- d) Illustrations have been included in Appendix “~~B~~A” to assist in providing a visual interpretation of various provisions in the By-law.
- e) The identification of public and private roads as shown on the schedules of this By-law are approximate, and are shown for illustration purposes only. Where there is uncertainty regarding the access to a lot, the Municipality will confirm the ownership and maintenance status of the road.

1.6 Penalties for Contravention

Any person who contravenes any provision of this By-law is guilty of an offense and upon conviction is liable to the fine(s) as provided for under the Planning Act, R.S.O. 1990, c.P. 13 as amended.

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 Technical Revisions to the By-law

Revisions may be made to this By-law without the need for a zoning by-law amendment in the following cases:

- a) Correction of grammar or typographical errors or revisions to format in a manner that does not change the intent of a provision.
- b) Adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends or title blocks.
- c) Changes to appendices, footnotes, headings, indices, marginal notes, table of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this By-law and are editorially inserted for convenience of reference only.
- d) Minor adjustments to the boundary of the Hazard (HZ) Zone overlay on a property may be made without amendment to the Zoning By-law, where the Official for the Municipality is satisfied that the mapping of the Hazard (HZ) Zone overlay on a schedule is in obvious error.

1.9 Transition Provisions

- a) Where a building permit has been issued prior to the effective date of this By-law, the provisions of this By-law, as they apply to such building or structure, shall be deemed to comply with the zone regulations in effect at the time of issue of the building permit.
- b) Where the Committee of Adjustment has issued a decision on a variance to any ~~previous~~ zoning by-law in the Municipality ~~within one year~~ prior to the effective date of this By-law, the decision of the Committee of Adjustment shall continue to apply.
- ~~b)c)~~ Despite the provisions of Section 1.4 a building or structure that was legally constructed or legal uses established prior to the effective date of this By-law shall be deemed legal non-complying or legal non-conforming.
- ~~e)d)~~ Where a Site Plan Agreement has been entered into prior to the effective date of this by-law, and the timeframes specified in the Agreement have not yet lapsed, 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 Agreement.

Section 2: Establishment of Zones

2.1 Zones & Zone Symbols

For the purposes of this By-law, the Municipality is divided into the following Zones:

ZONE	SYMBOL
Residential Zones	
Residential One	R1
Residential Two	R2
Residential Three	R3
Residential Four	R4
Shoreline Residential	SR
Rural Residential	RR
Mobile Home Residential	MHR
Commercial Zones	
General Commercial	C1
Highway Commercial	C2
Tourist Commercial	C3
<u>Neighbourhood Commercial</u>	<u>C4</u>
<u>Rural Commercial</u>	<u>C5</u>
Industrial Zones	
Light Industrial	M1
Heavy Industrial	M2
Extractive Industrial	M3
Waste Disposal Industrial	M4
Agricultural and Rural Zones	
Agriculture One	A1
Agriculture Two	A2
Rural	RU
Other Zones	
Crown Land	CL
Community Facilities	CF
Open Space	OS
Provincially Significant Wetland	PSW
Overlay Zone	
Hazard	HZ
Waste Management Influence Area	WM

2.2 Zone Schedules

The zones set out in Section 2.1 and the boundaries of such zones are shown on the schedules attached to this By-law, being Schedules A1 to M4, and SF1 to SF9. The schedules form part of this By-law.

2.3 Zoning of Lands not shown on Schedules

No land use schedule has been prepared for the Geographic Townships of Janes, Dana and McWilliams, and the north half of Fell. All patented lands in these geographic townships are zoned ~~as follows:~~ RU (Rural)

~~CL (Crown Land) for all Crown Land~~

~~RU (Rural) for all patented lands~~, or by site specific zoning, as noted in Section 9.5.3 or on the site specific zoning schedules.

2.4 Zoning of Water and Islands

- a) Where a zone boundary abuts a waterbody, such zone shall be deemed to extend into the waterbody and to apply to all structures which are affixed to the property such as any waterlots, Crown lake bed or any land created by changing lake levels, and to extend over all docks, boathouses, boat ports and any other structures appertaining to the lot.
- b) All islands not identified as being within a Zone on the Zone Schedules shall be zoned Shoreline Residential (SR) ~~Open Space (OS)~~.

2.5 Site Specific Zones

Where a Zone symbol on the attached Schedule(s) is followed by a dash “-” and a number, such as “R1-17”, the number refers to a site-specific exception that applies to the lands noted.

2.6 Overlay Zones

- a) Where a property is identified within the Hazard (HZ) Zone Overlay on the schedules to this by-law, the property shall be subject to the provisions in Section 4.7 and the provisions of the underlying zone.
- b) Where a property is identified within the Waste Management Influence Area (WM) Overlay on the schedules to this by-law, the property shall be subject to the provisions in Section 4. ~~31~~ 20 and the provisions of the underlying zone.

2.7 Holding Zones

Notwithstanding any other provision in this By-law, where a Zone symbol is followed by

the letter “H” and a number, no person shall use the land to which the letter “H” applies for any use other than the use which existed or for any interim use specified on the date this By-law was passed, until the “H” is removed in accordance with the policies of the Official Plan and the provisions of Section 11 of this By-law and/or the requirements of any amending By-law, and the requirements of the *Planning Act*, as amended.

2.8 Determining Zone Boundaries

When determining the location of zone boundaries as shown on any Schedule forming part of this By-law, the following provisions apply:

- a) a boundary indicated as following lot lines shown on a registered plan of subdivision, or reference plan, or the municipal boundaries of the Municipality shall follow such lot lines;
- b) 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;
- c) where a boundary passes through a lot and the distance is not indicated, the Zone boundary shall be measured using the scale of the Schedules;
- d) where none of the above provisions apply, the Zone boundary shall be scaled from the legally approved Schedules.

2.9 Limited Service Areas

Where development is permitted on a lot without access from a year-round maintained public road, the provision of access based public services to the lot may be limited due to the standard and level of maintenance of the access to the lot.

2.10 Multiple Uses on One Lot

Where any land, building or structure is used for more than one purpose, the applicable provisions of this By-law which serve to regulate each such use shall be complied with.

2.11 Multiple Zones on One Lot

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 Requirements of this By-law for the applicable Zones. However, not more than one dwelling shall be permitted on the entire lot, except where specifically permitted in this By-law.

Section 3: Definitions

- 3.1** **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, smoking, curing or manufacture of meat by-products and includes indoor confinement of animals while awaiting slaughter but shall not include any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer or any other inedible product.
- 3.132** **ABUT, ABUTS OR ABUTTING:** Having a common lot line in any yard with an adjacent property, street, or other feature.
- 3.233** **ACCESSORY:** a use which, ~~building or structure that~~ is commonly incidental, subordinate and exclusively devoted to the principal building or use situated, ~~building or structure and is located~~ on the same lot.
- 3.334** **ACCESSORY BUILDING OR STRUCTURE:** a detached or attached building or structure that is not used for human habitation (except for an Additional Residential Unit or sleeping cabin) and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot.
- 3.435** **AGRICULTURAL PROCESSING ESTABLISHMENT:** the use of land, buildings and structures for the processing and storage of agricultural produce, including the initial cleaning, culling, storing or packing of products produced on the farm or in conjunction with farms in the vicinity which produce the same agricultural products, and in preparation for shipment to food processing establishments or market. Without limiting the generality of the foregoing, an agricultural processing establishment shall include a feed and grain mill or a seed mill.
- 3.53.6** **AGRICULTURAL PRODUCE WAREHOUSE:** a building or part of a building used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail use for the sale of such agricultural produce to the general public, but does not include an agricultural processing establishment.
- 3.7** **AGRICULTURAL USE:** general farming and without limiting the generality of the foregoing includes the raising and harvesting of field, bush, tree or vine crops, truck gardening, nurseries, greenhouses, dairying, animal husbandry, raising of poultry, and the sale of produce grown on the farm from which the sale is made. A ~~farm residence~~ dwelling for the owner of the farm and accommodation for employees engaged in the operation of the farm is permitted, except where specifically prohibited in the Agricultural Two (A2) Zone.
- 3.638** **AGRICULTURE-RELATED USE:** Shall mean farm-related commercial and/or farm-

related industrial uses that are directly related to the farm operations, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a principal use.

3.73.9 AGRICULTURAL PRODUCT SALES OUTLET: a building, part of a building, or a stand in which farm products produced on the farm are offered for sale at retail, but shall not include a slaughter house or abattoir.

~~**3.8** AGRICULTURAL SERVICES: the use of land, structure or building for the purposes of buying and selling commodities and services that are necessary to support agricultural operations but does not include any manufacturing, assembling, processing, warehousing, or construction uses.~~

3.93.10 AGRICULTURAL SUPPLY/IMPLEMENT DEALERSHIP: a building, structure or area where farm implements, equipment and farm supplies are kept for sale at retail and may include facilities for the servicing of such implements or equipment but shall not include any other establishment otherwise defined or classified herein.

3.103.11 ALTER:

- a) When used in reference to a building, structure or part thereof:
 - i. to change any one or more of the external dimensions of such building or structure; or
 - ii. to change the type of construction of the exterior walls or roof of such building or structure; ~~or~~
 - ~~iii. to change the use of such building or structure; or~~
 - ~~iv. to change the number of uses or dwelling units contained therein.~~
- b) When used in reference to a lot:
 - i. to change the boundary of such lot with respect to a street or lane; or
 - ii. to change any dimension or area, relating to such lot, which is covered herein by a zone provision; ~~or~~
 - ~~iii. to change the use of such lot; or~~
 - ~~—to change the number of uses located thereon.~~
- c) When used in reference to a use:
 - i. To discontinue and replace, in whole or in part, a use with any other use;
 - ii. To change the number of uses; or
 - iii. In the case of an industrial use, to change the mode of operation thereof or the

type of commodity being produced or processed,

iv. In the case of a residential use, to change the number of dwelling units or guest rooms in a dwelling or shared housing, or to change the number of mobile home dwellings in a mobile home park; or,

~~iv.v.~~ In the case of a use not specifically defined herein, to change in any way the type or scale thereof.

3.12 ASSEMBLY, FABRICATION, MANUFACTURING OR PROCESSING ESTABLISHMENT: an industrial use involving the assembly, fabrication, manufacturing, or processing of materials, goods, or products, whether by hand, machinery, or automated systems, and may include related activities such as storage, packaging, distribution, and incidental retail or office functions directly associated with the principal operation.

3.13 ATTIC: The top most storey of a building, 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 storey.

3.14 BAKERY, RETAIL: a building, or part of a building, in which the milling of grain, production of bread and other similar products is undertaken, and includes ancillary uses of storage, warehouse, office facilities in connection with this operation and the retail sale of such products and associated goods such as hot drinks. Does not include a Food or Beverage Manufacturing Establishment.

3.113.15 BALCONY: A raised platform projecting from the main wall of a building above the first storey which is not supported by vertical uprights other than the wall itself and which is only accessible from within the building.

3.123.16 BAR: a licensed drinking establishment, the principal business of which is to serve any sort of beverage alcohol to the public for consumption on the premises.

3.133.17 BASEMENT: ~~that any~~ space of the dwelling that is partly below grade, which has less than fifty percent (50%) ~~more than one-half~~ of its interior height measured from floor to ceiling above the average finished grade around the exterior of the building which is not a crawlspace. which is not a crawlspace.

3.143.18 BED AND BREAKFAST ESTABLISHMENT: a dwelling, or part thereof, in which the owner resides and in which not more than 4 bedrooms are used or maintained for the accommodation of the travelling or vacationing public, in which the owner supplies lodgings with or without meals for the persons so accommodated, but does not include a boarding house, group home, or tourist establishment.

3.153.19 BOARDING HOUSE: premises in which the proprietor resides and supplies for remuneration to more than four (4) other persons lodging or meals or both, in which the

lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants, and shall not include a hotel, hospital, motel, nursing home or residential care facility.

3.163.20 BOATHOUSE: a detached accessory building or structure, that is located over the lake/river bed or adjacent thereto, which is designed or used for the sheltering of a boat or other form of water transportation and may include storage of household equipment incidental to the residential use permitted on the lot.

3.173.21 BOAT PORT: a detached accessory structure used for the berthing, sheltering or storing of boats and related equipment that is roofed, but not enclosed by more than one wall and is built, founded or anchored near, at or over the shoreline of a navigable waterway or on land.

3.183.22 BUFFER AREA: a landscaped or naturally vegetated strip of land devoted exclusively to the provision of visual amenity and a physical barrier between adjacent uses.

3.193.23 BUILDING: any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels other than a lawful boundary wall or fence.

3.24 BUILDING, LINE: a line within a lot drawn parallel to a lot line at the façade of the main building. ~~and establishes the minimum distance between that lot line and any building or structure, which may be erected.~~

3.203.25 BUILDING SEPARATION: The shortest horizontal dimension between the closest parts of any two detached buildings on the same lot.

3.213.26 BUILDING SUPPLY ESTABLISHMENT: a building or structure in which building or construction and home improvement materials are offered or kept for sale and may include the fabrication of certain materials related to home improvements, and may include outside storage.

3.223.27 BULK SALES ESTABLISHMENT: the use of land, structure or building for the purposes of buying and selling fuels, ice and allied commodities, but does not include any manufacturing, assembling or processing uses.

3.233.28 BUSINESS, PROFESSIONAL OR ADMINISTRATIVE OFFICE: a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff service clients or patients who seek advice, consultation or treatment, and for the purposes of this By-law may include the administrative offices of a non-profit or charitable organization.

~~**3.24 CABIN:** a separate building designed to provide only sleeping accommodation for the travelling or vacationing public.~~

- 329 CABIN, HOUSEKEEPING:** a separate building designed to provide sleeping accommodations and facilities for the preparation and cooking of food for the travelling or vacationing public for remuneration.
- 330 SLEEPING CABIN, SLEEPING:** an accessory building not attached to the principal residential dwelling that provides sleeping accommodation for guests from which there shall be no monetary gain and which does not contain cooking or bathroom facilities.
- 331 CAMPGROUND TRAILER PARK:** the use of land for the provision of overnight or short term accommodation for more than four (4) travel trailers, motor homes and tents, but not mobile homes and may includes services and facilities normally incidental and subordinate to such a use including washroom and bathing facilities, active and/or passive recreational uses, and an entrance kiosk.
- ~~325~~**32 CARPORT:** an enclosed or partially enclosed structure having a minimum of fifty percent (50%) open area with a roof which is designed or used for the storage of one or more private vehicles.
- ~~333~~ **CELLAR:** ~~that space of the building that is partly or entirely below grade which has one-half or less than one-half of its height measured from floor to ceiling above finished grade around the exterior of the building.~~
- ~~326~~**34 CEMETERY:** land that is set apart or used as a place for interment of human remains, or for the scattering of cremated human remains in accordance with The Funeral, Burial and Cremation Services Act, 2002, and amendments thereto. A cemetery may include such accessory uses as a mausoleum and columbarium.
- ~~327~~ **CLINIC:** ~~a building or part of a building used for the medical, dental, surgical, psychiatric or therapeutical treatment of human being, but does not include a public or private hospital or a professional office of a doctor located in his residence.~~
- 335 CLUSTER DEVELOPMENT:** a development design technique that locates multiple single detached buildings, semi-detached buildings, townhouse buildings, and or stacked townhouse buildings on a lot to allow the remaining land to be used for a variety of open space and common element purposes.
- ~~328~~**36 COMMERCIAL USE:** the use of land, structure or building for the purposes of buying or selling commodities and supplying services, as distinguished from such uses as manufacturing or assembling of goods, warehousing and contractors' yards.
- 337 COMMUNITY CENTRE:** a place designed to provide residents with a variety of cultural, social, instructional and community service programs such as clubs, legion halls, community halls, lodges, and places of worship. Excludes place of assembly and funeral home.

3.293.38 CONSERVATION USE: land used solely for the preservation and enhancement of the natural environment and may include a conservation area, and fish and wildlife management.

3.303.39 CONSTRUCT: to do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere.

3.313.40 CONTRACTOR'S ESTABLISHMENT: the use of land, buildings or structures where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other use or activity otherwise defined or classified herein.

3.323.41 CONVENIENCE STORE: a retail store serving the daily or occasional needs of the residents of the immediate area with a variety of goods such as groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines and/or newspapers.

3.333.42 COVERAGE: that percentage of land or lot area covered by buildings and structures above ground level including roofed decks and carports and excludes that portion of such land or lot area which is occupied by a building or portion thereof which is completely below ground level.

3.43 CRAWLSPACE: A portion of a building which is partly or wholly below grade and from finished floor to finished ceiling or to the underside of the floor joints of the first floor, is less than 2.0 m.

3.44 CREMATORIUM: a building that is fitted with appliances for the purpose of cremating human remains and that has been approved as a crematorium or established as a crematorium in accordance with the requirements of The Funeral, Burial and Cremation Services Act, 2002, or a predecessor of it and includes everything necessarily incidental and ancillary to that purpose.

3.343.45 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 use or occupation of the Crown, or of a public 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 public purpose or vested in the Ontario Northland Transportation Commission.

3.353.46 DAYCARE FACILITY-NURSERY: a day nursery within the meaning of The Day Nurseries Act of Ontario, R.S.O. 1990, c D.2, as amended.

3.1 DECK: An unenclosed accessory structure, consisting of a platform raised 0.6 metres or more above finished grade which is constructed on piers, a foundation or cantilevered

above grade for use as an outdoor living space.

3.47 DOCK: A structure temporarily or permanently built at or anchored over water used to provide access to the water for persons and watercraft and which may provide a foundation for a boathouse.

3.48 ~~SERVICE ESTABLISHMENT~~ DOMESTIC APPLIANCE STORE: any building or part thereof where household appliances, machinery, and home entertainment equipment are sold, serviced or repaired, but excludes any manufacturing or processing.

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

3.363.50 DRIVING RANGE: a public or private area operated for the purpose of developing golfing techniques, including miniature golf courses, but excluding golf courses.

3.373.51 DRY CLEANING ESTABLISHMENT: a building or part of a building in which the business of dry cleaning, dry dyeing, cleaning, spotting, stain removal or pressing of articles and/or goods of fabric is carried on, through the use of chemicals which emit no odours or fumes.

3.383.52 DWELLING, APARTMENT: a building containing four or more dwelling units, each unit having common entrance from the street level and the occupants of which have the right to use, in common, halls and/or stairs and/or elevators and yards.

3.393.53 DWELLING, ADDITIONAL RESIDENTIAL UNIT: a separate self-contained dwelling unit that is located within a single detached, semi-detached, duplex, or townhouse building, or within an accessory structure.

3.403.54 DWELLING, DUPLEX: a building that is divided into two dwelling units, each of which has an independent entrance either directly or through a common vestibule and which has one set of municipal services and is located on a single lot.

3.413.55 DWELLING, MOBILE HOME: any dwelling that is designed to be mobile, and constructed or manufactured to provide a permanent residence for one or more persons in accordance with C.S.A. Standard Z240, but does not include a travel trailer ~~or tent trailer~~ or trailer otherwise designed.

3.423.56 DWELLING, MODULAR: a factory built home which is a single detached dwelling unit designed and built to be transported to a site. It may contain parts that can be folded, collapsed, or telescoped when being towed and expanded later to provide additional floor space, and will sit on a permanent foundation. It shall be a minimum of two or more separately towable components that are joined on the chosen site. The modular dwelling is designed for long term year round occupancy. It has facilities for cooking, eating, living, sleeping and sanitation. A modular dwelling does not include a park model mobile home

trailer, travel trailer, ~~tent trailer~~ or trailer otherwise designed. For the purposes of this definition, a modular home having an A277 Standard is permitted, while those having either a Z240, Z241 Standard or a combination of either of these with the A277 Standard are not permitted.

343.57 DWELLING, MULTIPLE: a building containing ~~three~~ four or more dwelling units, each unit has an independent entrance either directly or through a common vestibule, but excludes an apartment dwelling, or a street townhouse.

344.58 DWELLING, STREET TOWNHOUSE: a building that is divided vertically by common walls into three or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

~~345 DWELLING, SEASONAL: a single detached dwelling used for recreation purposes that is not used for continuous habitation or as a permanent residence.~~

346.59 DWELLING, SEMI-DETACHED: a building that is divided vertically by a common wall into two dwelling units, each of which has an independent entrance either directly or through a common vestibule, each of which unit is located on a separate legally conveyable parcel of land and are serviced individually.

347.60 DWELLING, SINGLE DETACHED: a completely detached dwelling unit to which entrance is gained only by a private entrance outside the building. Includes pre-fabricated and modular dwellings.

361 DWELLING, SURPLUS: an existing habitable farm dwelling that is located on a separate legally conveyable lot due to the consolidation of farming operations.

348.62 DWELLING UNIT: one room or a group of rooms within a building, used or designed, or intended to be used by the occupants for residential occupancy as a single, independent and separate housekeeping establishment in which food preparation and sanitary facilities are provided for the exclusive use of such occupants.

349.63 DWELLING UNIT IN A NON-RESIDENTIAL BUILDING: A dwelling unit located within a non-residential building, to which entrance is gained either directly or through a common vestibule.

~~350 EATING ESTABLISHMENT: premises where food is offered for sale or sold to the public for immediate consumption and includes such uses as a restaurant, dining room, cafe, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand.~~

364 EDUCATIONAL ESTABLISHMENT: the use of lands, buildings or structures as a ~~training centre,~~ an elementary or secondary school, private school, university or community college

authorized by the Province of Ontario, or alternative education and skills development centre such as continued education, return to school programs, or career training.

3.513.65 EMERGENCY SERVICES: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

3.523.66 EQUESTRIAN FACILITY: a commercial establishment where horses are housed or boarded and are available for riding, riding instruction, agility training or jumping or similar activities.

3.533.67 EQUIPMENT SALES, SERVICE AND RENTAL ESTABLISHMENT: premises in which machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation, and which are also serviced, but shall not include any other establishment defined or classified in this By-law.

3.543.68 ERECT: to build, construct, reconstruct, alter and relocate and without limiting the generality of the foregoing is taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

~~**3.553.69 ESTABLISHED BUILDING LINE:** the average setback of existing buildings. A building line is considered to be established when a minimum of 3 buildings have been erected on any one side of a continuous 100 metres of land with street frontage.~~

3.563.70 EXISTING: a use, building or structure lawfully existing on the day of the passing of this by-law.

3.573.71 EXPAND: to increase or enlarge the size of a building or structure or to increase the area of land occupied by a use or increase the intensity of a use, in compliance with the provisions of this By-law, but does not include expansion onto another lot.

3.583.72 EXTERIOR LIGHTING: any form of artificial illumination located outside of a building or structure affixed to the exterior façade of a structure or freestanding.

~~**3.593.73 FARM RESIDENCE:** a single detached dwelling located on the same lot as an agricultural use operation and occupied by the owner of the farm or by some person engaged in the operation of the farm.~~

3.603.74 FENCE: a structure which forms a barrier for enclosing, bounding, delineating or protecting land.

3.613.75 FINANCIAL ESTABLISHMENT: a building, or part thereof, which is used to provide for financial services in which money is deposited, kept, lent, or exchanged, including accessory clerical functions and shall include a bank, trust company, credit union, or other similar banking service.

~~3.62 — FLOOD PLAIN: the horizontal area bordering a lake, swamp, river, stream, or water course which is subject to flooding.~~

~~3.63~~3.76 **FLOOR AREA, HABITABLE:** the total ~~habitable~~ floor area within a building which is measured between the exterior faces of the exterior walls, or in the case of a semi-detached dwelling measured to ~~or from~~ the centre line of a common ~~or part~~ wall, but excluding any private garage, breezeway, porch, verandah, balcony, sunroom, attic, crawlspace ~~cellar~~, and any floor area with a ceiling height less than 2 metres ~~(6.6 feet)~~.

~~3.64 — FLOOR AREA, COMMERCIAL GROSS:~~ the total floor area of all storeys, including a basement and attic, exclusive of any part of the building or structure ~~below finished grade~~ which is used for heating ~~mechanical~~ equipment, the storage or parking of motor vehicles, breezeways, porches, verandahs, decks, or locker storage ~~and laundry facilities, and other accessory uses, and enclosed malls when used as a common area between stores.~~

3.77 FOOD OR BEVERAGE MANUFACTURING INDUSTRY: a building, or part thereof, which is used for the processing and producing of food and/or beverage products for human consumption which are to be consumed at a different location.

~~3.65~~3.78 **FORESTRY USE:** the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection of water supplies, and preservation of the recreation resource, and shall include reforestation areas owned or managed by the Ministry of Natural Resources.

~~3.66~~3.79 **FUNERAL HOME:** a commercial establishment providing funeral supplies and services to the public.

~~3.67~~3.80 **GARAGE, PRIVATE:** an accessory building or a portion of a residential ~~either separate from or attached to the main~~ building, which is designed or used for the storage of one or more private ~~motor vehicles by the residents of the principal building~~ ~~and the storage of household equipment, incidental to residential occupancy.~~

GREENHOUSE, NURSERY, GARDEN CENTRE: the use of land, buildings or structures for the growing, display and retail sale of trees, shrubs, flowers, plants and similar vegetation. May also include the display and sale of landscaping, lawn and garden equipment, furnishings and supplies.

~~3.68 —~~

~~3.69 —~~ **GAS BAR:** one or more pump islands, each consisting of one or more gasoline pumps, and a shelter, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles, but shall not include any other establishment otherwise defined or classified in this By-law.

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

3.713.82 GRADE, ESTABLISHED: with reference to a building, the average elevation of the finished surface of the ground where, it meets the exterior of all sides of such building, and, when used with reference to a structure, means the average elevation of the finished grade of the ground immediately surrounding such structure.

3.83 GREEN SPACE: the area on a lot predominantly used for the growth of trees, shrubs, grasses and other vegetation, and may include some accessory ground cover. Excludes areas used for driveways, loading, parking, and outdoor display areas.

~~**3.723.1 GREENHOUSE, NURSERY, GARDEN CENTRE:** the use of land, buildings or structures for the growing, display and retail sale of trees, shrubs, flowers, plants and similar vegetation. May also include the display and sale of landscaping, lawn and garden equipment, furnishings and supplies.~~

3.733.84 GROCERY STORE: a retail establishment engaged in the business of selling primarily groceries, meat, fruit and vegetables as well as other personal, convenience, and household items to the general public.

3.85 GROUP HOME: a ~~single housekeeping dwelling~~ unit in ~~a single detached dwelling or an accessory dwelling unit in~~ which three to ten residents, excluding staff or receiving family, live under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under Federal or Provincial statutes.

3.743.86 HABITABLE: Any floor space used or capable of being used for human living, sleeping, cooking or eating purposes within a building.

3.753.87 HEALTH SERVICES ESTABLISHMENT: a building or part of a building used for premises which provide health or medical services, including dental, surgical, psychiatric, such as a chiropractor, optometrist, medical clinic, associations or organizations formed to provide medical or health services or therapeutic treatment of human beings, but does not include a public or private hospital or a professional office of a doctor located in their residence.

3.763.88 HEIGHT OF BUILDING: the vertical distance of a building measured between the established grade and:

- i) the highest point of the roof surface of a flat roof;
- ii) the roof deck of a mansard roof; or
- iii) ~~the average height midpoint~~ between the eaves and the ridge of a gable, hip, gambrel or other type of pitched roof;

iv)iii) ~~75% of the distance between the finished grade measured at the midpoint of the front and rear of the building and the ridge.~~

3.773.89 HIGHWAY COMMERCIAL USE: a use of land, buildings or structures oriented to vehicular use and includes a motel/hotel, drive-in restaurant or service station. Highway Commercial uses ~~also include ancillary retail uses such as gift shops.~~

~~**3.78 HOME INDUSTRY:** a small scale light industrial use, such as a carpentry shop, metal working shop, a welding shop, an electrical shop, small engine repair or similar use, that provides services or wares to the community and which is an accessory use to a single detached dwelling. For the purposes of this By-law, the repairing of motor vehicles, mobile homes and trailers is not a home industry.~~

3.793.90 HOME BASED BUSINESS OCCUPATION: any occupation ~~which is~~ carried on, in accordance with the provisions of this By-law relative thereto, which is as an accessory and subordinate to the principal residential use of ~~to~~ a dwelling unit.

3.803.91 HOSPITAL: any institution, building or other premises that is established for the purposes of the treatment of patients and that is approved under the Public Hospitals Act, R.S.O. 1990, Ch. P.40, as amended, as a public hospital.

3.813.92 HOTEL: an establishment that consists of one building or two or more connected or adjacent buildings consisting of at least four individual rental units which cater to the needs of the travelling public by furnishing sleeping accommodations for remuneration which may or may not supply food, but does not include a rooming or boarding house, an apartment dwelling house, a group home or similar facility.

3.93 HUNT CAMP: a base camp used solely for the activity of hunting or fishing, which provides seasonal or temporary accommodation in a remote location and without public access, where municipal or community services are usually not available.

~~**3.82 HUNT FARM:** An area of land set aside for maintenance of wildlife for commercial hunting purposes.~~

3.94 INDUSTRIAL USE: the use of land, building or structure designed for the purpose of fabricating, manufacturing, assembling, making, printing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing or storing or adapting for sale any goods, substance, article or thing, or any part thereof, and the storage of building and construction equipment and materials, as distinguished from the buying and selling of retail commodities and the supplying of personal services.

3.833.95 KENNEL: a building or structure, including fenced outdoor areas where domesticated animals are kept, bred or boarded and which is licensed by the Municipality.

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

3.853.97 LAUNDROMAT: a building or structure where the services of coin-operated laundry machines, using only water, detergents and additives, are made available to the public for the purpose of laundry cleaning.

3.863.98 LOADING SPACE: an area of land which is provided and maintained upon the same lot or lots upon which the main use is located, for the temporary parking of one or more commercial motor vehicles while merchandise or materials are being loaded or unloaded from such vehicle(s).

3.873.99 LOT: any parcel of land which can be legally conveyed under the Planning Act, R.S.O. 1990, c P.13, as amended.

3.883.100 LOT AREA: the total horizontal area within the lot excluding any area of the lot that is below the normal high water mark and, in the case of a corner lot having street line rounding at the corner with a radius of six (6) metres or less, the lot area of such lot is to be calculated as if the lot lines were projected to this point of intersection, ~~excluding any area of the lot that is below the normal high water mark.~~

3.893.101 LOT, CORNER: a lot bounded on two or more sides by one or more public or private roads, provided that the angle of intersection of such public or private roads is not more than one hundred and thirty five (135) degrees.

3.903.102 LOT COVERAGE: the percentage of the lot area covered by all buildings, including accessory buildings, covered decks, porches, verandahs and ~~stairs~~carports, excluding parking areas, driveways, unenclosed unroofed decks ~~less than one (1) metre above the established grade,~~ patios, walkways, sewage systems, docks and swimming pools.

3.913.103 LOT, FRONTAGE: the straight-line distance between the intersection of the side lot lines and the front lot line, measured at the front lot line, except as follows:

- a) where there are no side lot lines, such as a peninsula, the greatest distance between any point on the front lot line and any point on the rear lot line.
- b) where there are no side lot lines and no rear lot lines, such as on an island, the greatest distance between any two points.
- c) where a lot abuts a navigable watercourse or the unopened original shore road allowance along the navigable watercourse, frontage shall be measured as a straight-line distance between the intersection of the side lot lines or their straight-line

projections and the high water mark.

- d) where there are two or more front lot lines abutting the same street, the longer of the lines shall be used to measure frontage. Where a corner lot has a curve, the lot frontage is to be calculated as if the lot lines were projected to a point of intersection.

3.923.104 LOT, INTERIOR: a lot other than a corner lot.

3.933.105 LOT LINE: any boundary of a lot.

3.943.106 LOT LINE, EXTERIOR SIDE: a side lot line that abuts a street.

3.953.107 LOT LINE, FRONT: the lot line that divides the lot from the public road, provided that,

- a) In the case of a corner lot, the shorter lot line that abuts the public road shall be the front lot line;
- b) in the case of a lot that abuts a navigable watercourse, the lot line at the shoreline shall be the front lot line; ~~and~~
- c) in the case of a lot that does not abut a public road, the lot line where the principal access to the lot occurs shall be considered the front lot line; and
- ~~e)d) in the case of a through lot, both lot lines which are parallel to each other and abut a public or private road shall be considered the front lot lines.;~~

3.963.108 LOT LINE, REAR: the lot line furthest from or opposite to the front lot line.

3.109 LOT LINE, SIDE: a lot line other than a front or rear lot line.

3.110 LOT, THROUGH: an interior lot bounded on two opposite sides by public or private roads, but not a corner lot or a lot that fronts on a navigable watercourse.

3.973.111 MAIN BUILDING: the building designed or used for the principal use on the lot.

3.983.112 MARINA: a commercial establishment or premises, usually containing docking facilities or mooring facilities where boats or boat accessories are berthed, or stored inside or outside, serviced, repaired, constructed or kept for sale or rent and where facilities for the sale of marine fuels or lubricants, accessory retail sales and a taxi and/or barging service are provided and where waste water pumping facilities may be provided. A marina may include a ~~Marine~~ Recreational Vehicle Sales and Service Establishment.

~~**MARINE SALES AND SERVICE ESTABLISHMENT**: a building or part of a building and associated lands where new and used boats, boat accessories, snowmobiles, and all-terrain vehicles are displayed and offered for sale at retail or for rental, and where marine, snowmobile and all-terrain vehicle equipment is serviced or repaired and may include~~

~~boat storage facilities.~~

3.993.113 **MARINE STORAGE FACILITY:** An accessory building located near a watercourse that is used to moor, berth or store boats or other watercraft and to store boat supplies and marine accessories.

3.1003.114 **MARKET:** an area of land consisting of buildings, stalls, or an open area used primarily for the display and retailing of farm produce, and without limiting the generality of the foregoing, meat, poultry, foodstuffs, wares, or commodities.

3.115 **METAL CONTAINER:** a metal vessel commonly or initially designed for the transportation of freight goods or commodities and shall include but not be limited to a shipping container, cargo container, and truck trailer. Excludes refuse bins, motor vehicles, travel trailers, and Quonset huts.

3.116 **MICROBREWERY:** a building, or part thereof, used for the small-scale production of beverages including beer, wine, cider, and spirits, including brew-your-own establishments as well as small-batch non-alcoholic beverages. A microbrewery may be operated in conjunction with an ancillary to a restaurant.

3.1013.117 **MINIMUM DISTANCE SEPARATION (MDS):** means formulae and guidelines developed by the Province, as amended from time to time, ~~the mathematical tool~~ to determine a recommended distance between livestock and manure storage facilities and non-agricultural uses.

3.1023.118 **MOBILE FOOD SERVICE EQUIPMENT:** mobile equipment, whether or not permanently parked, containing propane or other hydrocarbon fuel fired cooking appliances and, if applicable, associated fuel storage.

A mobile food service equipment may be:

- a) a self-propelled vehicle such as a truck or van fitted with food service equipment and either equipped with propane or other hydrocarbon fuel supply cylinders or intended for connection to a propane supply cylinder at the operation site.
- b) a trailer or cart fitted with food service equipment intended to be towed to the operation site and either equipped with propane or other hydrocarbon fuel supply cylinders or intended for connection to a propane or other hydrocarbon fuel supply cylinder at the operation site.
- c) a portable cart fitted with service equipment that is not towed but may be transported to an operation site and provided with a propane or other hydrocarbon fuel supply cylinder that may be enclosed in the cart.

3.1033.119 **MOBILE HOME PARK:** a parcel of land used for the parking or storage of mobile

homes and includes all accessory buildings necessary to the operation of said park.

3.1043.120 **MOBILE HOME SITE:** an area of land within a mobile home park which is used as the site of, and pertains to, not more than one (1) mobile home dwelling.

3.1053.121 **MOTEL:** an establishment which consists of one or more than one building containing three or more attached accommodation units, accessible from ~~either~~ the ~~interior or~~ exterior, which cater to the needs of the travelling public by furnishing sleeping accommodation with or without facilities for the serving of meals, provides such facilities for remuneration, and may or may not be a liquor licensed premises, and shall not include any other use or activity otherwise defined herein.

3.1063.122 **MOTOR VEHICLE:** a vehicle within the meaning of the Highway Traffic Act, R.S.O. 1990, c H.8, as amended.

3.1073.123 **MOTOR VEHICLE BODY REPAIR SHOP:** an establishment used for making repairs or alterations to the body or paint work of any vehicle.

3.1083.124 **MOTOR VEHICLE, COMMERCIAL:** a commercial motor vehicle within the meaning of the Highway Traffic Act, R.S.O. 1990, c H.8, as amended.

3.1093.125 **MOTOR VEHICLE DEALERSHIP:** an establishment for the storage and, sale ~~and servicing~~ of new or used vehicles and may include ancillary servicing of said vehicles and may include outdoor storage or vehicles but all other facilities must be within a building.

3.1103.126 **MOTOR VEHICLE SERVICE STATION:** a building ~~or a clearly defined space on a lot for the servicing, maintenance and repair of motor vehicles and may include the sale of where~~ gasoline, oil, tires, batteries and other similar products for the maintenance of motor vehicles. The outdoor storage of vehicles may be provided in a clearly defined space on a lot but all other operations must be located within a building. ~~may be sold or where vehicles may be oiled, greased and subjected to minor or running repairs essential to the actual operation of motor vehicles.~~

3.1113.127 **MOTOR VEHICLE TOWING ESTABLISHMENT:** an establishment operating a tow-truck service for compensation, including storage facilities for towed vehicles. For the purposes of this definition, a tow truck is a motor vehicle equipped with a boom or booms, winches, slings, tilt beds or similar equipment designed for the towing or recovery of vehicles and other objects, and includes a transporter designed to transport more than one vehicle on a non-emergency basis.

3.1123.128 **MOTOR VEHICLE WASHING ESTABLISHMENT:** an establishment for washing, cleaning and polishing motor vehicles by means of either production line cleaning methods and/or mechanical devices and includes a coin-operated self-service operation but does not include an automobile service station or gas bar, a public garage or a motor

vehicle dealership where car washing operations are incidental to the principal activity of business.

~~3.113~~3.129 **MUNICIPALITY:** the Corporation of the Municipality of West Nipissing.

~~3.114~~3.130 **NAVIGABLE WATERCOURSE or WATERWAY:** any body of water that is capable of affording reasonable passage of watercraft of any description for the purpose of transportation, recreation or commerce, and includes any river, stream or lake considered navigable by law.

~~3.115~~3.131 **NON-COMPLYING:** the use of land, building or structure which does not comply with the provisions and/or standards of this By-law for the zone in which such land, building or structure is situated.

~~3.116~~3.132 **NON-CONFORMING:** a use which is not a use permitted in the zone in which the said use is situated.

~~3.117~~3.133 **NURSING HOME:** a building other than a hospital in which the proprietor supplies for hire or gain, lodging with nursing, medical or similar care and treatment, if required, and includes a rest home or convalescent home, but does not include any other establishment otherwise defined in this By-law.

~~3.118~~3.134 **OBNOXIOUS USE:** any use which shall reasonably be a nuisance to the occupants or owners of any neighbouring land or buildings by reason of the emission from the said land or any part thereof, or the creation thereon, of odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot, waste or depositing or leaving unsightly objects or chattels thereon or otherwise.

3.135 **ON-FARM DIVERSIFIED USE:** means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to agri-tourism uses, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems.

3.136 **OUTDOOR DISPLAY AND SALES:** an unenclosed display area accessory to a commercial or industrial use used for the display of merchandise associated with the principal use. Excludes motor vehicle dealership and recreational vehicle sales and service establishment.

~~3.119~~3.1 **OPEN STORAGE:** ~~the storage of goods in the open air or in unenclosed portions of buildings which are open on the sides, but shall not include a limited display of goods and products for advertising and demonstration purposes.~~

~~3.120~~3.137 **OUTDOOR RECREATION, ACTIVE:** a public or private area operated for the purpose of playing golf, driving ranges, miniature golf courses, tennis courts, outdoor skating rinks, recreational trails, public park, private park, ski-lifts and similar uses, together with

necessary and accessory buildings and structures, but shall not include a theme park.

~~3.121~~**3.138** **OUTDOOR RECREATION, PASSIVE:** the use of land which is typically unobtrusive and not disturbing to the surrounding natural landscape and may include walking trails, natural interpretive facilities, bird and wildlife observation areas and similar uses involved in the enjoyment of the natural environment.

3.139 **OUTDOOR OPEN STORAGE:** the storage of goods in the open air or in unenclosed portions of buildings which are open on the sides, but shall not include a limited display of goods and products for advertising and demonstration purposes.

~~3.122~~ **PARK:** ~~an area permanently devoted to recreational uses and generally characterized by its natural, historic or landscaped features, and used for both passive and active forms of recreation and could include land identified as open space.~~

~~3.123~~**3.140** **PARK, PUBLIC:** a park owned or controlled by a Public Authority or by any Board, Commission or other Authority established under any statute of the Province of Ontario, or the Government of Canada.

~~3.124~~**3.141** **PARKING LOT:** an area other than a street used for the temporary parking of two or more motor vehicles as accommodation for visitors, clients, customers, residents or employees ~~whether free or for profit or gain~~for free.

~~3.125~~**3.142** **PARKING LOT, FOR PROFIT:** an area other than a street used for the temporary parking of two or more motor vehicles as accommodation for visitors, clients, customers, residents or employees for profit or gain.

~~3.126~~**3.143** **PARKING SPACE:** an area of not less than 18.5 square metres measuring 6 metres by 3 metres exclusive of any aisles or ingress or egress lanes, useable for the temporary parking or storage of motor vehicles, and may include a private garage or carport.

~~3.127~~**3.144** **PERSONAL SERVICE ESTABLISHMENT:** a building or part of a building in which a business provides personal or pet grooming, services related to care of apparel, or professional consultation services and the ancillary retailing of products or services related to the above uses. A personal service establishment may include, but is not limited to, a hair salon, beautician, tattoo parlour, pet groomer, tailor, shoe repair shop, travel agency, accounting service, and other like uses ~~a business furnishes a service to meet some general need or to benefit the personal needs of individuals~~, but excludes funeral homes, a health service establishment, and any manufacturing or fabrication of non-wearable goods ~~for sale~~.

~~3.128~~ **PERSONAL STORAGE:** ~~the storage of equipment and vehicles (including recreational vehicles) for personal use, and not for remuneration. Personal storage may be permitted as open storage or within a storage building.~~

~~3.129~~3.145 **PIT:** a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.

~~3.130~~3.146 **PIT, WAYSIDE:** a temporary pit opened and used by a public road authority, or their agents, solely for the purpose of road construction or an associated road project or contract and which is not located on the road right-of-way.

~~3.131~~3.147 **PLACE OF ASSEMBLY:** a building or part thereof ~~place designed and~~ used to host events such as trade shows, banquets, weddings, receptions, and conventions, or to provide cultural, musical, theatrical, and educational services such as an art gallery, library, performing arts centre, or museum. May include catering services and live entertainment but excludes a restaurant. ~~accommodate gatherings of people such as clubs, reception halls, funeral homes, conference centres, legion halls, community halls and lodges, and for events such as trade shows, banquets, and political or other conventions, museums, libraries and places of worship.~~

~~3.132~~3.148 **PLACE OF ENTERTAINMENT:** a motion picture or other theatre, auditorium, ~~public hall,~~ billiard or pool room, bowling alley, dance hall, or music hall, but does not include any place of entertainment or amusement otherwise defined or classified in this By-law.

~~3.133~~3.149 **PLACE OF RECREATION:** the use of a building, or part thereof, ~~for a fee,~~ for the provision of athletic and amusement facilities involving the active participation of the user in a sports-related activity and includes without limiting the generality of the foregoing, such facilities as racquet courts, fitness clubs, martial arts, dance studios, billiard parlours, bowling alleys, arenas, ~~riding stables,~~ or water sports, but shall not include a theme park.

3.150 **PLACE OF WORSHIP:** a building dedicated to religious worship and may include such accessory uses as a nursery school, an assembly hall, a school of religious education, convent, monastery or parish hall.

~~3.134~~3.151 **PORCH:** a structure attached to a permitted building which is covered and may be enclosed partially or wholly on its sides by screening.

~~3.135~~3.152 **PORTABLE GARAGE SHELTER:** A portable fabric or polyethylene covered structure for temporary or long term outdoor storage, and includes a portable carport or storage shed. For the purposes of this by-law, a Portable Garage Shelter is considered an accessory structure.

~~3.136~~3.153 **PRINCIPAL USE:** the predominant purpose for which any land, building, structure or premises, or part thereof, is used, designed, arranged, occupied or maintained. Where a property contains an agricultural use and a dwelling, the agricultural use shall be considered the principal use.

~~3.137~~3.154 **PRIVATE HOME DAYCARE:** the temporary care for reward or compensation of five children or less who are under ten years of age where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours.

~~3.138~~3.155 **PRINTING AND PUBLISHING ESTABLISHMENT:** a building or part of a building in which the business of producing books, newspapers or periodicals, by mechanical means, and reproducing techniques, such as photocopying, is carried on, and may include the sale of newspapers, books, magazines, periodicals, or like, to the general public.

3.156 **PUBLIC AUTHORITY:** shall mean

- a) The Municipality, Government of Ontario, Government of Canada, or any board, authority or commission of any of them; or
- b) Any utility company providing telephone, electrical or natural gas services; or
- c) Any railway company authorized under the Railway Act of Canada; or
- d) Any corporation providing serviced to the public, that has an operating budget entirely funded by one or more entities described in clause (a)

~~3.139~~3.157 **PUBLIC USE:** the use of land, building or structure by a public authority or authorized by a public authority, for the purpose of providing its services to the public, or carrying out its public mandate.

~~3.140~~3.158 **QUARRY:** an area where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit or mine.

~~3.141~~3.159 **RECREATIONAL VEHICLE:** Any vehicle that is used for recreational purposes. For the purposes of this by-law, a recreational vehicle shall include but is not limited to a camping trailer, watercraft, snowmobile, and all-terrain vehicle ~~a vehicle which provides sleeping and other facilities for short periods of time, while travelling or vacationing, designed to be towed behind a motor vehicle, or self-propelled, and includes such vehicles commonly known as travel trailers, truck trailers, pickup coaches, motorized campers, motorized homes or other similar vehicles but shall not include a mobile home.~~

~~3.142~~3.160 **RECREATIONAL VEHICLE SALES AND SERVICE ESTABLISHMENT:** a building, or part of a building, where new or used recreational vehicles and related equipment and accessories are displayed for sale or rent in conjunction with which there may be facilities for the servicing of such vehicles.

~~3.143~~3.161 **RECONSTRUCTION OR RENOVATION:** the repair and restoration of a building to good condition, but shall not include its replacement.

~~3.144~~3.162 **RESIDENTIAL CARE FACILITY:** an establishment providing supervised or supportive in-house care for those who need assistance with daily living, that may also provide ongoing medical or nursing care or counseling and social support services and which may include services such as medical, counseling, and personal services.

3.163 **RESIDENTIAL OCCUPANCY:** the occupancy or use of a building or part of a building by persons for whom sleeping accommodation is provided but who are not harboured or detained there to receive medical care or treatment or who are not involuntarily detained there.

3.164 **RESTAURANT, DRIVE-THROUGH OR TAKE OUT:** an eating establishment which serves or is intended to serve patrons seated in a motor vehicle parked on a parking lot or driveway, or where prepared foods are sold and taken out of the building to be consumed.

~~3.145~~3.165 **RESTAURANT, EAT IN:** An eating establishment 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 building and which may include the preparation of food in a ready-to-consume state for consumption outside of the premises.

~~3.146~~3.166 **RETAIL STORE:** a building or part thereof where goods, services, wares, merchandise, substances, articles or things are offered or kept for sale or rent by retail directly to the public, but does not include any manufacturing process or construction uses.

~~3.147~~3.167 **ROAD, PRIVATE:** a street, laneway or easement over private property or Crown Land not assumed by the municipality and is usually travelled and maintained by a private individual or group of individuals.

~~3.148~~3.168 **ROAD, PUBLIC:** an improved public highway which affords the principal means of access to an abutting lot and, which is dedicated, assumed and/or maintained by and under the jurisdiction of a public authority.

3.169 **SALVAGE OR WRECKING YARD:** a place where motor vehicles are wrecked or disassembled and resold; a place where second-hand goods, including waste paper, bottles, automobile tires, clothing, other scrap materials and salvage are collected to be sorted, and a place where used lumber and used building materials are stored for sale or resale.

~~3.149~~3.170 **SAUNA:** An accessory building or structure wherein facilities are provided for the purpose of a sauna bath, either dry or wet.

~~3.150~~3.171 **SAWMILL:** a building or structure used to process wood from raw lumber to another use and may include land used for ~~open~~outdoor storage of raw or finished lumber or products.

3.172 **SELF STORAGE FACILITY:** a building, ~~or~~ group of buildings, or permanent metal containers

used for the storage of household and personal items, including recreational vehicles and automobiles, for compensation. Excludes a~~goods, wares, substances, or articles but shall not include a~~ cartage depot, transportation depot, or warehouse. ~~A shipping container, truck body, bus coach, streetcar body, railway car, or other similar body or container, whether on wheels or not, shall not be used as part of a self-storage facility.~~

~~3.151~~3.173 **SEPTIC SYSTEM LEACHING BED:** an absorption system constructed as absorption trenches or a filter bed, located wholly in filter media that is contained between the surface to ground or raised or partially raised above ground as required by local conditions, to which effluent from a treatment unit is applied for treatment and disposal but, does not include the mantle area.

~~For the purposes of this By-law, a septic system leaching bed shall be considered a structure.~~

~~3.152~~3.174 **SERVICE ESTABLISHMENT:** ~~any building or part thereof where household appliances, machinery, and home entertainment equipment are sold, serviced or repaired, but excludes any manufacturing or processing.~~

3.174 **SETBACK:** the distance between any lot line ~~abutting a public road or body of water~~ and the nearest part of any main wall of any ~~main~~ building or structure.

~~3.153~~3.175 **SEWER AND WATER SERVICES (Full Municipal):** both water and sewage disposal infrastructure that is owned and operated by the Municipality and is designed to adequately service the water and sewage disposal needs of a use, building or lot.

~~3.154~~3.176 **SEWER AND WATER SERVICES (Partial Municipal):** infrastructure where either water or sewage disposal facilities is owned and operated by the Municipality and is designed to adequately service the water and sewage disposal needs of a use, building or lot.

~~3.155~~3.177 **SEWER AND WATER SERVICES (Private):** infrastructure on a lot which is privately owned and operated, which is designed to service the water and sewage disposal needs of that lot, and without limiting the generality of the foregoing, shall include a private septic system and a private well.

~~3.156~~3.178 **SHORELINE:** the line where the normal or controlled high water mark of a navigable watercourse meets the land.

~~3.157~~3.179 **SHORELINE BUFFER:** a natural area, adjacent to a shoreline, maintained or re-established in its natural predevelopment state (with the exception of minimal pruning of vegetation and the removal of trees for safety reasons) for the purpose of protecting natural habitat and water quality and minimizing visual impact of buildings or structures on a lot. Where the natural shoreline of a property is a natural beach or is a rock outcropping with little or no soil, such shall be deemed to comply. A shoreline buffer shall not include a grassed or lawn area.

3.1583.180 SIGHTLINE TRIANGLE: The triangular portion of a lot which is delineated by a diagonal line drawn between points which are 6 metres from the intersection of two roads or the intersection of a road and a railway right-of-way.

3.1593.181 SIGN: a structure or advertising device having illustrations affixed thereto or displayed thereon in any manner, which is used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization firm, group, profession, enterprise, industry or business, or which display or include any letter, work, model number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement.

~~**3.1603.182 SLEEPING CABIN:**~~ ~~an accessory building not attached to the principal residential dwelling that provides sleeping accommodation for guests from which there shall be no monetary gain and which does not contain cooking facilities.~~

3.1613.182 STOREY: the portion of a building, other than a basement, attic or ~~cellar~~crawlspace, between the surface of any floor and the surface of the floor next above, or, if there is no floor above it, that portion between the surface of such floor and the ceiling above it.

3.1623.183 STREET LINE: any boundary line of a public road or highway.

3.184 STRUCTURE: anything that is erected, built or constructed of parts joined together or requiring a foundation to hold it erect and located under, on or above ground level, including anything prefabricated on or off the site. ~~But for the purposes of this By-law, a fence not exceeding 2 metres in height shall be deemed not to be a structure.~~

~~**3.163 TOURIST CAMPING ESTABLISHMENT:**~~ ~~the use of land, buildings or structures for commercial camping on a short term basis where campsites are rented to and used by the travelling public. A tourist camping establishment may include accessory buildings, structures or facilities incidental to the principal use, such as common washrooms, recreational facilities, a convenience store, or an accessory dwelling unit for the owner or operator. A tourist camping establishment does not include the use of a campsite as a dwelling, off-season storage of tents or recreational vehicles on campsites, or a use otherwise defined by this By-law.~~

3.1643.185 TOURIST ESTABLISHMENT: the use of land, buildings or structures for the provision of commercial roofed accommodation and/or campsites where commercial accommodation units are offered for rent on a short term or transient basis to the public who is travelling, vacationing, engaged in leisure or recreation, or participating in conventions or meetings. A tourist establishment may include accessory buildings, structures, facilities, uses, or services normally incidental to such accommodation equipment or facilities, such as common washrooms, recreational facilities, a convenience store, and ~~including~~ a restaurant, ~~normally incidental to such accommodation.~~ A tourist establishment does not include a dwelling unit except for a dwelling unit for the owner or

operator, or staff quarters that are accessory to the principal use and does not include the use of a campsite as a dwelling, off season storage of tents or recreational vehicles on campsites, or a use otherwise defined by this By-law. ▯

~~3.165~~ ~~**TOURIST HOME:** a dwelling unit excluding a hotel, motel or cabin, in which rooms or lodging are provided for hire or pay for the travelling or vacationing public and being comprised of not more than four (4) units.~~

~~3.166~~ ~~**TRAILER:** a vehicle that is at any time drawn upon a highway by a motor vehicle, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn and, for the purposes of this By-law, does not include a mobile home.~~

~~3.167~~ ~~**TRAILER, CAMPER:** any unit so constructed that may be attached upon a motor vehicle, as a separate unit, and capable of being temporarily utilized for the living, sleeping or eating accommodation of persons.~~

~~3.168~~~~3.1~~ ~~**TRAILER PARK:** the use of land for the provision of overnight or short term accommodation for trailers, motor homes and tents, but not mobile homes and includes services and facilities normally incidental and subordinate to such a use including washroom and bathing facilities, active and/or passive recreational uses, and an entrance kiosk.~~

~~3.169~~~~3.186~~ ~~**TRAILER, TRAVEL OR TENT:** a trailer designed to be temporarily used for living, shelter and sleeping accommodation, or any vehicle in which the assembly can be erected, while stationary, using the trailer body and related components for support and utilized for living, shelter and sleeping accommodation, with or without cooking facilities, which is not permanently affixed to the ground. Includes a motorhome, camping trailer, fifth wheel, truck camper, tent trailer, and pop-up trailer~~collapsible and compact while being drawn by a motor vehicle~~, but shall not include a utility trailer, mobile home, or modular dwelling house.~~

~~3.170~~ ~~**TRAILER, UTILITY:** a trailer that may be fully enclosed or have an open bed and is designed to store and transport goods, equipment, animals, or other items while being drawn by a motor vehicle but does not include living, sleeping, or cooking accommodations.~~

~~3.171~~~~3.187~~ ~~**TRANSPORTATION DEPOT:** a Building or premises where buses, trucks, or tractor trailers are rented, leased, kept for hire, stored or parked for commercial purposes only.~~

~~3.172~~~~3.188~~ ~~**USE:** the purpose for which a lot or building or -a structure or any combination thereof is designed, constructed, arranged, occupied or maintained.~~

~~3.173~~3.189 **VETERINARY ~~ESTABLISHMENT~~CLINIC:** premises in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals and in conjunction with which there may be facilities provided for the sheltering of animals during the treatment period.

~~3.174~~3.190 **WAREHOUSE:** A building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for wholesaling, or for accessory retail sales of goods, wares, merchandise, substances or articles otherwise stored or manufactured within the building, but shall not include a transportation depot or self storage facility.

~~3.175~~3.191 **WASTE DISPOSAL SITE:** premises where garbage, refuse or domestic or industrial waste is disposed of or dumped and which is approved by The Ministry of Environment pursuant to the provisions of The Environmental Protection Act, R.S.O. 1990, c E.19, as amended.

~~3.176~~3.192 **WIND FACILITY:** a renewable energy generation facility at which wind is used to generate electricity through the use of one or more wind turbines, as defined in Ontario Regulation 359/09 under The Environmental Protection Act, R.S.O. 1990, c E.19, as amended.

~~3.177~~3.193 **WHOLESALE ESTABLISHMENT:** the use of land, or building or structure, or part thereof in which goods, wares, merchandise, substances, or articles are offered or kept for sale at wholesale and may include an accessory store.

~~3.178~~ **YARD:** an open, uncovered area of land, ~~other than a court yard, located on the same lot within a main building or structure, and that is~~ unoccupied and unobstructed by buildings or structures except as may be expressly permitted in this By-law, which extends from the main wall of the principal building to the. ~~In determining yard measurements, the minimum horizontal distance between the main building or structure and the respective lot lines shall be used.~~

~~3.179~~3.194 **YARD, EXTERIOR SIDE:** a yard extending across the full width of the lot between the exterior side lot line and the nearest part of the main building or structure on the lot, jointly comprising part of the front yard and rear yard where such yards coincide with the exterior side yard ~~a side yard immediately adjacent to a public street.~~

~~3.180~~3.195 **YARD, FRONT:** a yard extending across the full width of the lot between the front lot line and the nearest part of the main building or, structure ~~or open storage~~ on the lot.

~~3.181~~3.196 **YARD, INTERIOR SIDE:** a yard extending from the front yard to the rear yard, between the interior side lot line and the nearest part of the main building or structure on the lot ~~side yard other than an exterior side yard.~~

~~3.183~~3.197 **YARD, REAR:** a yard extending across the full width of the lot between the rear lot line and the nearest part of the main building or, structure ~~or open storage~~ on the lot.

3.198 **YARD, REQUIRED:** the minimum yard required by the provisions of this by-law.

~~3.183~~3.199 **ZONE:** A designated area of land use(s) shown on the Zone Maps of this By-law.

DRAFT

Section 4: General Provisions

4.1 ~~Accessory Dwelling Unit~~ Additional Residential Units

A maximum of two additional residential units shall be permitted per lot in the R1, R2, R3, R4, RR, RU and A1 zones and shall only be constructed or used in accordance with the following:

4.1.1 General Provisions

1. Additional Residential Units are subject to the availability of adequate servicing whether such servicing is provided via municipal services or private individual on-site services to the satisfaction of the Municipality of West Nipissing.
2. The maximum floor area of an additional residential unit shall be no more than an amount equal to 75% of the habitable floor area of the main dwelling.
3. In all cases the additional residential unit shall be clearly secondary and subordinate to the main dwelling.
4. Driveway access to both the main dwelling and the additional residential unit shall be limited to one access or as otherwise permitted by the Private Entrances By-law 2017-39, as amended or replaced.
5. One parking space will be provided for each additional residential unit, in addition to the required parking for the main dwelling.
6. Shall not be permitted within hazardous lands as identified by the Official Plan and Zoning By-law Schedules unless all openings are above the flood elevation as per section 4.7.
7. Shall be required to conform to all Ontario Building Code and Ontario Fire Code regulations to be suitable for year-round habitation.
8. Shall be required to conform to Minimum Distance Requirements (4.14), where applicable.
9. Where residential uses are permitted in any Agricultural zone, Additional Residential Units are in addition to farm worker housing as permitted.
10. Additional residential dwelling units which were illegal on the passing of this by-law must meet all the required criteria for an additional residential unit and receive a valid building permit under the Building Code to be considered a legal additional residential unit.

4.1.2 Attached Additional Residential Unit

One or two additional residential unit(s) is(are) permitted within the main dwelling or attached to the main detached dwelling, subject to the provisions in Section 4.1.1 and the following:

1. If the additional residential unit is located in a basement, the additional residential unit may occupy the whole of the basement if these spaces would meet the definition of a habitable room as permitted by the OBC.

2. When exterior additions to the main dwelling are proposed for an attached additional residential unit, the following applies:
 - a. The siting of an additional residential unit shall be to the rear or side of the main dwelling; and
 - b. Shall comply with the yard and setback requirements of the Zone in which such buildings are situated.

4.1.3 Detached Additional Residential Unit

A maximum of one additional residential unit is permitted in an accessory building or structure, subject to the provisions in Section 4.1.1 and the following:

1. No more than one ARU is contained within the primary residential dwelling.
2. A detached additional residential unit can occupy a part of, or the entirety of an accessory building or structure.
3. If the additional residential unit occupies the entirety of an accessory building or structure, the following additional provisions are applicable:
 - i. Shall comply with the minimum required side yard standards for the principal use on the lot;
 - ii. Shall not be permitted in the required front yard;
 - iii. Shall have a minimum rear yard setback of 4.0 m; and
 - iv. Shall not exceed the maximum height standards for the principal use on the lot.
- ~~3.~~4. If the additional residential unit occupies a part of an accessory building or structure, the following additional provisions are applicable:
 - i. Shall comply with the minimum required side yard standards in which the principal unit is situated;
 - ii. shall have a minimum rear yard setback of 4.0 m or in the Agriculture and Rural zones, have a minimum rear yard setback of 6.0 m; and
 - iii. shall not exceed 7.5 metres in height
 - iv. notwithstanding 4.iii, if the additional residential unit occupies the second storey of an accessory building and is located in the Agriculture or Rural zone, the maximum building height shall not exceed 9.0 metres.

4.1.4 Additional Residential Units within Shoreline Residential Zoning

A maximum of one additional residential unit shall be permitted per lot in the Shoreline Residential Zone and on all other properties which have a different zone but front onto a navigable watercourse, and shall only be constructed or used in accordance with Section 4.1.1 and the following:

1. Shall not be permitted within the required waterfront setback as a detached unit.

2. If the additional residential unit is located in a basement, the additional residential unit may occupy the whole of the basement if these spaces would meet the definition of a habitable room as permitted by the OBC.
3. Additional residential units are not permitted within 300m of the highwater mark of an at capacity lake.
4. An additional residential unit shall not be permitted in a boathouse or boatport.
5. An additional residential unit shall not include a sleeping cabin where cooking and bathroom facilities are not contained.

~~Notwithstanding any other provisions of this By-law regarding the number of dwelling units on a single lot, an accessory dwelling unit is permitted in any Residential Zone, and in the Rural (RU) and Agricultural One (A1) Zones, subject to the following provisions:~~

- ~~a) The accessory dwelling unit is located within a permitted single detached dwelling or a semi-detached dwelling;~~
- ~~b) Only one (1) accessory dwelling unit may be created within the principal dwelling unit;~~
- ~~c) An accessory dwelling unit shall not be permitted if the lot also contains a garden suite;~~
- ~~d) The maximum floor area of an accessory dwelling unit shall not exceed 75% of the floor area of the principal dwelling unit;~~
- ~~e) The accessory dwelling unit shall be an integral part of the principal dwelling unit and be designed so as to maintain the general character of the dwelling and surrounding neighbourhood;~~
- ~~f) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other fire, health, safety, or occupancy regulations or by laws; and~~
- ~~g) A minimum of one parking space is provided for the accessory dwelling unit, and does not result in a separate driveway being required.~~

4.2 Accessory Uses, Buildings and Structures

- 4.2.1 **Permitted accessory uses:** Where this By-law permits the use of land, buildings or structures for a specific use, such use shall include any buildings, structures or uses accessory to the permitted use, subject to the provisions of this by-law for the particular zone in which the building, use or structure is located.
- 4.2.2 **Uses Permitted in detached accessory buildings and structures:** No detached accessory building or structure shall be used for human habitation or an occupation for gain, except for a permitted sleeping cabin, additional residential unit or for a home ~~industry~~based-business.
- 4.2.3 **Location on a lot:** Accessory buildings, structures or uses are permitted in any yard, provided such building, structure or use:

- is not permitted in the required front yard or the required exterior side yard; and
- in the R1-R4, SR, C1-C3 Zones is not built closer than 1.2 metres to any lot line except that common semi-detached private garage may be centered on the mutual lot line.
- In all other zones ~~the RR, RU, A1 and A2 zone~~ is not built closer than 3.0 metres to any lot line.
- Is not built closer than 3.0 metres to the rear lot line where a lot fronts on a navigable watercourse and the rear yard abuts a public or private road.

4.2.4 Principal Building to be erected first: No accessory building or structure shall be erected on any lot until the principal building has been erected, with the exception of:

- i. Following the issuance of a ~~Temporary construction uses during the term of an active~~ building permit for the principal use;
- ii. ~~A septic system;~~
- ii. A dock;
- iii. An outhouse;
- iv. On a ~~A~~ lot zoned for Agricultural One (A1), (A2) or Rural (RU), ~~in which case an agricultural building may be erected prior to the erection of the principal building.~~

4.2.5 Maximum Number: The maximum number of accessory buildings permitted on a lot in any Residential Zone shall not exceed 3 unless otherwise specifically permitted in this By-law. ~~An outhouse, gazebo,~~ pumphouse, sauna, boathouse, or unenclosed decks are excluded from the maximum number.

4.2.6 Maximum Coverage: The maximum lot coverage of all accessory buildings and structures excludes ~~a septic system leaching bed~~ an unenclosed unroofed deck, ground-mounted solar panels, boathouse, and swimming pool. Accessory coverage shall be counted towards total lot coverage.

~~**4.2.7 Accessory Structure encroachments:** Notwithstanding the yard and setback provisions of this By law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences, signs or similar uses which comply with this By law are permitted in any required yard. Fences shall not exceed a height of 1.2 metres in the required front yard of lots in any Residential Zone.~~

~~Every part of any yard required by this By law shall be open and unobstructed by any structure from the ground to the sky except that those structures listed in~~

Table 4.1 shall be permitted to project from the principal building into the minimum yards required by this By-law for the following specified distances:

TABLE 4.1 – PERMITTED ENCROACHMENTS IN YARDS

Structure	Yards in which projection is permitted	Maximum projection from main wall permitted	Minimum Distance from Lot Line
Sills, belt courses, cornices, eaves or canopies, gutters, chimneys or pilasters	Any yard	1.0 metre	1.0 metre
Fire escapes and exterior staircases	Rear and exterior side yard only	1.0 metre	1.0 metre
Window bays	Front, rear and exterior side yards only	1.0 metre over a maximum width of 4.0 metres	1.0 metre
Balconies	Any yard for apartment dwellings Front, rear and exterior side yards only for all other dwellings	2.0 metres for front and rear 1.5 metres for exterior	2.0 metres
Open roofed porches not exceeding one storey in height. Uncovered terraces.	Front and rear yards only	3.0 metres including eaves and cornices	2.0 metres
Decks	Front, rear and side yards	6.0 metres	2.0 metres

4.2.84.2.7 Shoreline Structures:

Identification: Shoreline structures refer to accessory buildings and structures erected at or near the shoreline in the required yard located between the shoreline and the dwelling on any lot that abuts a watercourse. They include buildings and structures that are on the lot and/or attached to the land that forms the bed of a navigable waterway adjacent to the lot.

4.2.9.1 Permitted Structures Uses: Shoreline structures include a boathouse, boat port, dock, boatlift, launch ramp, marine railway, marine storage facility, pumphouse, deck, gazebo, or sauna ~~or hot tub~~.

4.2.9.2 Maximum Width: The maximum cumulative width of docks, boathouse, boat port, boatlift, launch ramp, marine railway and marine storage facility shall not

exceed 25% of the lot frontage to a maximum of 15.0 metres of the shoreline. The width shall be measured from the exterior walls or posts of a boathouse, boat port, boatlift or marine storage facility, and from the outer edge of a dock, launch ramp or marine railway.

4.2.9.3 Boathouses and Boat Ports: A boathouse or boat port may be erected and used in the required yard of a lot abutting a navigable watercourse provided:

a) a maximum of one boathouse or one boat port shall be permitted per lot provided the lot has a minimum of 30.0 metres of water frontage;

~~b) only single storey boathouses shall be permitted;~~

~~c) the roofline of double pitched or hipped roofs will be a maximum of 4.5 metres above the high water mark for a one storey boathouse~~ the maximum height for a boathouse is 5.0 m, measured from top of dock;

c) a minimum setback of 5.0 metres is maintained from the side lot lines and/or the straight-line projection of the lot line into the water from the shoreline. ~~for a single storey boathouse or 6 metres for a two storey boathouse.~~

d) An additional residential unit shall not be permitted in or on a boatport or boathouse.

4.2.9.4 Docking Facilities: A dock, boatlift, launch ramp or marine railway may be erected and used in the required yard of a lot abutting a navigable watercourse provided all applicable Provincial and Federal statutes and regulations are adhered to and provided a minimum setback of 5.0 metres is maintained from the side lot lines and/or the straight-line projection of the lot line into the water from the shoreline. Where a lot is used for solely residential purposes, no part of any dock shall extend beyond 20 metres from the high water mark abutting the lot.

4.2.9.5 Gazebo: One freestanding gazebo may be permitted within the required yard abutting a navigable watercourse, provided that:

a) the structure does not exceed 25.0 square metres in floor area;

~~a) b) is, but may~~ not be located on a dock;

~~b) c) the gazebo is set back a minimum of 4.0 metres from the shoreline; and,~~

~~e) d) the gazebo is set back a minimum of 4.05 metres from any side lot line.~~

4.2.9.6 Marine Storage Facility: A marine storage facility may be erected and used in the required yard of a lot abutting a navigable watercourse provided:

- a) a boathouse does not exist on the lot and/or attached to the land that forms the bed of a navigable watercourse adjacent to the lot;
- b) the gross floor area of the marine storage facility does not exceed 45.0 square metres;
- c) a minimum setback of 8.0 metres is maintained from the high-water mark; and,
- d) a minimum setback of ~~3.0~~4.0 metres is maintained from the side lot lines.

4.2.9.7 Pumphouse: A pumphouse may be erected and used in the required yard of a lot abutting a shoreline provided:

- a) it complies with the minimum required side yard;
- b) ~~A free standing pumphouse shall~~does not exceed a height of 2.0 metres;
and
- c) Does not exceed an ~~or an~~ area of ~~4.65~~9.0 square metres.

4.2.9.74.2.9.8 Sauna: One freestanding Sauna may be permitted provided that:

- a) the structure does not exceed 10 square metres in floor area;
- b) the sauna is set back a minimum of 4.0 metres from the shoreline, ~~where the lot abuts a navigable watercourse;~~ and,
- c) the sauna is set back a minimum of ~~4.0~~5 metres from any side lot line.

4.2.9.84.2.9.9 Unenclosed DeckPatio: A freestanding, unenclosed ~~deck~~patio may be permitted within the required yard abutting a shoreline, provided that the structure:

- a) does not exceed 30.0 square metres in ~~floor~~ area; and
- b) is located no closer than 5.0 metres to the shoreline, except where such ~~deck~~patio is attached to a dock; ~~and,~~
- c) ~~the deck floor is no more than 1.0 metre from the grade below it.~~

4.2.10 Sleeping Cabin: A sleeping cabin may be erected on a lot within the Rural (RU), Rural Residential (RR) or Shoreline Residential (SR) Zones, subject to the following provisions:

- a) such sleeping cabin complies with the minimum yard requirements for the principal use within the Zone;

- b) such sleeping cabin does not exceed a maximum gross floor area of 50.0 square metres;
- c) such sleeping cabin does not include kitchen or cooking or bathroom facilities;
- d) a maximum of one sleeping cabin is permitted per lot; and,
- e) a sleeping cabin may be permitted on the second storey of a detached garage.

4.2.11 ~~Railway Shipping (Storage)~~ Metal Containers/Galvanized Steel Buildings:

- a) A metal container shall, for the purposes of this by-law, be considered an Accessory Structure and subject to all the regulations relating thereto including placement, lot coverage, number of accessory structures, etc;
- ~~a) No person shall, in the Residential One (R1), Residential Two (R2), Residential Three (R3) or Residential Four (R4) Zones, use any truck, bus, coach, transport truck trailer, streetcar body, railway car body, railway shipping (storage) container, or similar structure of any kind, for the purpose of an accessory structure.~~
- b) No person shall, in the Shoreline Residential (SR), Residential One (R1), Residential Two (R2), Residential Three (R3) or Rural Residential (RR) Zone, use any ~~truck, bus, coach, transport truck trailer, streetcar body, railway car body, railway shipping (storage)~~ metal container, or similar structure of any kind, for the purpose of an accessory structure, provided that:
 - i. The lot on which the metal container is to be located has an area of more than 400m² (1 acre); and
 - ii. Where the lot abuts a watercourse, the metal container is not located in the required watercourse setback.
 - iii. Where the lot does not abut a watercourse, the metal container is located in the rear yard.
 - ~~iv.~~ No more than one (1) metal container is permitted on the property.
- c) There shall be no limit on the number of metal containers or similar structure of any kind, for the purpose of an accessory structure in the Agriculture One (A1), Agriculture Two (A2), Rural (RU), and all Industrial Zones.
- ~~b) No person shall, in the Residential One (R1), Residential Two (R2), Residential Three (R3) or Residential Four (R4) zones permit more than one (1) galvanized steel building which galvanized steel structure shall, for the purposes of this by law, be considered an Accessory Structure and subject~~

~~to all the regulations relating thereto including placement, lot coverage, etc;~~

~~c) No person shall, in the Shoreline Residential (SR) zone:~~

~~i. Permit more than one (1) storage container or galvanized steel building, which storage container or galvanized steel structure shall, for the purposes of this by-law, be considered an Accessory Structure and subject to all the regulations relating thereto including placement, lot coverage, etc;~~

~~ii. Permit a storage container or galvanized steel building on any lot having an area of less than 400m² (1 acre)~~

4.2.12 Swimming Pools: A swimming pool is permitted in the Agricultural One (A1), Rural (RU), Tourist Commercial (C3), and all Residential zones, ~~any Zone except for the Provincially Significant Wetland (PSW) Zone or Hazard (HZ) Zone Overlay,~~ subject to the following:

- a) In the interior side yard of any lot provided, that;
 - i. no part of such pool is located closer to any lot line or street line than the minimum distance required for principal building location on such lot, and
 - ii. the maximum height of such pool is 1.0 metres above the average finished grade level of the ground adjoining and within 5.0 metres of such pool, and
 - iii. any building or structure, other than a dwelling, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, comply with the provisions of this By-law respecting accessory buildings on such lot.
- b) In the rear yard of any lot if no part of such pool is located closer to any lot line or street line than the minimum distance required for an accessory building located on such lot.
- c) Where a lot abuts a navigable watercourse, in the front yard of the lot, ~~provided~~ no part of any pool is ~~shall be~~ located within 10 metres of the high-water mark ~~of a property abutting a navigable watercourse.~~
- d) Every swimming pool shall be enclosed by a fence of at least 1.2 metres in height and located at a distance of not less than 1.5 metres and not more than 5.0 metres from the pool. The main and accessory building may form

part of the enclosure.

~~d)e)~~ Notwithstanding anything to the contrary, an inground swimming pool is not permitted within the Hazard (HZ) Zone Overlay.

4.2.13 Antennae and ~~Towers~~, Satellite Dishes: Radio and television antennae and satellite dishes are permitted in any zone. Antennae or satellite dishes greater than 1.0 metres in diameter shall be required to meet the applicable yard requirements for the principle uses in a zone.

~~Radio and television antenna towers, satellite dishes greater than 1.0 metres in diameter, dish antennas and other similar structures are permitted in any zone provided they meet the minimum requirements of the zone in which they exist and are not located in any front yard or exterior side yard. Satellite dishes 1.0 metres or less in diameter are permitted in any yard.~~

~~4.2.13~~ **4.2.14 Solar Panels:** No ground mounted solar panels are permitted in the ~~Residential One (R1), Residential Two (R2), Residential Three (R3) or Residential Four (R4)~~ residential Zones.

~~4.2.14~~ **4.2.15 Wind Facilities:**

- a) Wind facilities are limited to Class 1 wind facilities as defined in Ontario Regulation 359/09, and are permitted as an accessory use for personal use only in the Agriculture One (A1), Rural (RU) and Rural Residential (RR) Zones;
- b) Wind facilities are only permitted in the rear yard, and shall meet ~~all yard requirements~~ the setback requirements of the principal building.

4.3 Architectural Projections

4.3.1 Permitted Encroachments in Yards: Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothesline poles, flag poles, garden trellises, retaining walls not exceeding 1.2 metres, fences, signs or similar uses which comply with this By-law are permitted in any required yard.

Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky except that those structures listed in Table 4.1 shall be permitted to project from the principal building into the minimum yards required by this By-law for the following specified distances:

TABLE 4.1 - PERMITTED ENCROACHMENTS IN YARDS

<u>Structure</u>	<u>Yards in which projection is permitted</u>	<u>Maximum projection into required yard permitted</u>	<u>Minimum Distance from Lot Line</u>
<u>Sills, eaves or canopies, gutters, chimneys or other such roof components</u>	<u>Any yard</u>	<u>1.0 metre</u>	<u>1.0 metre</u>
<u>Window bays</u>	<u>Front, rear and exterior side yards only</u>	<u>1.0 metre over a maximum width of 4.0 metres</u>	<u>1.0 metre</u>
<u>Balconies</u>	<u>Any yard for apartment dwellings</u> <u>Front, rear and exterior side yards only for all other dwellings</u>	<u>2.0 metres for front and rear</u> <u>1.5 metres for exterior</u>	<u>2.0 metres</u>
<u>Unenclosed roofed porches not exceeding one storey in height. Uncovered terraces.</u>	<u>Front and rear yards only</u>	<u>3.0 metres including eaves and cornices</u>	<u>4.0 metres</u>

4.3.2 Notwithstanding anything to the contrary, an unenclosed metal fire escape required by applicable law shall be permitted to project into any yard provided that it does not encroach on the abutting property.

4.3.2 Ramps, lifts, railings and other such structures used for accessibility purposes shall be permitted to project into any yard provided that it does not encroach on the abutting property.

4.34.4 Bed and Breakfast Establishment:

4.3.1 The following provisions apply to any bed and breakfast establishment:

- a) The bed and breakfast shall be permitted only in the zones indicated in this By-law and shall be ~~clearly~~-accessory to the main residential use and shall not change the residential character of the lot and dwelling;
- b) A bed and breakfast is not permitted on a property which contains an additional dwelling unit;
- ~~b)c)~~ No person other than a person residing in the dwelling containing the bed and breakfast shall be employed except as in necessary for housekeeping purposes;
- ~~c)d)~~ The bed and breakfast shall not have more than four (4) rooms for overnight

guest purposes;

- ~~e)~~ e) The guest rooms shall not contain kitchen or cooking facilities;
- ~~f)~~ Only one plate or sign, attached to the dwelling or located in the front yard shall be permitted and no flashing or illuminated sign shall be used; and
- ~~g) A minimum of one parking space for each guest room shall be provided in addition to the parking required for the dwelling.~~

4.4 Cluster Developments:

4.4.1 Notwithstanding anything to the contrary, for cluster developments, buildings shall comply with the regulations in Table 4.2 below and the regulations of the zoning applied to the lot, whichever is more restrictive:

Table 4.2:

<u>Common element or private road width (minimum):</u>	<u>One-way: 3.5 metres</u> <u>Two-way: 6 metres</u>
<u>Common element or private road setback:</u>	<u>6 metres</u>
<u>Building separation (minimum)</u>	<u>4 metres</u>

4.5 Communication Tower:

4.5.1 a receiving/transmitting tower or any steel tower used for signaling purposes and associated buildings, provided the tower and buildings are located at a minimum distance of 150 metres from the boundary of a residential zone, and provided the minimum lot area is 2 hectares;

4.6 Decks:

4.6.1 A deck may be permitted provided that the deck:

- a) is attached to a building;
- b) complies with the side yard setback of the principal building;
- c) has a rear yard setback of 4 metres;
- d) Where located on the front façade of the building, has a front yard setback of 5 metres;
- e) Has a watercourse setback of 10 metres.

4.6.2 A roof shall be permitted above a deck provided that the roof complies with the same setbacks applicable to the principal building on the lot.

4.6.3 Notwithstanding anything to the contrary, the area of a deck that is roofed shall be included in lot coverage calculations.

~~4.4 Dwelling Units in Non-Residential Buildings:~~

~~4.4.1 No person shall use any lot, or erect, alter or use any building or structure for the purpose of a separate dwelling unit on a lot zoned other than for residential uses or within a portion of a non-residential building, except in accordance with the following requirements:~~

- ~~a) A maximum of 1 dwelling unit for use by the owner or operator shall be permitted.~~
- ~~b) The dwelling unit shall have a minimum floor area of 70m².~~
- ~~c) The dwelling unit shall have a separate washroom or bathroom and kitchen facilities from those of the non-residential use.~~
- ~~d) The dwelling unit shall have a separate parking space.~~
- ~~e) The dwelling unit shall have a separate building entrance to that provided for non-residential use.~~

~~4.4.2 Notwithstanding the provisions of this By-law, no dwelling unit shall be located in a non-residential building that is used for a Motor Vehicle Service Station.~~

~~4.5 Dwelling Units Per Lot:~~

~~4.5.14.6.4 Not more than one dwelling unit may be built on any lot except where specifically permitted in a particular zone.~~

~~4.64.7 Established Building Line:~~

~~4.7.1 Where a permitted building or structure or addition is to be erected on a lot where there is an established building line extending on both sides of the lot, 50.0 metres in either direction, such permitted building, structure or addition may be erected closer to the front lot line than required by this By-law, provided such permitted building or structure is not erected closer to the front lot line than the average setback of the existing residential dwellings on each side, being a line drawn from the corner of each building abutting the subject lot. This provision does not apply to lands abutting a watercourse or a Provincial Highway.~~

~~4.74.8 Hazard Zone Overlay~~

~~**Identification:** Lands located in the Hazard (HZ) Zone Overlay are identified on the schedules to this By-law and identify lands that are susceptible to flooding or erosion hazards. The delineation of Hazard Land is based on the most current information available and may not be accurate or up to date in some areas. Development is restricted in these areas in an effort to minimize the threat of injury or loss of life and prohibit land uses where flooding may compromise the ability to deliver essential services, or where flooding may cause unacceptable risk of property damage.~~

Lands shown on the attached schedules to this By-law as Hazard Overlay may be susceptible to flooding. The construction of buildings and structures is discouraged in these areas, but may be permitted subject to confirmation that the location proposed for development has no history of flooding. Lands located in the Hazard Overlay Zone shall be subject to the use permissions and regulations of the underlying zone category.

The following provisions take precedence over the provisions of the underlying zone. Any development permitted shall be subject to the corresponding site regulations for setbacks, height and lot coverage.

~~4.7.1~~4.8.1 **Minimum Elevations:** The minimum elevation of doors, windows or other openings in habitable buildings or structures shall be located above the following flood elevation for the following waterbodies:

197.25 metres G.S.C. above sea level on the French River, Lake Nipissing and the Sturgeon River below the dam in Sturgeon Falls.

The minimum elevation on all other watercourses shall be the flood contour that is established by a qualified Ontario Land Surveyor (OLS).

~~4.7.2~~ **Setback Requirement – Sturgeon River:** ~~The minimum setback from the edge of the Hazard Overlay along the Sturgeon River is 15 metres from the top of bank, or 20 metres from the high water mark where there is no top of bank, whichever is greater.~~

~~4.7.3~~4.8.2 **Requirements:** Despite the provisions of the underlying zone, development is subject to the following:

- a) Development of an existing vacant lot is subject to applicable flood proofing of buildings and motor vehicle access.
- b) Minor alterations and repairs to buildings which legally existed on the date of the passing of this By-law, not exceeding an increase of ~~35.0 square metres~~25 % in gross floor area to the existing building, shall be permitted without flood proofing.
- c) Alterations, replacements, repair, reconstruction or enlargements of existing buildings in excess of that permitted in b) above, or the construction of new buildings shall be permitted provided such building is flood proofed above the identified regulatory flood level.
- d) New accessory buildings shall be permitted subject to Section ~~4.3.2~~4.3.2 provided

such buildings, other than shoreline structures, are flood proofed above the identified regulatory flood level.

~~4.7.4~~4.8.3 Institutional Uses, ~~and~~ essential emergency services and other sensitive uses, including day nurseries, community centres, government facilities, hospitals, long-term care homes or nursing homes, retirement homes, schools, and University and Colleges, shall be prohibited in ~~the regulatory flood plain areas~~ subject to flooding.

~~Notwithstanding any other provisions of this By-law, no new dwelling shall be permitted in areas with extreme flood depths.~~

~~4.7.5~~4.8.4 Flood control structures are permitted in the Hazard Zone overlay and within identified floodplain areas.

~~4.8~~4.9 Group Home:

~~4.8.1~~4.9.1 A ~~Where a~~ Group Home shall be is a permitted use where a residential use is permitted provided that; ~~the following provisions shall apply:~~

- ~~a) A group home shall only be permitted within a single detached dwelling; and~~
- a) All the provisions of the respective zone in which a group home is located shall be complied with;
- b) All provincial and federal regulations pertaining to Group Homes are complied with;
- ~~b)c)~~ A Group Home may be subject to site plan control as per the applicable municipal by-law.

~~4.9~~4.10 Height Exceptions:

~~4.9.1~~4.10.1 The following structures shall not be included when calculating building height: ~~Nothing in this By-law shall prevent the erection, alteration or use of the following accessory structures, provided the main use is a permitted use within the zone in which is it located, and all other applicable provisions of this By-law are complied with:~~

- Air conditioner duct;
- Barn, silo, conveyor or grain elevator used for farm purposes;
- Belfry;
- Church spire;

- Chimney;
- Clock tower;
- Drive-in theatre screen;
- Elevator enclosure;
- Flag pole;
- Forestry tower;
- Radio or television tower or antenna;
- Rooftop architectural elements such as parapets or cupolas;
- Structure for crushing, washing, screening or processing relating to an asphalt, aggregate, concrete or cement plant;
- Structure containing heating, cooling or other mechanized equipment pertaining to a building; and
- Water tank.

4.11 Home Based Business:

4.11.1 Where a home based business is a permitted use, the following provisions shall apply:

- a) The home based business shall only be conducted within a residential dwelling unit or an accessory building;
- b) The home based business shall clearly be secondary and accessory to the main residential use of the property and the nature or scope of the home based business shall not change the residential character of the dwelling or property, with the exception of a permitted sign;
- c) The home based business shall not include an abattoir, health services establishment other than psychiatric or therapeutic treatment, hospital, laundromat or dry cleaner, motor vehicle repair washing or towing, nursing home, place of entertainment, place of recreation, restaurant, veterinary clinic, or any retail uses excluding those permitted in 4.10.1.i.
- d) Where a home based business is conducted within the dwelling, the use shall not occupy more than 25% of the habitable floor area of the dwelling, with the exception of home childcare;
- e) Where a home based business is conducted in an accessory building, the use shall not occupy more than 140.0 square metres of gross floor area;
- f) Where a home based business is conducted in an accessory building, such building shall be subject to the same side yard provisions as required for the principal residential use for the zone;
- g) A maximum of two (2) employees, one of whom must reside in the dwelling, may be

employed on site and additional employees may be employed off-site;

- h) The premises shall not be used to assemble or rally persons who are employed by or associated with the home based business for transportation to a work site;
- i) There shall be no goods, wares or merchandise offered for sale or rent from the dwelling which are not manufactured or processed on the lot with the exception of a limited number of complementary associated products;
- j) No outdoor storage of equipment, goods or materials is permitted, except for in the Rural (RU) and Agriculture One (A1) zones. Permitted outdoor storage shall be screened from view from the public street and adjacent dwellings;
- k) The home based business shall not emit noise, vibration, smoke, gas, light, odour or dust, or interfere with the television or radio reception of others in neighbouring buildings or structures, or create or become a public nuisance, in particular with regard to traffic, parking, or refuse;
- l) One non-illuminated sign which does not exceed 0.4 square metres in area is permitted, except where a lot fronts on a Provincial Highway, in which case the requirements of the Province shall be complied with;
- m) The driveway accessing the parking spaces for the home-based business must be shared with the driveway that is utilized for the principal use on the lot.
- n) Off-street parking shall be provided in accordance with Table 5.1 and is permitted to be tandem parking.

~~4.10 Home Industry:~~

~~4.10.1 Where a Home Industry is a permitted use, the following provisions shall apply:~~

- ~~a) (deleted)~~
- ~~b) There shall be no emission of noise, vibration, odour or dust that is not normally attributable to the use of the land for other uses permitted in the Zone;~~
- ~~c) Such home industry shall not be a nuisance to, nor interfere with, television or radio reception of others in neighbouring buildings or structures;~~
- ~~d) There shall be no display to indicate that any part of the property is being used for other than residential or agricultural uses except for an unlit sign of not more than 0.8 metres square, except where a lot fronts on a Provincial Highway, in which case the requirements of the Province shall be complied with;~~
- ~~e) The home industry shall meet the same yard provisions as required for the principal residential use for the Zone in which it is located, with the exception of the interior side yard, which shall be a minimum of 10.0 metres;~~

- ~~f) The use shall not occupy more than 25% of the gross floor area of a dwelling, or where located in an accessory building, shall not occupy more than 140.0 square metres of gross floor area;~~
- ~~g) A maximum of three (3) employees, one of whom must reside in the dwelling, may be employed on site in the home industry and additional employees may be employed off site;~~
- ~~h) Any permitted open storage shall be screened from view;~~
- ~~i) A landscaped buffer shall be provided on the lot in accordance with the provisions of this By law;~~
- ~~j) There shall be no goods, wares or merchandise offered for sale or rent from the dwelling which are not manufactured or processed on the lot; and,~~
- ~~k) The home industry shall be subject to site plan control to regulate storage and accessory buildings.~~

~~4.11 Home Occupation:~~

~~4.11.1 Where a Home Occupation is a permitted use, the following provisions shall apply:~~

- ~~a) The home occupation shall clearly be secondary to the main residential use of the property and shall not change the residential character of the dwelling;~~
- ~~b) There shall be no emission of noise, vibration, odour or dust that is not normally attributable to the use of the land for other uses permitted in the Zone;~~
- ~~c) Such home occupation shall not be a nuisance to, nor interfere with, television or radio reception of others in neighbouring buildings or structures;~~
- ~~d) Such home occupation shall not include a medical clinic, a private hospital, a nursing home, a boarding house, an eating establishment or a veterinary clinic, but may include a business or professional office that complies with the provisions of this subsection;~~
- ~~e) There shall be no display to indicate that any part of the property is being used for other than residential or agricultural uses except for an unlit sign of not more than 0.5 metres square, except where a lot fronts on a Provincial Highway, in which case the requirements of the Province shall be complied with;~~
- ~~f) The home occupation use shall be conducted entirely within the dwelling;~~

- ~~g) The use shall not occupy more than 25% of the gross floor area of a dwelling;~~
- ~~h) Such use is conducted by a person or persons residing in the dwelling and a maximum of one employee employed on site who does not live in the dwelling;~~
- ~~i) There shall be no outside storage of equipment, goods or materials associated with the home occupation use;~~
- ~~j) There shall be no goods, wares or merchandise offered for sale or rent from the dwelling which are not manufactured or processed on the lot with the exception of a limited number of complementary associated products;~~
- ~~k) Any plate or sign not greater than 0.2 square metres in area, shall be attached and parallel to the main wall of the building; and,~~
- ~~l) One (1) off-street parking space shall be provided for each 28 square metres of floor area devoted to said use in addition to that required for the dwelling.~~

4.12 Kennels

4.12.1 Notwithstanding anything to the contrary, no kennel shall be permitted on a lot with an area of less than 4 hectares.

4.12.2 Where kennels are a permitted use, any enclosed area, structure or building, including runs and fenced outdoor play areas, used as a kennel must be a minimum of 30.0 m from any lot line.

4.12.3 Any portion of the lot used for dog kennel purposes shall be fenced from adjacent lots.

4.12.4 A Kennel shall be subject to site plan control as per the applicable municipal by-law.

4.12.13 Landscaping and Buffers:

~~4.12.1~~4.13.1A minimum 1.5 metre wide landscaped buffer shall be provided along ~~the~~a side ~~and/or~~ rear lot line(s) of a Commercial, Industrial or Residential Four (R4) Zone where it abuts a Residential zone or Community Facility zone.

~~4.12.2~~4.13.2 Landscaping shall be provided, planted or located, and maintained in a healthy -condition by the owner of the land on which the landscaping is located. Every buffer strip shall consist of a solid and unbroken planting of shrubs or trees, the ultimate height of which is not less than 2.0 metres ~~and a fence protected by vehicle curb stops or barriers.~~ Such plant material shall not be less than 1.0 metre in height when planted.

~~4.12.3~~4.13.3 Where landscaping is required on a lot, such lot shall not be used for any purpose other than that which existed at the date of passing of this by-law, until the required planting strip/privacy fence is planted or located, unless as otherwise provided for in a registered site plan agreement.

4.13.4 Where a lot abuts a watercourse, a shoreline buffer shall be restored and maintained across a minimum of 50% of the lot, and shall maintain a minimum depth of 7.5 metres from high-water mark of navigable watercourse.

~~4.12.4~~4.13.5 Notwithstanding section 4.21, no landscape buffer is required in a required sightline triangle.

~~4.12.5~~ ~~In all Commercial, Industrial, Community Facility or Residential Four (R4) Zones, a 1.5 metre landscaped buffer shall be provided along the full outer perimeter of any parking lot containing more than 10 parking spaces. A driveway may cross the landscaped buffer.~~

4.14 Lighting:

4.14.1 Lighting fixtures designed to provide exterior illumination on any lot shall be installed with the light directed or deflected away from adjacent lots and streets and in such a manner as to not confuse or distract persons driving vehicles on such streets, and shall be directed downward.

4.15 Minimum Separation Distances for Farms:

4.15.1 Notwithstanding any other yard or setback provisions of this By-law to the contrary, the following provisions apply to those lands located outside of the settlement area boundaries as identified on the Schedules to this By-law:

- a) New non-agricultural development in proximity to existing livestock ~~operations—must~~operations must comply with provincial regulations regarding minimum distance separation (Formula I) ~~as contained in Appendix "C".~~
- b) The development of new livestock facilities or the expansion of existing livestock facilities must comply with the government regulations regarding minimum distance separation (Formula II) ~~as contained in Appendix "C".~~
- c) Despite subsection 4.14.1, development is permitted for one detached dwelling on a vacant lot in existence as of the date of adoption of this by-law, provided that the dwelling is located the furthest distance possible from the livestock operation and that the applicable zone setback provisions are complied with.

- d) Existing non-farm residential uses may be replaced where destroyed by a catastrophic event and are exempt from the MDS Separation formulae calculations.
- e) ~~The Provincial Minimum Separation Distance Formulae I and II are found in Appendix "C". Reference Calculations for any MDS setback shall~~ be made based on ~~to~~ the Minimum Distance Separation Formulae as developed by the Ontario Ministry of Agriculture, Food and Agribusiness ~~and Rural Affairs~~, as amended from time to time, ~~in completing the required calculations.~~

4.16 Motor Vehicle Service Stations and ~~Fuel~~ Gas Bars:

- 4.16.1 No portion of any fuel pump island, fuel storage tank, fuel pump island canopy or kiosk, shall be located closer than 5.0 metres to any street line or sight triangle.
- 4.16.2 The minimum distance between access driveways shall be 10.0 metres.
- 4.16.3 For a one-way entrance or exit, ~~The interior angle of intersection between an access driveway and the street shall not be less than 45 degrees.~~ For a two-way entrance or exit, the interior angle of intersection shall not be ~~for a one-way entrance or exist or~~ less than 70 degrees and not greater than 90 degrees ~~for two way entrances.~~
- 4.16.4 All repair and mechanical servicing of motor vehicles shall be conducted within a wholly enclosed building and ~~there shall be no outdoor storage permitted.~~ any outdoor storage located on site shall be screened from roadways and adjacent residential uses by the structure, fence, or vegetative buffer.

4.17 Non-Complying Lots, Buildings and Structures

4.17.1 Existing undersized lots:

- a) Where a lot, having a lesser lot area or lot frontage than that required:
- i. is held under distinct and separate ownership from abutting lots; or
 - ~~ii.~~ ii. was legally created prior to the passing of this By-law; or
 - ~~iii.~~ iii. is created as a result of an expropriation; or
 - ~~iv.~~ iv. is created as a result of a natural severance such as the presence of a public road, a navigable waterway or a railway;

then the lot shall be deemed to ~~conform~~ comply to the requirements of this By-law with respect to the lot area or lot frontage, and the provisions respecting lot area and lot frontage shall not apply to prevent a permitted use, building or structure, provided that all other applicable provisions of this By-law are complied with and provided that a sewage disposal system (where required) can be installed on the lands.

- b) Where lands are added to an existing undersized lot that complies with (a)

above, the resulting lot shall be deemed to comply with (a) above.

4.17.2 Reconstruction and Repair of Existing Non-Complying Buildings and Structures:

- a) Where in any Zone, a non-complying building or structure is destroyed by fire or natural disaster, such non-complying building or structure may be reconstructed provided the height, size or volume of the building or structure is not increased.
- b) Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof lawfully used on the date of passing of this By-law, provided that the strengthening or restoration does not increase the building height, size or volume.
- c) ~~The voluntary replacement of an existing non-complying building or structure shall be required to meet the provisions of the zone in which the lot and building are located except where other existing structures on the lot or physical site constraints preclude meeting the applicable zone requirements, in which case the structure shall be permitted to be reconstructed as close to compliance with the by-law requirements as possible, and subject to the requirements of Section 4.16.3.~~ The voluntary replacement of an existing non-complying building or structure shall be permitted where the building height, size and volume are not increased.
- d) Notwithstanding (c), the floor area of the building or structure may be increased by 25%, subject to the regulations of Section 4.16.3.
- e) Where an existing non-complying building or structure is located in the required watercourse setback, the voluntary replacement of such structure shall be required to meet the minimum watercourse setback as set out in the applicable zone requirements, except where precluded by other existing structures on the lot or physical site constraints.
- f) Submission of an application for a building permit to reconstruct or repair a legal structure, relying upon Subsections (a) and (b) above, must occur within two years of the damage or destruction, otherwise these subsections do not apply.

4.17.3 Addition, Extension, ~~or Enlargement~~ ~~or Replacement~~ of Existing Non-Complying Buildings and Structures:

- a) The enlargement, extension or addition to a legal non-complying building or structure that does not comply with the front yard, rear yard, side yard or setback requirements may be permitted, provided:

- i. the situation of non-compliance is not further increased;
- ii. the amount of floor area in a required yard or setback area is not increased by more than 25% from the date of passing of this By-law;
- iii. it does not pose a threat to public health or safety; and,
- iv. all other applicable provisions of this By-law are complied with.

- b) A legal non-complying single detached or semi detached dwelling located in a zone which does not permit such a use shall be subject to the Residential Two (R2) zone provisions for the purposes of an extension or addition.

4.17.4 Interior Alterations: Nothing in this By-law shall prevent the interior alteration of a legal non-complying building or structure.

4.17.4.17.5 Intensification of Parking: Notwithstanding anything to the contrary, when the intensity of a legal non-conforming building or structure is increased through the addition of dwelling units, floor area, seating capacity, or when the existing use of a legal non-conforming building or structure is changed to a new use, off-street parking for such intensified or new use shall be provided for the whole building or structure in accordance with the parking requirements of this by-law.

4.13 Non-Conforming Uses

4.13.1 Continuation of Use: The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by the By-law if such lot, building or structure was lawfully used and legally established for such purposes on the date of the passing of this By-law so long as it continues to be used for that purpose and the use has not been discontinued.

4.13.2 Change of Use: No change in the use of any land, building or structure shall be permitted, unless such change in use complies with the permitted uses within the zone in which such land, building or structure is located or unless such change has been approved through the provisions of the Planning Act.

4.13.3 Exterior Extensions: No building or structure, which at the date of passing of this By-law was lawfully used for a purpose not permitted within the zone in which it is located, shall be enlarged or extended unless such building is thereafter to be used for a purpose permitted within such Zone and complies with all requirements of the By-law or unless approved through the provisions of the Planning Act.

4.13.4 Reconstruction or Repair of Existing Non-Conforming Buildings and Structures: Where a building or structure containing a legal non-conforming use is damaged or destroyed, the use shall not be deemed to be discontinued provided that the

reconstruction or repair of the building or structure ~~is permitted provided the reconstruction or repair does not increase the original footprint, building size, height or location and provided the reconstruction or repair~~ occurs within two years.

~~4.13.5~~ **Interior Alterations:** Nothing in this By-law shall prevent the interior alteration of a legal non-conforming building or structure.

4.14 Outdoor Storage, Display of Goods and Material

4.14.1 **Outdoor Storage:** ~~Where~~ Outdoor storage is permitted ancillary to a permitted commercial or industrial use, provided that, ~~the following provisions shall apply:~~

- a) Outdoor storage ~~shall be~~ is located behind the building line ~~front or exterior wall~~ of the main building facing any street and complies with all yard requirements;
- b) Any portion of a lot used for outside storage ~~is~~ shall be screened from adjacent residential and institutional uses and streets adjoining the lot by a building, planting strip, and or fence at least 2.0 metres in height from the ground; and,
- c) Outdoor storage is not permitted in ~~The area used for outdoor storage shall be in addition to the~~ areas required for parking, loading and ~~landscaping~~ green space.

4.14.2 **Outdoor Display and Sales of Goods and Materials:** ~~Where~~ Outdoor display and sales of goods and materials is permitted provided that, ~~the following provisions shall apply:~~

- a) Such outdoor display and sale shall be accessory to a permitted commercial or industrial use carried ~~on in an enclosed building, or portion thereof,~~ out on the same lot;
- b) The goods and materials displayed shall be limited to goods and materials offered for sale or rent by the principal use on the lot;
- ~~b)c)~~ The area used for outside display and sale shall not be located, whether temporary or permanent, in any ~~be in addition to the~~ areas required for parking, loading or greenspace and landscaping; and,
- ~~e)d)~~ The area used for outside display of goods and materials shall be located a minimum of 5 metres from the side and rear lot line(s) where

it abuts a residential zone ~~comply with the yard requirements for the zone in which the land is situated.~~

4.15 Permitted Uses in All Zones:

4.15.1 The following uses are permitted in any zone:

- a) a telephone booth;
- ~~b) a tool shed, scaffold or other such building or structure incidental to any construction, provided it is located on the premises where such work is under way, until such construction has been finished or discontinued for sixty (60) days;~~
- ~~c) a temporary sales office in a plan of subdivision or condominium description incidental to construction and sale of lots, units or buildings in such development until construction has been finished or discontinued for sixty (60) days, but no such sales offices shall be established within 30 metres of any occupied dwelling;~~
- ~~d) a trailer, a temporary construction structure incidental to construction and used temporarily for office or storage purposes, provided that the trailer or camp is located on the same lot as the construction and in compliance with the yard requirements for the zone in which it is located and provided the trailer or structure shall not be located on the premises until a building permit for said construction has been issued and the trailer or structure shall be removed within 60 days of the completion or discontinuance of construction; but in no case shall the trailer or structure remain on the lot for a period exceeding one year from the date of issue of the building permit;~~
- ~~e) a guardhouse or gatehouse located in any industrial zone;~~
- ~~f) a ticket office to serve a vehicle parking lot;~~
- ~~g) a receiving/transmitting tower or any steel tower used for signaling purposes and associated buildings, provided the tower and buildings are located at a minimum distance of 150 metres from the boundary of a residential zone, and provided the minimum lot area is 2 hectares;~~
- ~~h) b) decorative walls, fences, planting strips, walkways and other landscaping structures subject to the regulations contained herein;~~
- ~~i) c) recreational trails and minor associated structures including outdoor sports courts/fields;~~
- ~~j) d) an aerodrome;~~
- ~~k) e) the processing of firewood for private sale;~~

~~f)~~ temporary special events licensed or approved by the Municipality of West Nipissing;

~~g)~~ a conservation use;

~~h)~~ flood or erosion control facilities

4.16 Public uses:

~~4.16.1 The provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public service by the Municipality or by any local Board, any department of the Government of Ontario or Canada, including Hydro One or any telephone, telegraph or gas company, or any railway provided that:~~

~~a) The lot coverage, setback and yard regulations prescribed for the Zone in which such land, building, or structure is located are complied with;~~

~~a) No goods, materials, or equipment are stored in the open in a Residential Zone or in a lot adjacent to a Residential Zone.~~

a) Nothing in this By-law affects the erection, alteration or use of any building or structure or the use of any lot by a public authority for a public use.

b) Nothing in this By-law prevents the use of land for a public road or private road or prevents the installation of a water main, sanitary sewer main, storm sewer main, municipal drain, gas main, pipeline, lighting fixture, transit shelter, or overhead or underground hydro or telephone lines.

4.17 Pits and Quarries:

4.17.1 The making, establishment or operation of pits or quarries is prohibited within the area covered by this By-law, except in the locations specifically permitted by this by-law, and in accordance with the provisions of this By-law. No person shall use land or erect any building or structure for the purpose of processing, blasting, washing, screening, sorting or crushing rock, sand or gravel, except as expressly provided for in this By-law.

4.18 Prohibited Uses/Activities:

4.18.1 Except as otherwise specifically permitted in this By-law, the following uses are prohibited in any zone:

a) The use of any motor vehicle or metal container for storage, sales or human habitation except in accordance with 4.2.10, ~~truck, bus, coach, railway car~~

~~or street car body for human habitation.~~

- ~~b) The use of school portables for human habitation;~~
- ~~c) The use of any cargo or shipping container, truck, truck trailer, bus, or coach body for storage, sales, or human habitation;~~
- ~~d) Galvanized steel structures on properties in the Residential One (R1), Residential Two (R2), Residential Three (R3), Residential Four (R4) or Shoreline Residential (SR) zones;~~
- e)b) The storage of derelict vehicles, metal containers~~cargo containers, streetcars~~, truck bodies, or trailers unless specifically permitted by this By-law;
- ~~f) The parking or storage of boats, trailers or commercial and non-commercial motor vehicles on a vacant lot, unless the motor vehicle, boat, tourist trailer or other similar vehicle is located behind the minimum front yard setback for the zone in which it is located.~~
- g)c) No ~~recreational vehicle or~~ travel trailer shall be used within the Municipality for ~~a period of more than 90 days within a 12 month period for~~ living, sleeping or eating accommodations from November 15th to May 15th of the following year, unless it is in a recognized trailer park.
- h)d) The outdoor storage of partially dismantled motor vehicles, recreational vehicles~~trucks, trailers, motor vehicles~~, or parts of vehicles other than in a permitted wrecking or scrap yard or as part of a Motor Vehicle Repair Shop. All outdoor storage must comply with the outdoor storage regulations in 4.18.; ~~no person may park or store on any lot in any zone any vehicle that does not have licence plates issued within one year except that one such vehicle may be stored inside a private garage in a Residential Zone and any number of such vehicles may be stored within an automobile body repair shop in an Industrial Zone.~~
- i)e) Tracks or other areas developed for the racing or running of motorcycles, all terrain vehicles, snowmobiles, or other motorized recreational vehicles unless specifically permitted by this By-law. This is not intended to interfere with any lawful use of a public road or highway, or enjoyment of private property by the owners or tenants of such property or the use of an organized trail approved by the Township;
- j)f) The manufacturing, refining, rendering, bulk storage or distillation of fertilizers, oil, glue from organic sources, acids, ammonia, chlorine, coal, creosote, explosives, petroleum, tar, fireworks, ammunition, glue, petroleum, tar, or other hazardous materials unless specifically permitted as a use in this By-law or stored for sale in direct association with a

permitted use in the Zone and on the property on which the permitted use occurs;

~~k)g)~~ The bulk storage of industrial chemicals and the storage of radioactive, hazardous waste, hazardous biological waste, or liquid industrial waste unless specifically permitted by this By-law or stored for sale in direct association with a permitted use in the Zone and on the property on which the permitted use occurs;

~~h)h)~~ The manufacturing or bulk storage of combustible, explosive, inflammable, or dangerous liquids, gases, or materials unless specifically permitted as a use in this By-law or stored for sale in direct association with a permitted use in the Zone and on the property on which the permitted use occurs;

~~m)j)~~ Rendering of fats or animal products, a tannery, or an abattoir unless specifically permitted; and,

~~n)j)~~ A hunt farm.

A prohibited use above shall only be permitted ~~if such use is a normal and integral component of a permitted use or shall be specifically listed as a permitted use~~ through a site specific amendment to this zoning by-law.

4.18.2 **OBNOXIOUS USE:** Notwithstanding any other provision of this By-law, no use shall be permitted which, from its nature or the materials used therein, is declared under the Public Health Act, to be an obnoxious use.

4.19 Public Road, Private Road, Condominium Access or Navigable Waterway:

~~4.19.1 Frontage on a Public Road:~~ No person shall erect any building or structure in any zone unless the lot fronts upon and is directly accessible from a public road. This provision shall not apply to prevent the erection of a permitted building or structure ~~does not apply where:~~

a) Where there is a road use agreement with the Municipality granting use over ~~the public road~~ an unopened or unmaintained public road allowance, or where the lot is used for a hunt camp or resource use.

b) ~~Unassumed Road:~~ ~~The provisions of this By law shall not apply to prevent the erection of a permitted building or structure~~ On a lot in a Registered Plan of Subdivision where a properly executed subdivision agreement has been entered into with the Municipality where the street or streets will not be assumed by the Municipality until such time as specified in the agreement.

a) ~~Private Road Access:~~ ~~Notwithstanding Section 4.23.1, where a lot does not front upon a public road, a building permit may be issued for a permitted~~

~~building or structure provided:~~

~~b)c) On a lot that The lot meets all of the other requirements of this By-law and has access by way of a legal private right-of-way or approval from the Ministry of Natural Resources where the private road crosses over Crown Land; and~~

- (a) The applicant, prior to a building permit being issued, provides a written acknowledgement that:
- i. the owner acknowledges and agrees that the lot in question does not front on a public road;
 - ii. the owner acknowledges and agrees that the Municipality does not maintain or snow plow the private road; and
 - iii. the owner acknowledges and agrees that the Municipality will not take over or assume a private road as a public road unless it has been built according to Municipal standards and the Municipality deems it to be desirable to assume the road.

~~e)d) On a lot that meets all of the other requirements of this By-law and Access by Navigable Waterway: Notwithstanding Section 4.23.1, where a lot is accessed only by navigable water, the owner is responsible for obtaining access to the lot, and a building permit may be issued for a permitted building or structure provided the lot meets all other requirements of the By-law.~~

~~d)e) Condominium Access: Notwithstanding Section 4.2 W3.1, where a lot is developed by condominium description, the lot frontage and access may be on a private road for individual units within the condominium description.~~

4.20 — Seasonal Residential Conversions:

~~a)f) The conversion of a seasonal residential dwelling to a permanent residential dwelling may be permitted provided the existing sewage disposal system is upgraded to current standards.~~

4.21.4.20 Sight Triangles

~~4.21.1~~4.20.1 **Street Intersections:** Notwithstanding any other provisions of this By-law, in any corner lot, no building, structure, berm, fence, tree, hedge, or shrub with height exceeding 1.2 metres above the grade of the road, shall be erected within the triangular space measured along the street lines for a distance of 6 ~~9~~ metres from their point of intersection;

4.20.2 **Railway Intersections:** Where any public street crosses a railway at the same grade, no building, structure, berm, fence, tree, hedge or shrub with a height exceeding 1.20 metres above the grade of the road or railway shall be erected within ~~6.20.0~~ metres of the point of intersection of the centre line of both the railway and the street.

4.20.3 Where a corner lot is curved, the sightline triangle shall be measured from the point where the front lot line and exterior side lot line would intersect if they were extended.

~~4.22~~4.21 **Signs:**

~~4.22.1~~4.21.1 Any sign shall be in conformity with the respective requirements of the Ministry of Transportation, and conform to ~~or~~ the Municipal Sign By-law~~ity~~.

~~4.23~~4.22 **Special Setback Requirements**

~~4.23.1~~4.22.1 **Provincial Highways:**

- a) Notwithstanding any other provision in this By-law, properties located adjacent to a provincial highway will be subject to the setback requirements of the Ministry of Transportation.
- b) In addition to all applicable municipal requirements, all proposed development located in proximity of a provincial highway, within Ministry of Transportation permit control area, will be subject to the approval of the Ministry of Transportation. A Ministry of Transportation permit shall be obtained prior to any construction being undertaken.

~~4.23.2~~4.22.2 ~~Minimum setback from occupied limit of a road in the Rural (RU), Rural Residential (RR), Agriculture One (A1) and Agriculture Two (A2) Zones: 10 metres from the centre line of the travelled road.~~

~~4.23.3~~4.22.3 **Pipelines:** No building or structure shall be located within 7.50 metres of a Pipeline right- of-way.

4.22.4 **Watercourses:** Buildings and structures, unless specifically permitted in this By-law, shall be setback a minimum of 18.0 metres from any navigable watercourse and 10.0 metres from any other identifiable watercourse (excluding a municipal drain), with the setback to be measured from the high water mark.

4.22.5 **Shoreline Road Allowances:** where a lot is separated form a navigable waterway only by an original shore road allowance, the lot shall be considered for the purpose of permitted land uses and required setbacks in this by-law as if it abuts

the navigable waterway.

4.22.6 **Municipal Drains:** No building or structure shall be located within 20 metres from the centreline of a municipal drain. Where the municipal drain report identifies a different setback requirement, the greater of the two applies.

~~4.23.4~~4.22.7 **Maintained and Travelled Roads:** Notwithstanding anything to the contrary, where a legal property boundary extends into the travelled portion of a public road, the setback shall be calculated starting 10 metres from the centreline of the travelled roadway.

~~4.24.4~~4.23 **Temporary Uses**

~~4.24.1~~4.23.1 **Construction:**

- a) a tool shed, scaffold or other such building or structure incidental to any construction, provided it is located on the premises where such work is under way, until such construction has been finished or discontinued for sixty (60) days;
- b) A temporary building, structure, metal container or trailer incidental to construction and used temporarily for office or storage purposes provided that:
 - i. The structure, metal container or trailer is located on the same lot as the construction;
 - ii. The structure, metal container or trailer is in compliance with the yard requirements for an accessory structure for the zone on which it is located;
 - iii. A building permit for said construction has been issued; and
 - iv. The structure, container or trailer is on the lot only for so long as it is necessary for the work in progress and until 60 days after the work is completed or abandoned. In this case, 'abandoned' shall mean the failure to proceed with the work within a one-year time period.

~~a) A temporary building, structure, storage container or trailer incidental to the construction of a principal building on a lot is permitted in all Zones provided that a valid building permit has been issued, but only for as long as it is necessary for the work in progress and until the work is completed or abandoned. In this case, 'abandoned' shall mean the failure to proceed with the work within a one year time period.~~

~~b)~~c) The continued use of an existing dwelling or building on a lot during the construction of a dwelling or building intended to replace such dwelling or building is permitted provided that:

- i. In no case may such existing building remain un-demolished on the lot for longer than 60 days after the building intended to replace such existing building is ready in whole or in part for occupancy, or two years after the date of issue of the building permit for the building intended to replace such existing building, whichever comes first;
- ii. Safety and emergency access are provided and maintained to the satisfaction of the Chief Building Official and the Fire Chief; and,
- iii. The Owner enters into a demolition agreement with the Municipality~~Township~~ including the posting of securities sufficient to cover the costs of such demolition of such existing building by the Municipality in the event it is not demolished within the timeframe stipulated above.

4.23.2 Metal Containers for Moving:

a) Notwithstanding 4.2.11, a metal container may be permitted on a residential lot used for the purpose of loading and unloading household items during the process of moving, provided that the storage container is:

- i. a minimum of 5 metres from the front lot line;
- ii. a minimum of 1.2 metres from the side and rear lot lines;
- iii. not located on the lot for more than twenty one (21) consecutive days.

~~4.24.2~~4.23.3 **Sales office/model home:** One temporary sales office incidental to the construction and sale of the lots, units or buildings and/or up to four (4) model homes may be located on lands which are the subject of a draft approved plan of subdivision or condominium in any Residential, Commercial or Industrial Zone provided that:

- i. The temporary sales office and model home are located in accordance with the zone provisions of the zone in which it is located, but no such sales office shall be established within 30 metres of an occupied dwelling;
- ii. The temporary sales office and model home(s) are located on the lot subject to the draft approved plan of subdivision or condominium;
- iii. An Agreement has been executed with the Municipality addressing the temporary sales office and model homes. The agreement may permit up to four (4) model homes;
- iv. The temporary sales office is removed from the property once construction has been finished or discontinued for sixty (60) days;

4.23.4 Special Event: The conducting of an occasional or special event, whether or not for profit, and whether or not located in a tent, shall be permitted in all zones save and except that:

- i. Such an event may not occur on more than two (2) occasions in a calendar year and each event is not to exceed four (4) consecutive calendar days;
- ii. Should a tent be erected, it shall comply with the setback requirements of an accessory structure in accordance with the provisions that apply to the lot; and
- iii. All requirements of the current Ontario Building Code and Ontario Fire Code must be adhered to.

~~4.17 Through Lots:~~

~~Where a lot, which is not a corner lot, has lot frontage on more than one street, the setback and front yard requirements contained herein shall apply on each street in accordance with the provisions of this By-law.~~

~~4.24 Travel Trailers, Boats, Buses and Recreational Vehicles:~~

~~4.24.1 Storage of Recreational Vehicles~~

- a) There shall be no maximum number of recreational vehicles stored on a lot in the Rural Residential (RR), Rural (RU) or Agricultural One (A1) zones provided that:
 - i. No unlicensed, dilapidated or unserviceable recreational vehicles shall be permitted;
 - ii. No recreational vehicles shall be situated closer than 3 metres to any side or rear lot lines;
 - iii. No recreational vehicles shall be located closer to the front lot line than the established building line;
 - iv. Where no building line has been established, no recreational vehicles shall be situated in the required front yard; and
 - v. No storage of recreational vehicles shall be for the purpose of remuneration.
- b) Notwithstanding 4.18.1.v, the storage of recreational vehicles for remuneration shall be permitted as part of a permitted self storage facility, or as a home-based business which complies with section 4.11 in the Rural and Agricultural One (A1) zones.
- c) The outdoor storage of recreational vehicles is permitted in the on a lot in a Residential One (R1), Residential Two (R2), Residential Three (R3), Residential Four (R4), or Shoreline Residential (SR) zone, provided that:
- d) No more than three (3) recreational vehicles are permitted to be stored outside;
- e) No recreational vehicle shall be stored on a lot which does not contain a principal dwelling;
- f) No recreational vehicle shall be owned by someone other than an owner or occupant of the lot;
- g) No recreational vehicle which is not licensed, in good repair and serviceable

condition shall be permitted;

- h) No recreational vehicle shall be situated closer than 1.5 metres to any side or rear lot lines;
- i) No recreational vehicle shall be situated closer to the front lot line than the established building line of the principal dwelling; and
- j) No recreational vehicle shall be stored for the purpose of remuneration.

4.24.3 **4.24.2** **Occupancy of Travel Trailers:**

- a) No travel trailer shall be occupied in any zone between November 15th and May 15th of the following year for living, eating or sleeping purposes.
- b) On a vacant lot zoned Shoreline Residential (SR), Rural Residential (RR), or Rural (RU), the following provisions shall apply to the use and occupancy of travel trailers:
 - i. No more than four (4) travel trailers shall be permitted on a lot at any one time;
 - ii. Of the four (4) travel trailers permitted under subsection (a), no more than two (2) may be permanently situated on the lot.
 - iii. Any travel trailer not permanently situated in accordance with subsection (b) shall not remain on the lot for more than fourteen (14) consecutive days.
 - iv. No travel trailer shall be located closer to any lot line than the minimum required setbacks for the principal use permitted in the applicable zone;
 - v. No travel trailer shall be permanently situated on a lot unless adequate sanitary services are provided in the form of a Class 4 septic system, or a privy or outhouse constructed and maintained in accordance with the Ontario Building Code.
- c) On a lot which contains a principal dwelling in the Residential One (R1), Residential Two (R2), Shoreline Residential (SR), Rural Residential (RR), Rural (RU), and Agricultural One (A1) zones, the following provisions shall apply to the use and occupancy of travel trailers:
 - i. No more than two (2) travel trailers shall be permitted to be used or occupied at any one time;
 - ii. Every travel trailer shall be located in accordance with the minimum setbacks set out in section 4.18.1;
 - iii. No travel trailer shall be permitted to be used or occupied for more than fourteen (14) consecutive days.

~~4.24.4 The parking and storage of more than one travel trailer or recreational vehicle shall be prohibited in the Residential One (R1), Residential Two (R2), Residential Three (R3) and Residential Four (R4) Zones except where such parking or storage is a permitted use in accordance with this By-law or is accessory to a dwelling located on the lot and the travel trailer or recreational vehicle is owned by the occupant of the lot. No human habitation shall be permitted except in accordance with Section 4.22.1 (g) in a stored travel trailer or recreational vehicle~~

~~4.25.14.13.1 Lands located within the Waste Management Influence Area as shown on the Schedules to this by law are subject to a Holding (H) provision and shall be used for no other purpose than those uses which legally existed prior to the passing of this By law. The uses permitted within the underlying zone shall not be permitted and the Holding (H) provision removed until a ground and surface water study (hydrology and hydrogeology study) and methane gas migration study, and any other study as may be required by the Municipality, have been completed to the satisfaction of the Municipality to demonstrate that there will be no adverse public health and safety risks associated with the former waste disposal site(s), and to require that the owner enter into a development agreement with the Municipality to implement the recommendations of the studies. Notwithstanding the above, such studies shall not be required for the following:~~

- ~~a) interior alterations to existing structures;~~
- ~~b) exterior alterations that do not expand the footprint of an existing structure;~~
- ~~c) new structures or alterations to existing structures where such structures do not prevent the free movement of air into the atmosphere; and~~
- ~~d) any structure that does not require a building permit.~~

4.25 Waste, Garbage and Refuse Storage

4.25.1 Garbage, recycling and other waste in the Residential Four (R4) Zone, and all Commercial and Industrial Zones, shall only be stored:

- a) in a fully enclosed waste storage enclosure, with or without a roof,
- b) within a wholly enclosed building, or
- c) within an in-ground refuse container.

4.25.2 A waste storage enclosure shall only be permitted in an interior side yard or rear yard.

4.25.3 A waste storage enclosure, where required, shall be setback a minimum of 3 metres from any abutting residential zone.

4.25.4 A waste storage enclosure shall not be permitted within any required landscaped buffer and shall not obstruct any required parking space, parking aisle, or driveway.

4.25.5 The provisions of this section shall not apply to any temporary waste disposal structure used in conjunction with a temporary construction use. The provisions shall also not apply to prevent any temporary storage for the purposes of any scheduled removal.

4.26 Water Supply and Sewage Disposal Systems:

4.26.1 Connection to Services - Full or Partial Municipal Sewer and Water Service: No land may be used, and no building or structures may be erected unless:

- a) connected to a municipal sanitary sewer and/or water supply within the settlement areas identified on the schedules to this by-law; or
- b) where municipal services are not available, alternative servicing arrangements are provided to the satisfaction of the Municipality.
- c) Where municipal services are available, development is not permitted to be privately serviced.

- d) Where a building or structure that is serviced by an existing sanitary septic system connects to a municipal sanitary service, the existing sanitary septic system shall be decommissioned in accordance with applicable law.
- e) Where a building or structure that is serviced by an existing private water well connects to a municipal water service, the existing private water well shall be decommissioned in accordance with applicable law.

4.26.2 Commercial or Industrial Uses in Areas without Full Municipal Services:

Notwithstanding any other provisions of this By-law with regard to servicing requirements for an industrial or commercial use, where full municipal services are not available, and privately serviced development is permitted, only dry industrial or commercial uses shall be permitted. Dry industrial or commercial uses are those in which only the disposal and treatment of domestic waste of employees and customers is permitted. No treatment of industrial liquid wastes or processed waste is allowed. This provision does not apply to prevent the on-site treatment of kitchen or sanitary wastes from a permitted commercial eating establishment. This provision also does not apply where a use has been approved by the Municipality or any other responsible authority, on the basis of an advanced private treatment system. In such cases, it must be demonstrated to the satisfaction of the Municipality, Ministry of the Environment, and/or other responsible authorities, in studies submitted by the applicant, that appropriate treatment can be provided with no detrimental impact to surface, groundwater resources, and the surrounding environment.

4.27 Wayside Pits and Quarries and Portable Asphalt Plants

4.27.1 Where specifically permitted in the By-law, a wayside pit or quarry or a portable asphalt plant shall be subject to the following provisions:

- a) the wayside pit or quarry or the portable asphalt plant shall be used by or on behalf of a Public Authority;
- b) the wayside pit or quarry or the portable asphalt plant shall have a Certificate of Approval from the Ministry of Environment and Energy or its designate;
- c) the wayside pit or quarry or portable asphalt plant shall not be located closer than 300 metres from an existing residence; and
- d) upon completion of the public project, the site shall be rehabilitated to its former use.

Section 5: Parking and Loading Requirements

5.1 General

5.1.1 The parking and loading space requirements of this Section of the By-law shall apply:

- a) when any new development is constructed;
- b) when any existing development is enlarged; or
- c) when any use is changed.

5.1.2 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 requirements of this Section.

5.1.3 Parking and loading spaces required by this By-law and all driveways and aisles leading to those spaces must be set aside for and used exclusively for that purpose.

5.2 Parking Space Requirements

5.2.1 **Number of Parking Spaces:** Off-street motor vehicle parking shall be provided for any land use at the rate set out in Table 5.1.

TABLE 5.1- PARKING REQUIREMENTS

<u>USE</u>	<u>Parking Spaces Required</u>
<u>Any commercial or non-residential use, except those uses specifically listed elsewhere in this Section</u>	<u>1 parking space for each 25 square metres of gross floor area</u>
<u>Any industrial use, except those uses specifically listed elsewhere in this Section</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Abattoir</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Agricultural Processing Establishment</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Agricultural Produce Warehouse</u>	<u>1 parking space for each 100 square metres of gross floor area</u>
<u>Agricultural Use</u>	<u>A minimum of 2 parking spaces per farm or agricultural use.</u>
<u>Agricultural-Related Use</u>	<u>1 parking space for every 25 sq. metres of gross floor area devoted to retail sales and 1 parking space for every 50 sq. metres of gross floor area devoted to processing or manufacturing uses.</u>
<u>Agricultural Product Sales Outlet</u>	<u>1 parking space for each 25 square metres of gross floor area</u>

<u>Agricultural Supply/Implement Dealership</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Assembly, Fabricating, Manufacturing or Processing</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Bakery, Retail</u>	<u>1 parking space for each 20 square metres of gross floor area</u>
<u>Bar</u>	<u>1 parking space for each 5 person maximum occupancy or 1 parking space per 10.0 square metres of gross floor area devoted to public use, whichever is greater</u>
<u>Bed and Breakfast Establishment</u>	<u>1 parking space for each guest room, plus 1 parking space per 10.0 square metres of gross floor area devoted to meeting, dining and banquet facilities</u>
<u>Boarding House</u>	<u>1 space for each room for rent</u>
<u>Building Supply Establishment</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Bulk Sales Establishment</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Business, Professional or Administrative Office</u>	<u>1 parking space for each 20 square metres of gross floor area</u>
<u>Campground</u>	<u>1.25 parking space for each camp site plus 1 parking space per 20.0 square metres of gross floor area devoted to meeting, dining and banquet facilities</u>
<u>Cemetery</u>	<u>1 minimum parking space</u>
<u>Community Centre</u>	<u>1 parking space for each 25 square metres of gross floor area</u>
<u>Concrete Plant</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Contractor's Establishment</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Convenience Store</u>	<u>1 parking space for each 20 square metres of gross floor area</u>
<u>Crematorium</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Daycare Facility</u>	<u>2 parking spaces per classroom or 1 space per 25 square metres which ever is greater</u>
<u>Domestic Appliance Store</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Driving Range</u>	<u>1 parking space for each tee</u>
<u>Dry Cleaning Establishment</u>	<u>1 parking space for each 50 square metres of gross floor area</u>

<u>Dwelling, Apartment</u>	<u>1.25 parking spaces per dwelling unit</u>
<u>Dwelling, Additional Residential Unit</u>	<u>1 spaces per dwelling unit</u>
<u>Dwelling, Duplex</u>	<u>2 spaces per dwelling Unit</u>
<u>Dwelling, Mobile Home</u>	<u>when not located in a Mobile Home Park, 2 spaces per dwelling Unit</u>
<u>Dwelling, Multiple</u>	<u>1.25 spaces per dwelling unit</u>
<u>Dwelling, Street Townhouse</u>	<u>2 spaces per dwelling Unit</u>
<u>Dwelling, Semi-detached</u>	<u>2 spaces per dwelling Unit</u>
<u>Dwelling, Single detached</u>	<u>2 spaces per dwelling</u>
<u>Dwelling, Surplus</u>	<u>2 spaces per dwelling</u>
<u>Dwelling Unit in non-residential building</u>	<u>1.25 spaces per dwelling unit</u>
<u>Educational Establishment</u>	<u>2 spaces per teaching area or classroom for an elementary school; 5 spaces per teaching area or classroom for a secondary school and all other education institutions</u>
<u>Equestrian Facility</u>	<u>2 minimum parking spaces</u>
<u>Equipment Sales, Service and Rental Establishment</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Financial Establishment</u>	<u>1 parking space for each 25 square metres of gross floor area</u>
<u>Food or Beverage Manufacturing Industry</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Funeral Home</u>	<u>1 parking space for each 5 persons maximum occupancy or 1 parking space per 20 metres of gross floor area devoted to public use, whichever is greater, with a minimum of 10 parking spaces</u>
<u>Gas Bar</u>	<u>1 parking space for each 25 square metres of gross floor area</u>
<u>Golf Course</u>	<u>2.5 parking spaces for each hole plus 1 parking space per 25 square metres of gross floor area devoted to meeting, dining and banquet facilities</u>
<u>Government Office</u>	<u>1 parking space for each 20 square metres of gross floor area</u>
<u>Garden Centre</u>	<u>1 parking space for each 25 square metres of gross floor area</u>
<u>Grocery Store</u>	<u>1 parking space for each 20 square metres of gross floor area</u>
<u>Group Home</u>	<u>1 parking space for each 2 beds</u>

<u>Health Services Establishment</u>	<u>1.5 parking spaces per examination room</u>
<u>Home Based Business</u>	<u>1 parking space required for each additional employee plus 1 per 20 square metres of gross floor space of the business.</u>
<u>Hospital</u>	<u>1 parking space for each 2 beds.</u>
<u>Hotel</u>	<u>1 parking space for each guest room, plus 1 parking space per 10.0 square metres of gross floor area devoted to meeting, dining and banquet facilities</u>
<u>Kennel</u>	<u>1 parking space for each 50 square metres of gross floor area</u>
<u>Laundromat</u>	<u>1 parking space for each 20 square metres of gross floor area</u>
<u>Marina</u>	<u>1.25 parking spaces for each boat slip</u>
<u>Mobile Food Service Equipment</u>	<u>Minimum 2 parking spaces</u>
<u>Mobile Home Park</u>	<u>1.5 parking spaces per unit/site</u>
<u>Motel</u>	<u>1 parking space for each guest room, plus 1 parking space per 10.0 square metres of gross floor area devoted to meeting, dining and banquet facilities</u>
<u>Motor Vehicle Body Repair Shop</u>	<u>3 parking spaces per service bay plus 1 parking space per 20.0 square metres of gross floor area for the office and any retail use.</u>
<u>Motor Vehicle Dealership</u>	<u>1 space per 30 square metres gross floor area exclusive of display and storage parking</u>
<u>Motor Vehicle Service Station</u>	<u>3 parking spaces per service bay plus 1 parking space per 20.0 square metres of gross floor area for the office and any retail use.</u>
<u>Motor Vehicle Washing Establishment</u>	<u>1 spaces for each washing bay</u>
<u>Nursing Home</u>	<u>1 parking space for each 2 beds.</u>
<u>On-Farm Diversified Use</u>	<u>1 parking space for every 20 sq. metres of gross floor area devoted to retail sales and 1 parking space for every 50 sq. metres of gross floor area devoted to processing or manufacturing uses.</u>
<u>Outdoor Recreation, Active</u>	<u>1 parking space for each 5 persons maximum occupancy</u>
<u>Outdoor Storage</u>	<u>1 parking space for each 100 square metres of gross floor area</u>
<u>Personal Service Establishment</u>	<u>1 parking space for each 20 square metres of gross floor area</u>
<u>Pit or Quarry including wayside Pit or Quarry</u>	<u>1 parking space for each 25 square metres of gross floor space on the lot.</u>

<u>Place of Assembly</u>	<u>1 parking space for each 5 persons maximum occupancy or 1 parking space per 20 metres of gross floor area devoted to public use, whichever is greater, with a minimum of 10 parking spaces</u>
<u>Place of Entertainment</u>	<u>1 parking space for each 5 persons maximum occupancy or 1 parking space per 20 metres of gross floor area devoted to public use, whichever is greater, with a minimum of 10 parking spaces</u>
<u>Place of Recreation</u>	<u>1 parking space for each 5 persons maximum occupancy or 1 parking space per 20 metres of gross floor area devoted to public use, whichever is greater, with a minimum of 10 parking spaces</u>
<u>Place of Worship</u>	<u>1 parking space for each 5 persons maximum occupancy or 1 parking space per 10 metres of gross floor area devoted to public use, whichever is greater, with a minimum of 10 parking spaces</u>
<u>Printing and Publishing Establishment</u>	<u>1 parking space for each 50 square metres of gross floor space on the lot.</u>
<u>Recreational Vehicle Sales and Service Establishment</u>	<u>1 space per 30 square metres gross floor area exclusive of display and storage parking</u>
<u>Residential Care Facility</u>	<u>1 parking space for each 2 beds.</u>
<u>Restaurant, Drive-Through or Take Out</u>	<u>1 parking space for each 20 square metres of gross floor area</u>
<u>Restaurant, Eat In</u>	<u>1 parking space for each 5 person maximum occupancy or 1 parking space per 10.0 square metres of gross floor area devoted to public use, whichever is greater</u>
<u>Retail Store</u>	<u>1 parking space per 20 square metres of gross floor area</u>
<u>Salvage or Wrecking Yard</u>	<u>1 parking space for each 50 square metres of gross floor space on the lot.</u>
<u>Sawmill</u>	<u>1 parking space for each 50 square metres of gross floor space on the lot.</u>
<u>Self Storage Facility</u>	<u>Minimum of 2 parking space; plus 1 parking space per 100.0 square metres of gross floor area of</u>
<u>Tourist Establishment</u>	<u>1.25 parking space for each guest room, cottage, cabin or camp site plus 1 parking space per 20.0 square metres of gross floor area devoted to meeting, dining and banquet facilities</u>
<u>Veterinary Clinic</u>	<u>1.5 parking spaces per examination room</u>
<u>Warehouse</u>	<u>1 parking space for each 100 square metres of gross floor area</u>
Type of Building/Use	Minimum Off-Street Parking Requirements

<p>Any commercial use, except those uses specifically listed elsewhere in this Section</p>	<p>1 parking space for each 25 square metres of gross floor area</p>
<p>Any industrial use, except those uses specifically listed elsewhere in this Section</p>	<p>1 parking space for each 50 square metres of building floor space on the lot.</p>
<p>Any other non-residential use, except those uses specifically listed elsewhere in this Section</p>	<p>1 parking space per 25 square metres of gross floor area; a minimum of 10 parking spaces for open air activity areas</p>
<ul style="list-style-type: none"> • Bakery, • Business, professional or administrative office, • Convenience Store, • Factory Outlet, • Grocery Store, • Health Services Establishment, • Home Industry, • Home Occupation, 	<p>1 parking space per 20.0 square metres of gross floor area of commercial space accessible to the public, PLUS 1 parking space for each 50 square metres of storage area</p>

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Type of Building/Use	Minimum Off-Street Parking Requirements
<ul style="list-style-type: none"> • Kennel, • Laundromat, • Light Equipment Rental Establishment, • Market, • Merchandise Service Shop, • Personal Service Shop, • Retail Store, • Service and Repair Shop, • Veterinary clinic, • Video Outlet/Rental Store 	
<ul style="list-style-type: none"> • Bowling Alley; • Curling Rink 	<p>1 parking space for each 2 persons in the design capacity of the establishment, (designed capacity shall mean 6 persons per bowling lane and 8 persons per curling sheet) plus 1 parking space for every 20 square metres of area devoted to public use.</p>
<p>Building Supply Establishment</p>	<p>1 parking space per 45 sq. metres of gross floor area</p>
<ul style="list-style-type: none"> • Driving Range, • Mini golf 	<p>1 parking space for each hole or tee</p>
<p>Dwelling Unit:</p>	<p>2 parking spaces per dwelling unit, except for:</p> <ul style="list-style-type: none"> • Apartment Dwelling, where 1.25 parking spaces per dwelling unit is required; • Accessory dwelling unit or Secondary Detached dwelling, where 1 parking space per dwelling unit is required. • Dwelling Unit in a Non-Residential Building, where 1 parking space per dwelling unit is required.
<p>Educational Institution</p>	<ul style="list-style-type: none"> • 1 parking space per 100.0 square metres of gross floor area and 1 space per portable for an Elementary school; • parking space per 100.0 square metres of gross floor area and 1 space per portable for a Secondary school; • 2 parking spaces per 100.0 square metres for all other educational institutions
<ul style="list-style-type: none"> • Agricultural Uses • Greenhouse/nursery/garden centre 	<p>2 parking spaces per farm, plus 1 parking space for every 20 sq. metres of gross floor area devoted to retail sales and 1 parking space for every 100 sq. metres of gross floor area devoted to processing or manufacturing uses.</p>

Type of Building/Use	Minimum Off-Street Parking Requirements
<ul style="list-style-type: none"> • Financial Establishment • Business, professional or administrative office 	1 parking space for each 25.0 square metres of commercial floor space of the building.
Funeral Home	1 parking space for each 5 seats capacity with a minimum of 10 parking spaces.
Golf Course	30 parking spaces for each 9 holes of golfing facilities
Group Home	2 parking spaces, one of which is accessible, plus 1 space for every five residents
<ul style="list-style-type: none"> • Hospital, • Nursing Home, • Residential Care Facility 	1 parking space for each 2 beds.
<ul style="list-style-type: none"> • Bed and Breakfast Establishment, • Hotel, • Housekeeping Cottages and Cabins, • Motel, • Resort Establishment, • Tourist Establishment or Camping Establishment 	1 parking space for each guest room, plus 1 parking space per 10.0 square metres of gross floor area devoted to meeting, dining and banquet facilities
Marina	1 parking spaces for each new boat slip
<ul style="list-style-type: none"> • Mobile Home Park • Trailer Park 	1.5 parking spaces per unit/site
<ul style="list-style-type: none"> • Motor Vehicle Body Shop, • Motor Vehicle Repair Facility, • Motor Vehicle Service Station 	3 parking spaces per service bay plus 1 parking space per 20.0 square metres of gross floor area for the office and any retail use.
Motor Vehicle Gas Bar	1 parking space per 20.0 square metres gross floor area exclusive of fuel dispensing spaces
Motor Vehicle Sales Establishment	1 space per 20.0 square metres gross floor area exclusive of display and storage parking
<ul style="list-style-type: none"> • Eating establishment, • Library, • Place of assembly, • Place of recreation, • Place of worship 	Where there are fixed seats, one parking space for every 5 seats or 3.0 metres of bench space of its maximum seating capacity. Where there are no fixed seats, 1 parking space for each 10 square metres of floor area devoted to public use.
Public Self-Storage Warehouse	1 parking space per 30.0 square metres of gross floor area within the office; plus 1 parking space per 100.0 square metres of gross floor area of the building.

Type of Building/Use	Minimum Off-Street Parking Requirements
<ul style="list-style-type: none"> • Tourist Camping • Camping Establishment • Trailer Park 	1 parking space for each tent or trailer site plus 1 visitor parking space for each 4 sites
<ul style="list-style-type: none"> • Warehousing, • Contractor's Establishment, • Wholesaling 	1 parking space per 100.0 square metres of gross floor area

5.2.2 Parking Space Calculation:

Where the minimum number of parking spaces is calculated on the basis of a rate, the required number of spaces shall be rounded to the next highest ~~st~~ whole number.

5.2.3 More than One Use on a Lot

When a lot, building or structure accommodates more than one type of use, the parking space requirement for the whole building or site shall be the sum of the requirement for the separate parts of the building or site occupied by the separate types of use.

5.2.4 Parking Space Size: A motor vehicle parking space shall have:

- a) A minimum width of 3.0 metres; and,
- b) A minimum length of 6.0 metres, except for parallel parking, where a minimum length of 6.5 metres is required.

5.2.5 Width of Aisles

The minimum width of an aisle providing access to a parking space within a parking area shall be 6.0 metres, except in the case of angled off-street parking accessed by a one-way aisle, which shall be a minimum width of 4.5 metres.

5.2.6 Width of Access Ramps and Driveways

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Access ramps and driveways accessing a parking area or parking lot shall be a minimum of ~~4.5~~3.0 metres in width for one-way traffic and a minimum of 6.0 metres in width for two-way traffic.

4.18.1.1 For a Commercial, Industrial, Institutional or Municipal Parking Lot, a minimum of 9.0 metres in width shall be provided.

4.18.1.2 In all Residential Zones, for a driveway providing access to a single detached individual dwelling unit, the maximum driveway width shall not exceed 50% of the lot frontage.

5.2.7 Tandem Parking

Tandem parking is permitted for the required parking spaces for a single detached dwelling, duplex, semi-detached dwelling, townhouse unit, ~~accessory apartment~~ Additional Residential Unit, and bed and breakfast establishment. For the purposes of this Section, tandem parking refers to parking spaces that are located one behind the other, without access from a separate driveway or aisle.

5.2.8 Parking Area Surface Treatment

All required parking spaces and parking areas and all driveways to any parking area or parking lot shall be maintained with a stable surface which is treated with asphalt, concrete, concrete pavers, gravel or similar material which is treated so as to prevent the raising of dust or loose particles.

5.2.9 Location of Required Parking Spaces

Parking spaces and all driveways and aisles leading to those spaces shall be:

- i) located on the same lot as the use or building for which they are provided; or
- ~~ii) located on a lot located within 150.0 metres of the site in the C1 zone, provided the parking facilities are legally secured for that use, to the satisfaction of the Municipality;~~
- ~~ii) for water access properties, the parking area may be more than 150.0 metres of the site.~~

5.2.10 Water Access Only Properties

Properties which are accessed only by water are exempt from parking requirements on the owned lot, but confirmation of mainland parking shall be demonstrated.

~~5.2.10~~ 5.2.11 Parking Area Location on a Lot

Parking areas will be permitted in any required yard in accordance with Table 5.2.

TABLE 5.2 – PARKING AREA ON LOT

Zone	Yard in Which Required Parking Permitted
Residential Zones, except Shoreline Residential (SR)	All yards. No parking space shall be permitted within 3.0 metres of a street line.
Shoreline Residential (SR) Zone	All yards except the front yard.
Commercial, Community Facility, Industrial, Open Space and Hazard Zones	<p><u>A parking area is allowed in any yard as long as:</u></p> <ul style="list-style-type: none"> • <u>No parking spaces are closer than 1 metre to any street line;</u> • <u>No parking space is closer than 1.5 metres to any property line;</u> • <u>No parking space is inside a required sightline triangle;</u> • <u>No parking space shall be located in a required landscape buffer.</u> <p>All yards provided that no part of any parking area, other than the ingress or egress points, is located closer than 1.0 metre to any street line and no closer than 1.5 metres to any lot line and provided that no part of any parking area is located in a minimum planting strip adjacent to a street line as required by this By-law.</p>
Agricultural and Rural Zones	All yards provided that no part of any parking area, other than the ingress and egress points used for access from the street, is located closer than 5.0 metres to any street line or any other lot line.

5.2.12 Winter Use

In all commercial, industrial and Residential Four (R4) zones, a development must demonstrate dedicated and adequate snow storage equal to 20% of the required parking area. Snow storage can be located in the required greenspace.

~~5.2.11~~ 5.2.13 Parking Illumination

Where parking areas are illuminated, the lighting fixtures shall be provided in accordance with the following provisions:

- a) No part of the lighting fixture shall be more than 9.0 metres above grade;
- b) Lighting fixtures ~~They~~ shall be installed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture is projected below the lamp and onto only the lot the lighting is intended to serve; and,
- c) Setback 1.5 metres from any street line.

5.3 Designated Barrier Free ~~Accessible~~ Parking

5.3.1 Number of Barrier Free Parking Spaces Required

The minimum designated accessible parking spaces requirements for new development shall be as noted in Table 5.3.

TABLE 5.3 – ACCESSIBLE PARKING REQUIREMENTS

Total Number of Parking Spaces Required	Minimum Accessible <u>Barrier Free</u> Spaces Required
1 – 25	1
26 – 50	2
51 – 75	3
76 – 100	4
101 and beyond	5 spaces plus 1 additional space for each 50 spaces beyond 150 spaces
Additional Requirements: In the case of restaurants <u>eating establishments, community centres</u> and health services, the minimum number of designated accessible parking spaces noted in Table 5.3 shall be increased by one.	

5.3.2 **Parking Space Size:** A designated accessible parking space for motor vehicles shall have:

- a) A minimum width of 3.5 metres;
- b) A minimum length of 6 metres;
- c) An adjacent 1.75-metre-wide aisle that is hatch marked on the parking lot, which may be shared by two adjacent designated accessible spaces;
- d) A firm, level surface;
- e) Easy access for disabled persons, whether via ramps, depressed curbs or other means and shall be located within easy access distance for the building or complex intended to be accessed; and
- f) Signs to identify barrier-free parking spaces in conformance with the regulations made under the Highway Traffic Act.

5.4 Queuing Lane Requirements (Drive through service):

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

The minimum queuing space requirements within a designated queuing lane shall be as set out in Table 5.4. In addition, one space shall be provided for each point of service delivery.

TABLE 5.4 – QUEUING LANE REQUIREMENTS

Use Associated with Drive-Through Service Facility	Minimum Required Ingress Spaces	Minimum Required Egress Spaces
Financial Institution	3	1
Restaurant	10	2
Motor vehicle service station or Gas Bar	3	1
Motor vehicle washing establishment	3 per bay	2
All Other Uses	3	1

5.4.2 Location of Ingress and Egress Spaces

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

5.4.3 Length of Queuing Lane

The length of the queuing lane associated with the drive-through service facility shall be the total number of required ingress spaces and egress spaces, plus one space for each point of service delivery and shall not form part of the required parking spaces or aisles.

5.4.4 Size of Queuing Space

All queuing spaces shall be rectangular in shape, with a minimum length of 6.0 m and a minimum width of 2.75 m.

5.5 Parking of Special Vehicles

~~5.5.1 Vehicle Storage and Display~~

~~Where a permitted use involves the storage and/or display of operational motor vehicles, such as a motor vehicle dealership, such storage and/or display shall be subject to the same provisions that would apply to any parking area required by this By-law.~~

~~5.5.2 Parking of Boats and Trailers~~

- ~~a) A maximum of one (1) boat, one (1) travel or tent trailer and one (1) other non-travel (utility) trailer are permitted to be stored outside on a lot in a Residential One (R1), Residential Two (R2), Residential Three (R3) or Residential Four (R4) Zone only as an accessory use to a dwelling, provided the boat or trailer is licensed, in good repair and in serviceable condition and is owned by an occupant of the dwelling unit.~~
- ~~b) There is no maximum to the number of personal use boats or trailers stored on a lot in the~~

~~Shoreline Residential (SR), Rural Residential (RR), Rural (RU) or Agricultural One Zone (A1) Zones provided the boats or trailers are licensed, in good repair and in serviceable condition.~~

- ~~c) The parking or storage of a boat, travel or tent trailer or other non-travel (utility) trailer may be permitted in all required yards in the R1-R4 zones, but no closer than 1.5 metres to any lot line provided the boat or trailer is licensed, in good repair and in serviceable condition.~~
- ~~d) In the Residential One, Residential Two, Residential Three and Residential Four Zones, such boat, travel trailer, tent trailer or non-travel (utility trailer) if parked in the front yard, must be located in the driveway of the dwelling.~~
- ~~e) In all other zones, the minimum distance from the boat, travel trailer or tent trailer or non-travel (utility) trailer to the lot line shall be 3m.~~

5.5.35.5.1 Parking of School Buses

In a Residential Zone, a maximum of one (1) school bus is permitted to be parked on a lot ~~as an accessory use to a dwelling unit~~ provided that:

- a) the school bus is driven by an occupant of the dwelling unit;
- b) the school bus is parked in the driveway; and
- ~~a)c) the school bus is located no closer than 2 metres from the front lot line and the bus shall be parked no closer than 15.0 metres to the exterior wall of an adjacent residential dwelling unit.~~

5.5.2 Prohibition on Parking of Unlicensed Motor Vehicles

- a) The parking of unlicensed motor vehicles is prohibited in all residential zones unless said unlicensed motor vehicle is wholly contained within a private garage or other accessory structure.
- b) The parking of unlicensed motor vehicles is only permitted in where a permitted motor vehicle dealership, motor vehicle service station, motor vehicle body repair shop, motor vehicle towing establishment or recreational vehicle sales and service establishment is located on the same lot.
- ~~a) The parking of unlicensed farm vehicles which have not been abandoned and are in a workable condition, is permitted on properties which have a permitted and operating agricultural use.~~

~~Unless otherwise specifically permitted in this By-law, an unlicensed motor vehicle shall not be parked on a lot. Notwithstanding this provision, the parking of unlicensed farm vehicles which have not been abandoned and are in a workable condition, as a permitted agricultural use, is permitted. Furthermore, notwithstanding this provision, the parking of unlicensed vehicles for sale is only permitted where vehicle sales are a permitted use.~~

5.6 Loading Space Requirements

5.6.1 Off-Street Loading Spaces

Off-street loading spaces shall be provided in accordance with the standards of this By-law for any ~~use~~ Commercial, Industrial, Institutional or High Density Residential (R4) Zone. Required loading spaces shall be located on the same lot as the use that requires the loading space and shall be provided as set out in Table 5.5.

TABLE 5.5 – LOADING SPACE REQUIREMENTS

Gross Floor Area	Number of Loading Spaces Required
250 square metres or less	1 <u>0</u> loading space
251 square metres to 1,999 square metres	2 <u>1</u> loading spaces
2,000 square metres or greater	3 <u>2</u> loading spaces

5.6.2 Size of Loading Space/Loading Area

Each loading space shall be a minimum of 12.0 metres long, 3.5 metres wide and have a vertical clearance of at least 4.2 metres, except where ~~only 1~~ more than 1 loading space is required the additional loading space may be reduced to a minimum of 6.0 metres long, 3.5 metres wide and have a vertical clearance of at least 3.0 metres.

5.6.3 Location of Loading Spaces

- a) Required Loading spaces shall be provided on the same lot for the use or building for which it is required, and the loading space(s) shall be located within 20.0 metres of the use or building for which is it required.
- b) Such loading space shall not be located in a required yard.
- c) Loading spaces shall not obstruct any required parking spaces or vehicular movement on the lot.
- d) In all Zones, with the exception of any Industrial Zone, loading spaces are not permitted in the front yard or exterior side yard and loading bay doors are not permitted on any wall facing a street unless the loading space ~~and loading bay door are~~ is located no closer than 10.0 metres from any street line.

5.6.4 Access to Loading Spaces

Where a loading space(s) is required, the access to the loading space(s) shall be provided by means of a driveway that is a minimum of 6.0 metres wide in the Industrial Zones and Institutional Zones and a minimum of 3.5 metres wide in a Commercial Zone.

Section 6: Residential Zones

6.1 Establishment of Residential Zones

The Residential Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
Residential One Zone	R1	Single detached Residential Zone
Residential Two Zone	R2	Single detached and Two Unit Residential Zone
Residential Three Zone	R3	Medium Density Residential Zone (3 to 8 <u>dwelling</u> units)
Residential Four Zone	R4	High Density Residential Zone (8+ <u>dwelling</u> units)
Shoreline Residential Zone	SR	Shoreline Residential
Rural Residential	RR	Rural
Mobile Home Residential	MHR	Mobile Home Park

6.2 General Prohibition

No person shall within any Residential Zone, use any land, or erect, alter, or use any building or structure except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

6.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol "●" ~~"★"~~ in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table. Additional conditions or regulations which pertain to the permitted use are provided in Section 6.5. ~~A letter(s) following the symbol "●" ~~"★"~~, zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Permitted Uses Table, Table 6.1, and Accessory Uses Table, Table 6.2.~~

TABLE 6.1 – PERMITTED USES

PRINCIPAL USE	ZONES						
	R1	R2	R3	R4	SR	RR	MHR
<u>Cluster Development</u>			●	●			
Dwelling, Single Detached	●	●			●	●	
Dwelling, Semi-detached		●	●				
Dwelling, Duplex		●	●				
Dwelling, Multiple			●	●			
Dwelling, Street Townhouse (a)			●	●			
Dwelling, Apartment				●			
Dwelling, Seasonal					●		●
Dwelling, Mobile Home					●	●	●
<u>Mobile Home Park</u>							●
<u>Park, Public</u>	●	●	●	●	●	●	●

Notes: (a) A minimum of three (3) to a maximum of eight (8) dwelling units may be attached to each other.
 (b) a modular dwelling may be a minimum double-wide unit.

TABLE 6.2 – ACCESSORY USES

ACCESSORY USE	ZONES						
	R1	R2	R3	R4	SR	RR	MHR
Accessory dwelling unit in a Single Detached Dwelling or a Semi-detached Dwelling <u>Additional Residential Units</u>	●	●	●	●	●	●	
Boarding House		●	●			●	
Group Home	●	●	●	●	●	●	
Home Industry (a)						●	
Home Occupation (a) <u>Based Business</u>	●	●	●		●	●	●
Private Home Daycare	●	●			●	●	
Personal Storage (a)					●	●	
Bed & Breakfast Establishment	●	●			●	●	

Note: (a) provided no activity related to the use occurs within 30 metres of a navigable watercourse.
 (b) Provided that the dwelling is connected to full municipal services

6.4 Lot Requirements

By-Law 2015/59
 Height(s) of Accessory
 Structures;
 By-law 2017/83 R1 % Open
 Space and R2 Area and
 Frontage

TABLE 6.3 – RESIDENTIAL ZONE REQUIREMENTS

REGULATION		ZONE							
		R1	R2	R3	R4	SR	RR	MHR	
Minimum Lot Area (m ²)	full services	450	450 (f)	900	900	8000n/a	4000n/a	1 ha n/a	
	partial services	2000	2000 (f)	2000n/a	n/a	8000n/a	4000n/a	4 ha n/a	
	private services	4000	4000 (f)	4000n/a	n/a	8000 ¹ -ha 4 ha (e)	8000 ¹ -ha	4 ha	
Minimum Lot Frontage (m)	full services	15	15 (f)	18 (b)	18 (b)	60n/a	60n/a	60n/a	
	partial services	30	30 (f)	n/a	n/a	60n/a	60n/a	135n/a	
	private services	60	60 (f)	n/a	n/a	60	60	135	
Maximum Lot Coverage (%)	full services	50	50	40	40	40n/a	40n/a	25n/a	
	partial services	25	25	20n/a	20n/a	20n/a	20n/a	25n/a	
	private services	10	10	15n/a	15n/a	15	15	25	
Maximum Lot Coverage for accessory buildings (%) (a)		10	10	5	5	5	5	10	
Yard Requirements (m)	Front Yard	6	6	7.5	7.5	18	10 ¹⁵	10	
	Rear Yard	7.5	7.5	7.5	7.5	7.5	10 ¹⁵	10	
	Interior Side Yard	full services	1.2	1.2	3	6	1.2n/a	1.2n/a	6n/a
		partial services	3	3	3	6	3n/a	3n/a	6n/a
		private services	3	3	7.5n/a	7.5n/a	3	34.5	6
Exterior Side Yard	3	3	7.5	7.5	10	10 ⁵	10		
Setback from Road Centreline (m)		Provincial Highway	23	23	23	23	23	23	
Setback from Watercourse (m)			18	18	18	18	18	18	
Maximum Building Height (m)			11	11	11	13 ⁴	11	4	
Maximum Accessory Building Height (m)			6	6	6	6	7.5	6	
Minimum Gross Floor Area per dwelling (m ²)			70	70	60	60	70	30	
Maximum Number of Dwelling Units (g)			1(h)	2(h)	8 (e)	(d)	1	10/ha	
Minimum Landscaped Open Green Space (%)			30%	n/a ³⁰	30	30	50	n/a ³⁰	
NOTES:									
(a) included as part of total lot coverage									
(b) the minimum frontage for a street townhouse shall be 7 metres for an interior unit and 10 metres for an end/exterior unit. If a townhouse block is located on the same lot, the total lot frontage of the lot shall be the sum of the total lot frontage required if they were located on separate lots									
(c) shall be based on a minimum of 225 square metres of lot area per dwelling unit, to a maximum of 8 dwelling units									
(d) shall be based on a minimum of 120 square metres of lot area per dwelling unit									
(e) if technical information pertaining to the physical characteristics and hydrogeology of the site in accordance with MOE D-Series guidelines (or their successor documents) can demonstrate that a lot area less than 1 hectare can be supported, the minimum lot area shall be as recommended in the technical study but in no case shall it be less than .4 hectares.									
(f) for a semi-detached dwelling, the minimum standard shall be ½ the required minimum (By-law 2017/83)									
(g) Amended by By-law 2023/46									
(h) For properties with full municipal services, the maximum number of dwelling units is 3-									

6.5 Residential Regulations

- ~~6.4.1~~ **6.5.1** The minimum frontage for a street townhouse shall be 7 metres for an interior unit and 10 metres for an end/exterior unit. If a townhouse block is located on the same lot, the total lot frontage of the lot shall be the sum of the total lot frontage required if they were located on separate lots.
- 6.5.2** For a semi-detached dwelling, the minimum lot area and minimum lot frontage shall be ½ of the requirement in Table 6.3.
- 6.5.3** Where a property is naturally severed by a road, the minimum setback from the street line shall be 6 metres.
- 6.5.4** The maximum density for the Residential Three (R3) zone shall be one (1) dwelling unit per 225 square metres of lot area, up to a maximum of eight (8) dwelling units.
- 6.5.5** The maximum density for the Residential Four (R4) zone shall be one (1) dwelling unit per 120 square metres of lot area.
- 6.5.6** The maximum density for the Mobile Home Residential (MHR) zone shall be one (1) mobile home unit per 800 square metres of lot area.
- 6.5.7** On a corner lot, the rear yard setback requirement shall be satisfied if the sum of the interior side yard setback and the rear yard setback equals or exceeds the required rear yard setback, provided that neither the side yard nor the rear yard is less than 3.0 metres.

6.5.6.1 Residential Exceptions

~~The Provisions of this Section are modified for those properties and to the extent identified in Sections 6.5.1 to 6.5.6 below.~~

Exceptions to Residential One (R1) Zone

Exception	By-law	Location	Schedule	Special Provisions
R1-1	2016/66	Part of Lot 2, Concession C Caldwell	SF5	The minimum rear yard shall be 2.9 m
R1-2	2019/71	Lot 6, Plan M-533 and Parts 4, 7, 9 and 11, 36R-13150, being part of Block 13, Plan 36M-616, Part of Lot 6, Con A, Springer	SF-7	The special zone shall comprise both properties described herein, neither of which may be conveyed, mortgaged or otherwise dealt with separately without a further amendment to the zoning by-law pursuant to Section 34 of the Planning Act. The only permitted use on the lot described as Parts 4, 7, 9 and 11, 36R-13150 shall be a detached garage, accessory to the principal

				<p>residential use on Lot 6, Plan M-533.</p> <p>The garage shall meet the following requirements;</p> <ul style="list-style-type: none"> • Minimum front yard shall be 7.5 metres; • Minimum rear yard shall be 7.5 metres; • Minimum side yards shall be 3 metres. <p>All other provisions as applicable to the R1 zone continue to apply.</p>
R1-3	2020/21	Part of Lot 6, Concession 1, Part 2, 36R-8430, Part 1, 36R-13191, Springer	SF1	Permitted uses shall include an accessory dwelling unit in an accessory structure.
R1-4	2020/22	Part of Block 33, Plan 35, Park 2, 36R-11040, Springer	SF2	Permitted accessory uses shall be as in Table 6.2 and shall also include a Home Industry (S-4.10) as a permitted accessory use.
R1-5	2025/90	382 Sabourin Road Part Lot 3, Concession 1 & 2, Springer	SF2	<p>(a) A detached accessory dwelling unit is permitted</p> <p>(b)(a) Only one (1) detached accessory dwelling unit may be created;</p> <p>(c)(a) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By law and any other health, safety or occupancy regulations or by laws;</p> <p>(d)(a) A minimum of one parking space is provided for the accessory dwelling unit</p> <p>(e)(a) The maximum lot coverage is 12%</p> <p>The maximum number of accessory structures is four (4).</p>

6.5.16.5.8 Exceptions to Residential Two (R2) Zone

Exception	By-law	Location	Schedule	Special Provisions
R2-1	2017/13	Lots 20-24 W/S Levesque Street, Lots 20-24, E/S Main Street, Sturgeon Falls	SF2	<ul style="list-style-type: none"> • The minimum lot frontage shall be 12.5 m for single detached dwellings and 6.25 m/unit for duplex and semi-detached dwellings • The minimum lot area shall be 350 m² for single detached dwellings and 175 m² for semi-detached and duplex dwellings • The rear yard setback shall be 6.0 m
R2-2	2021/06	Floral Street, Lot 21, E/S Floral Street Plan 14, Sturgeon Falls	SF-4	<ul style="list-style-type: none"> • Table 6.1: Permitted Uses and Accessory Uses shall be limited to Personal Storage • Table 6.3 <ul style="list-style-type: none"> • Maximum lot coverage: 30% • Yard requirements: <ul style="list-style-type: none"> • Front yard: 6m • Rear yard: 3m • Interior Side yard: 3m
R2-3	2022/04	Domina Crescent, being Part of Lot 4, Concession 1 and Part 5, Plan 36R-13041, Springer	SF-2	Reduce minimum frontage from 18m to 6m.
R2-4				
R2-5				

6.5.26.5.9 Exceptions to Residential Three (R3) Zone

Exception	By-law	Location	Schedule	Special Provisions
R3-1	2016/02	Part of Lot 2, Concession 1, Springer	SF6	The lot and yard requirements shall be as in Table 6.3 for the R3 Zone except for the front yard which shall be 4.5 m.
R3-2	2021/16	Principale Street, Verner, Proposed Lots 2-7	F2-2	Permitted uses of a lot in the R3-2 zone shall be as in Table 6.1 and shall further include up to four (4) separate duplex dwellings on one lot.
R3-3				
R3-4	2022/01	12 Principale Street East, being Parcel 9873, Part Lot 10, Plan M21, Caldwell	F3-1	The front yard and exterior side yard set backs shall be zero (0)
R3-5	2022/60	270 Coursol Rd, Part of Lot 2, Concession 1 and Part 1, Plan 36R-9005, Sturgeon Falls	SF-6	Interior side yard: 1.2m Exterior side yard: 1.2m Front yard: 6.0m
R3-6	2023/39	Part of Block E, Plan M3, Sturgeon Falls	SF-5	Permitted uses of the R3-6 zone shall be: To allow a dwelling within an accessory structure

6.5.36.5.10 Exceptions to Residential Four (R4) Zone

Exception	By-law	Location	Schedule	Special Provisions
R4-1	2016/66	Part of Lot 2, Concession C Caldwell	SF5	The minimum rear yard shall be 2.9 m
R4-2				
R4-3				
R4-4	2023/80	Pt Lots 23, 24 W/S Main St and E/S Levesque St, Plan 11, Parts 1-8, Part of Parts 9 & 10, 36R-14258	SF-2	Minimum front yard setback: 4m Minimum Exterior side yard setback: 4m Maximum building height: 13m Minimum lot are per unit: 85 sq.m. Minimum landscaped open space: 17% Lot line (front): the lot line abutting Russell street Landscaped buffers (rear and side lot lines): zero (0) landscaped buffer along the south boundary replaced by fencing Landscaped buffers (outer perimeter of parking areas): zero (0) landscaped buffer along outer perimeter of parking areas
R4-5				

6.5.46.5.11 Exceptions to Shoreline Residential (SR) Zone

Exception	By-law	Location	Schedule	Special Provisions
SR-1	2012/03	Lots 1-7, and Retained Lot, Pt. Island 151, French River, Keystone Island, Bertran	K6	<ul style="list-style-type: none"> • The minimum lot area is 1,950 square metres; • Minimum lot area for Lot 7 and the retained lot, is 7,000 square metres; • The minimum lot frontage is 40 m.
SR-2	2014/76	Part of Broken Lot 1, Concession 6, Badgerow	C4-3	<ul style="list-style-type: none"> • Permitted uses are limited to recreational vehicles and accessory structures, provided such structures are non-permanent and do not have permanent foundations. • A maximum of one recreational vehicle per lot shall be permitted. • A septic/leaching bed is not permitted. • No building opening is permitted below the established flood elevation which shall be determined prior to the creation of any lot on the property. • Title to the property shall include a restrictive covenant to notify prospective purchasers of flood risk, which covenant may be removed with the consent of the Municipality of West Nipissing.

Exception	By-law	Location	Schedule	Special Provisions
SR-3	2015/21 repealed by 2018/37			
SR-4	2015/67	Lot 9, Plan M-304, Part of Block B, Part 1, 36R-13394, Field	D4-3	Permitted Uses and Accessory Uses shall be as in Table 6.1 and 6.2 for the SR Zone and shall also include one (1) only accessory dwelling unit within an accessory structure.
SR-5	2016/79	Lot 3, 36M-297, Part Lot 6, Con. C, Part 1, 36R9387, Part 2, 36R-13901, Springer	H5-1 H5-3	<ul style="list-style-type: none"> • The special zone shall comprise both properties described herein, neither of which may be conveyed, mortgaged or otherwise dealt with separately without a further amendment to the zoning by-law pursuant to Section 34 of the Planning Act; • Permitted Accessory Uses shall include: <ul style="list-style-type: none"> (i) A guest house/sleep cabin having a gross floor area of 96 m² which may include cooking facilities; (ii)(i) A garage located on a lot other than the lot on which the principal building is located.
SR-6	2017/14	Part of Lot 3, Con 6, Badgerow	E3	<ul style="list-style-type: none"> • Permitted uses are limited to recreational vehicles and accessory structures, provided such structures are non-permanent and do not have permanent foundations. • A maximum of one recreational vehicle per lot shall be permitted. • A septic/leaching bed is not permitted.

Exception	By-law	Location	Schedule	Special Provisions
				<ul style="list-style-type: none"> No building opening is permitted below the established flood elevation which shall be determined prior to the creation of any lot on the property. Title to the property shall include a restrictive covenant to notify prospective purchasers of flood risk.
SR-7	2017/47	Part of Lot 8, Con B, Springer, Parts 1-4, 36R-9294	H4-2	<ul style="list-style-type: none"> Two single detached dwellings are permitted on the property; The maximum lot coverage shall be 18%.
SR-8	2023/84	Part Lots 11, 12 Concession 6, Parts 2 and 9, 36R-13788 being proposed Lots 1-6, Plan 36M	E4-3	<p>Lot 1: minimum lot area: 0.571ha Lot 2: minimum front yard setback: 18m Lot 3: minimum front yard setback: 18m Lot 4: road frontage: 30m Lot 5: road frontage: 32.06m Interior side yard: 1.65m Front yard setback: 9.9m Lot 6: road frontage: 30m</p>
SR-9	2019/59	Part of Lot 3, Concession C, Caldwell	E3-4	<p>(a) A detached accessory dwelling unit is permitted; (b)(a) Only one (1) accessory dwelling unit may be created; (c)(a) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and (d)(a) A minimum of one parking space is provided for the accessory dwelling unit</p>
SR-10	2019/72	Part of Lot 3, Concession 6, Badgerow, Parts 1, 2 and 3, 36R-14028	C-3	<ul style="list-style-type: none"> Permitted structures shall be limited to canopies, decks, sheds, porches, and sunrooms. No structure intended for sleeping shall be allowed nor shall any cooking or washroom facilities be located within any structure. Any structure or camping trailer intended to remain on the property for greater than 90 days shall not be located closer than 18m from the front lot line as shown in 36R-14028. Any erosion in the river bank since the depositing of Plan 36R-14028

				<p>shall be deducted from the required front yard set back;</p> <ul style="list-style-type: none"> • Grey water disposal and field beds may be permitted, subject to permitting by the North Bay-Mattawa Conservation Authority; • The number of permitted permanent trailers shall be one (1) however, should the Comprehensive Zoning By-law be amended with regard to permitted recreational vehicles, then the within zone shall follow the regulations therein set out with respect to permitted numbers of camping trailers on a lot; • Transient trailers may be permitted for a consecutive period not exceeding 90 days; • A vegetative buffer shall be maintained across not less than 50% of the lot frontage to a depth of 9m;
SR-11	2020/77	Part of Lot 10, Concession 5, Part 1, NR-24, Parts 2 and 3, NR-24A, Part 4, 36R-13635, Grant	C6	<p>Minimum lot frontage: 50m Minimum lot area: 0.36ha Minimum front yard: 7.5m</p>
SR-12	2022/66	140 Promenade du Lac, being Parcels 13848 and 13856, Part Lot 1, Concession C, Springer	H5-2	<p>Section 4.1 Accessory Dwelling Unit</p> <p>(a) A detached accessory dwelling unit is permitted</p> <p>(b)(a) Only one (1) accessory dwelling unit may be created;</p> <p>(c)(a) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</p> <p>(d)(a) A minimum of one parking space is provided for the accessory dwelling unit</p>
SR-13	2021/70	28 Fortin Drive, being Parcel 19393, being Part of Lot 2, Concession C and Part 3, Plan 36R-14500, Caldwell	H3-4	<p>The special zone shall comprise both properties described herein, neither of which may be conveyed, mortgaged or otherwise dealt with separately without a further amendment to the zoning by-law pursuant to section 34 of the Planning Act;</p>

				Permitted Accessory Uses shall include: a garage located on a lot other than the lot on which the principal building is located.
SR-14	2022/28	116A Nature's Trail, being Part of Lot 8, Concession 1, Falconer	M-1	<ul style="list-style-type: none"> • Lot frontage 29m • Lot Area 0.5ha • Interior side yard nil • Maximum number of accessory structures: 4
SR-15	2022/33	207 Moose Point Road, being Part of Location CL17458 and Part of Broken Lot 10, Concession 5, Grant	C-6	<ul style="list-style-type: none"> • Minimum lot area 0.4ha • Minimum front yard setback 11m • Number of permitted dwellings 2
SR-16	2022/83	975 B Lac Clair Rd, Field, Part of Lot 12, Concession 1 & 2, Field	E4-2	<p>Section 4.1 Accessory Dwelling Unit</p> <p>(a) A detached accessory dwelling unit is permitted</p> <p>(b)(a) Only one (1) accessory dwelling unit may be created;</p> <p>(c)(a) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</p> <p>(d)(a) A minimum of one parking space is provided for the accessory dwelling unit</p>
SR-17	2022/91	Burnt Lake Rd, Sturgeon Falls Part of Lot 8, Concession 6, Springer	E4-4	Table 6.3 To reduce the lot frontage from 60m to 50m on Lot 1 only.
SR-18	2023/18	Part of Lot 9, Concession 3, Lots 1-7, Plan 36M-720, Louden	J1	<p>Lot requirements for the watercourse setback of the SR zone shall be:</p> <ul style="list-style-type: none"> • Lot 1 10.57m (existing condition) • Lot 2 10.99m (existing condition) • Lot 3 15.61m (existing condition) • Lot 4 12.14m (existing condition) • Lot 5 18m • Lot 6 18m • Lot 7 18m
SR-19	2024/65	Pt Lot 6, Concession C, Part 1, 36R-4936, Springer Twp 646 Marleau Rd	H5-1	<p>Section 4.1 Accessory Dwelling Unit</p> <p>(a) A detached accessory dwelling unit is permitted</p> <p>(b)(a) Only one (1) accessory dwelling unit may be created;</p> <p>(c)(a) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</p>

				(d)(a) A minimum of one parking space is provided for the accessory dwelling unit
SR-20	2024/61 *repealed by 2025/67	Pt Lot 3, Concession 5, Kirkpatrick Twp	F2-1	For lots 1-6: the minimum setback from watercourse is 30 metres For Lot 5: the minimum eastern interior side yard setback is 5 metres
SR-21	2024/71	Pt Lots 1 & 2, Concession 3, Field Twp 27 Pine Ridge Dr	D5-1	(a) An accessory dwelling unit located in an accessory structure is permitted (b)(a) Only one (1) accessory dwelling unit may be created; (c)(a) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and (d)(a) A minimum of one parking space is provided for the accessory dwelling unit
SR-22	2025/59	234 Levert Drive Part lot 2, Concession 2, Part 2, 36R-15290, Springer	F5-4	(a) A detached accessory dwelling unit is permitted (b)(a) Only one (1) detached accessory dwelling unit may be created; (c)(a) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and (e)(a) A minimum of one parking space is provided for the accessory dwelling unit
SR-23	2025/67	Part West Half Lot 3, Concession 5, Parts 3 to 5, 36R-14822, Kirkpatrick	F2-1	Permitted principal use shall be: • Single detached dwelling • Seasonal dwelling • Mobile home dwelling • Modular dwelling For lots 1-6 Watercourse setback • The minimum setback from watercourse is 30 metres For Lot 5 Interior Side Yard Setback (f)(a) The minimum western interior side yard setback is 5 metres
SR-24	2025/83	34 Fortin drive Part Lot 2, Concession C, Parts 2 & 3, NR-89, Part 1, 36R-11618, Galdwell	H3-4	(a) The maximum number of accessory structures shall be five (5). (b)(a) The maximum lot coverage for accessory buildings shall be 6.3%. (g)(a) The minimum western side yard setback for a sleep cabin shall be 1.8 metres.

6.5.5.6.5.12 Exceptions to Rural Residential (RR) Zone

Exception	By-law	Location	Schedule	Special Provisions
RR-1	2019/21	Part of Lot 8, Concession A, Part 1, 36R-14013, Caldwell	G3-3	Permitted Accessory Uses shall be as in Table 6.2 for the RR Zone and shall also include a Place of Entertainment as an additional permitted use.
RR-2	2020/61	Part of Lot 5, Concession 5, Part 3, 36R-13422, KirkPatrick	F2-1	Permitted uses shall be as in Table 6.2 and shall also include the following: Agricultural uses, as in 3.6, but shall exclude truck gardening, animal husbandry and dairying. Greenhouse, as in 3.72 Place of Worship, as in 3.135
RR-3				
RR-4	2022/13	13117 Highway 17, being Part Lot 1, Concession 1, Pedley	G6	Section 4.1 Accessory Dwelling Unit (e)(a) A detached accessory dwelling unit is permitted (f)(a) Only one (1) accessory dwelling unit may be created; (g)(a) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by laws; and (h)(a) A minimum of one parking space is provided for the accessory dwelling unit
RR-5				
RR-6	2025/36	968 Stewart Road Part Lot 9, Concession 2, Part 1, 36R-12515, Springer	F4-4	(a) A detached accessory dwelling unit is permitted (b)(a) Only one (1) accessory dwelling unit may be created; (c)(a) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by laws; and A minimum of one parking space is provided for the accessory dwelling unit
RR-7	2025/104	Part Lot 8, Concession B, Springer	G4-4	(a) No structure shall be constructed less than 5 metres from the top of bank for all roadside ditches and the drainage courses illustrated in Schedule 'B' of by-law 2025/104. No individual on-site sanitary system shall be constructed less than 30 metres from the top of bank for all roadside ditches and the drainage courses illustrated in Schedule 'B' of by-law 2025/104.

6.5.6 Exceptions to Mobile Home Residential (MHR) Zone

Exception	By-law	Location	Schedule	Special Provisions
MHR-1				
MHR-2				
MHR-3				
MHR-4				
MHR-5				

Section 7: Commercial Zones

7.1 Establishment of Commercial Zones

The Commercial Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
General Commercial Zone	C1	Traditional downtown commercial areas, <u>allowing mixed use development</u>
Highway Commercial Zone	C2	Highway commercial areas
Tourist Commercial Zone	C3	Commercial properties providing primarily tourist accommodation and camps.
<u>Neighbourhood Commercial Zone</u>	<u>C4</u>	<u>Limited neighbourhood commercial uses</u>
<u>Rural Commercial Zone</u>	<u>C5</u>	<u>Commercial properties that support rural communities and the agricultural sector</u>

7.2 General Prohibition

No person shall within any Commercial Zone, use any land, or erect, alter, or use any building or structure except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

7.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol ‘●’ in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table. ~~A letter(s) following the symbol ‘★’, zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Permitted Uses Table, Table 7.1, and Accessory Uses Table, Table 7.2.~~

TABLE 7.1 – PERMITTED USES

USE	ZONES			C4	C5
	C1	C2	C3		
<u>Agricultural Processing Establishment</u>					●
Agricultural Produce Sales Outlet	●	●	●		●
<u>Agricultural Produce Warehouse</u>					●
Agricultural Services <u>Related Used</u>		●			●
Agricultural Supply/Implement Dealership		●			●
<u>Agricultural Use</u>					●
Bakery	●	●		●	
Bar	●	●	●		
Building Supply Establishment	●	●			●
Business, Professional or Administrative Office	●	●		●	
<u>Campground</u>			●		
<u>Childcare Facility</u>	●	●		●	
<u>Community Centre</u>	●	●		●	
Contractor's Establishment	●	●			
Convenience Store	●	●	●	●	
<u>Domestic Appliance Store</u>	●	●			
Dry Cleaning Establishment	●				
Dwelling, Single Detached (Existing Only)	●	●	●		
<u>Driving Range</u>					●
Educational Institution	●	●		●	
<u>Equestrian Facility</u>					●
Equipment Sales, Service & Rental Establishment	●	●			●
Financial Establishment	●	●			
Funeral Home	●	●			●
Greenhouse/Nursery /Garden Centre	●	●			●
<u>Golf Course</u>					●
Grocery Store	●	●	●		
Health Services Establishment	●	●			
Hospital	●	●			
Hotel	●	●	●		
Housekeeping Cottages and Cabins	●		●		
Kennel		●			●
Laundromat	●	●		●	
Marina	●	●	●		
Marine Sales and Services Establishment	●	●	●		
Market	●	●			●
Mobile Food Service Equipment	●	●	●		
Motel	●	●	●		
Motor Vehicle Body Repair Shop		●			
Motor Vehicle Dealership	●	●			
Motor Vehicle Service Station	●	●			
<u>Motor Vehicle Towing Establishment</u>					●
Motor Vehicle Washing Establishment	●	●			
Nursing Home	●	●			
Outdoor Recreational Use, Active	●	●			
Outdoor Recreational Use, Passive	●	●	●		●
Park, Public	●	●	●		
<u>Parking Lot, For Profit</u>	●	●			
Personal Service Establishment	●			●	

Place of Assembly	●	●			●
Place of Entertainment	●	●			
Place of Worship	●	●		●	
Printing and Publishing Establishment	●				
Recreational Establishment	●	●	●		
Recreational Vehicle Sales and Service Establishment	●	●	●		●
Residential Care Facility	●	●			
Restaurant, <u>Eat In</u>	●	●	●		
Restaurant, Drive-Thru or Take-Out	●	●			
Retail Store	●	●			
<u>Sawmill</u>					●
Self Storage Facility		●			●
Service Establishment	●	●			
Tourist Camping Establishment			●		
Tourist Establishment	●	●	●		
Trailer Park			●		
Veterinary Clinic	●	●			●
<u>Wind Facility</u>					●
Wholesale Establishment	●	●			

TABLE 7.2 – PERMITTED ACCESSORY USES

ACCESSORY USE	ZONES			<u>C4</u>	<u>C5</u>
	C1	C2	C3		
Bed and Breakfast Establishment	●	●	●	●	
Convenience Store	●		●	●	
<u>Driving Range</u>			●		●
Dwelling, Single Detached			●		
Dwelling Units, in a non-residential building	● (a)	● (a)	●	●	●
Golf Course			●		
Market			●		●
Outdoor Display and Sales	●	●			●
Outdoor Storage	●	●			●
Retail Store			●		●
NOTE: (a) Where the Ontario Building Code prohibits a residential use in particular classes of non-residential buildings, then a dwelling unit in a non-residential building is prohibited in that class of non-residential building. (By-law 2017/83)					

7.4 Lot Requirements

No person shall, within any Commercial Zone, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirements Table. ~~A letter(s) following a Lot Requirement, zone heading or description of the requirement, indicates that one or more conditions apply to the requirement noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Lot Requirements Table, Table 7.3.~~

TABLE 7.3 – LOT REQUIREMENTS

REQUIREMENT		ZONE					
		C1	C2	C3	C4	C5	
Minimum Lot Area (m ²)	full services	450	1,000	2,000	<u>800</u>	<u>N/A</u>	
	partial services	2,000	2,000	4,000	<u>2000</u>	<u>4000</u>	
	private services	4,000	4,000	84,000	<u>4000</u>	<u>8000</u>	
Minimum Lot Frontage (m)	full services	10	25	30	<u>20</u>	<u>N/A</u>	
	partial services	30	60	60	<u>30</u>	<u>60</u>	
	private services	60	60	60	<u>60</u>	<u>60</u>	
Maximum Lot Coverage (%)	full services	75	45	40	<u>45</u>	<u>N/A</u>	
	partial services	50	35	35	<u>35</u>	<u>20</u>	
	private services	40	25	30	<u>25</u>	<u>20</u>	
Maximum Lot Coverage of Accessory Buildings- (%) (a)		20	20	20			
Minimum Yard Requirements (m)	Front Yard	7.5	7.5	7.5	<u>7.5</u>	<u>10</u>	
	Rear Yard	7.5	7.5	7.5	<u>7.5</u>	<u>10</u>	
	Interior Side Yard	full services	1.5	3	6	<u>3</u>	<u>N/A</u>
		partial services	3	3	6	<u>3</u>	<u>10</u>
		private services	3	3	6	<u>3</u>	<u>10</u>
	Exterior Side Yard	7.5	7.5	7.5	<u>7.5</u>	<u>10</u>	
	Interior Site Yard abutting a Residential Zone	6	10	10	<u>3</u>	<u>10</u>	
Rear Yard abutting a Residential Zone	10	10	10	<u>7.5</u>	<u>10</u>		
Setback From Watercourse (m)		20 (b)	20 (b)	20 (b)	<u>20</u>	<u>20</u>	
Maximum Building Height (m)		13 4	11	11	<u>11</u>	<u>11</u>	
Maximum Accessory Building Height (m)		6	6	6	<u>6</u>	<u>11</u>	
Maximum Number of Dwelling Units		(d)	4	4 (e)			
Minimum Landscaped Open Space (%)		10 <u>n/a</u>	10	30	<u>30</u>	<u>30</u>	
NOTES:							
(a) Included as part of the lot coverage							
(b) Not applicable to Marinas with the exception of boat storage buildings.							
(c) Staff Quarters are permitted in addition to the number of dwelling units.							
(d) no maximum, provided a dwelling unit is located above or to the rear of the non-residential use.							

7.5 Dwelling Units in Non-Residential Buildings:

7.5.1 No person shall use any lot, or erect, alter or use any building or structure for the purpose of a separate dwelling unit on a lot zoned other than for residential uses or within a portion of a non-residential building, except in accordance with the following requirements:

- a) The dwelling unit shall have a separate washroom or bathroom and kitchen facilities from those of the non-residential use.
- b) The dwelling unit shall have a separate parking space.

c) The dwelling unit shall have a separate building entrance to that provided for non- residential use.

7.5.2 Notwithstanding the provisions of this By-law, no dwelling unit shall be located in a non- residential building where prohibited by the Ontario Building Code.

7.5.3 A maximum of one dwelling unit is permitted in the C2, C3, C4 and C5 zones. The dwelling unit can be located in a non-residential building or as a single detached building located on the same property, subject to the zone provisions of the principal building.

7.5.4 Notwithstanding 4.14.3, staff quarters are permitted in addition to the number of dwelling units in the Tourist Commercial (C3) zone.

7.5.5 In the General Commercial (C1) zone, the maximum number of dwelling units permitted in a non-residential building is one dwelling unit per 120 square metres of lot area.

7.5.6 In the C1 zone, no less than seventy-five percent (75%) of the exterior façade of the first storey shall be occupied by a permitted commercial use.

~~7-5-7-1 Commercial Exceptions~~

~~7-6-7-1 The provisions of this Section are modified for those properties and to the extent identified in Sections 7-5-1 to 7-5-3 below.~~

~~7-7-7-1 Exceptions to General Commercial (C1) Zone~~

Exception	By law	Location	Schedule	Special Provisions
C1-1		Sturgeon Falls, downtown core		The Lot and Yard requirements in the C1-1 Zone shall be as follows: Minimum lot area Nil Minimum lot frontage Nil Maximum lot coverage 100% Minimum front, rear and side yards Nil No parking requirements for a commercial or residential use Requirements only apply to the existing buildings
C1-2	2019/58	Lot 10, Block 17, Plan 35, Springer	SF1	The lot and Yard requirements shall be as follows: Minimum front yard set back: 4.5m Minimum rear yard set back 1.6m Minimum Exterior Side Yard (north) 0m Minimum Interior Side Yard (south) 1m0. Permitted uses shall be motor vehicle

				service station and indoor storage. Permitted accessory uses shall be dwelling units in non-residential building
C1-3	2020/54	Part of Lot 2, Concession 1 and 2, Field	E5-2	Permitted uses of the C1-3 zone shall be Convenience store Retail store Restaurant The permitted accessory uses shall be as in Table 7.2.
C1-4	2023/06	Part of Montreal Street, Part 1, Plan 36R-7270, Part of Lot 1, Lots 2-4, E/S Montreal Street, Part of Lot 5 W/S being Part 5, Plan 36R-7374	SF-5	Permitted uses of the C1-3 zone shall be: Permitted uses: Business, Professional or Administrative Office; and Contractor's Establishment Permitted accessory uses: Outdoor storage Residential units on main floor
C1-5				



~~7.1~~

~~7.1.17.1 Exceptions to Highway Commercial (C2) Zone~~

~~7.1~~

Exception	By law	Location	Schedule	Special Provisions
C2-1	2014/56	Part Lot 3, Concession 1, Spring, being Part 1, 36R-10553	SF5	All those uses listed in Table 7.1 for the C1 and C2 zones are permitted. In all other respects the provisions of the Highway Commercial (C2) Zone shall apply.
C2-2	1027 (Twp. Field)	Highway 539 (Field)	C4-3	The permitted uses are limited to the following: Single Detached Dwelling Automobile Body Repair Shop Household Occupation Motor Vehicle Sales Area The lot and yard requirements shall be as follows: Minimum Lot Area 1.0 ha Min. Lot Frontage 190 m Min. Exterior Side Yard 10.5 m Min. Interior Side Yard 6 m Maximum Lot Coverage 10% Max. No. of Dwellings per lot 1 Max. No. of Dwelling units 1 For the purposes of this Section, the following definitions apply: BODY REPAIR SHOP, AUTOMOBILE means an establishment for the repair of damage to a motor vehicle caused by collision, accident, corrosion or age, and without limiting the generality of the foregoing, includes the reconstruction of motor vehicles, the painting or repainting of motor vehicles and the rebuilding or conversion of automotive engines or engine parts, but does not include an automobile service station, gas bar or impounding yard. MOTOR VEHICLE SALES AREA means any land, building or structure where new or used automobiles or trucks are kept for sale, rent or lease and in conjunction with which there may be an automobile repair garage or body shop.
C2-3	2025/10	202 Highway 539A Part Lot 3, Concession 4, Crerar Twp	B2-1	To permit a detached single family dwelling
C2-4				
C2-5				

~~7.87.1~~

~~7.97.1~~

~~7.107.1~~

~~7.117.1~~

~~7.127.1~~

~~7.137.1~~

~~7.147.1~~ **Exceptions to Tourist Commercial (C3) Zone**

~~7.157.1~~

Exception	By law	Location	Schedule	Special Provisions
C3-1	2012/56	Pt. Lot 8, Con. C (Caldwell), 10 Brouillette Road	H3-3	The permitted uses are limited to the following: spa, medical and wellness service; staff accommodations. The minimum lot frontage (road) is 53 m; Structures in existence as of Sep. 18, 2012, are deemed to comply with applicable yard requirements.
C3-2	2024/43	Pt Lot 8, Concession 2, Caldwell 432 Prang's Lane	K1	Minimum watercourse setback shall be 3.0 metres for existing structures.
C3-3	2025/58* repealed and replaced by 2025/71	910 Quesnel Rd Part Lot 8, Concession B, Parts 3 & 4, 36R 10453, Springer Pt Lot 8, Concession B, Part 1, 36R-13193, Springer	H4-2	The special zone shall consist of the property described in paragraph 1 hereof and Pt Lot 8, Concession B, Parts 3 & 4, 36R-10353, Springer Twp (the "Property"). The property shall not be conveyed, mortgaged or otherwise dealt with separately without a further amendment to the zoning by law, pursuant to Section 34 of the Planning Act. A minimum 1.5m unbroken vegetative buffer shall be maintained along any lot line which abuts a residential zone. The minimum setback for any principal or accessory structure, from a lot line which abuts a residential zone shall be 10m. No recreational vehicles, travel trailer, tent trailers, camper or trailer shall be parked, stored or occupied within 10m of any lot line which abuts a residential zone.
C3-4				
C3-5				

Section 8: Industrial Zones

8.1 Establishment of Industrial Zones

The Industrial Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
Light Industrial Zone	M1	Industrial uses primarily within a building that do not create significant compatibility issues
Heavy Industrial Zone	M2	Industrial uses more intensive in nature which may include portions of the operation outdoors
Extractive Industrial Zone	M3	Licensed pit and/or quarry operations
Waste Disposal Industrial Zone	M4	Public and private waste management uses

8.2 General Prohibition

No person shall within any Industrial Zone, use any land, or erect, alter, or use any building or structure except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

8.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table. ~~A letter(s) following the symbol '●', zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Permitted Uses Table, Table 8.1.~~

TABLE 8.1 – PERMITTED USES

USE	ZONES			
	M1	M2	M3	M4
Abattoir		●		
Agricultural Processing Establishment	●	●		
Agricultural Produce Warehouse	●	●		
Agricultural Supply / Implement Dealer	●	●		
Assembly, Fabricating, Manufacturing or Processing Establishment		●		
Bakery	●	●		
Building Supply Establishment	●	●		
Bulk Sales Establishment		●		
Business, Professional or Administrative Office	●	●		
Concrete Plant			●	
Contractor's Establishment	●	●		
Crematorium		●		
<u>Domestic Appliance Store</u>	●			
Dry Cleaning Establishment	●	●		
Equipment Sales, Service and Rental Establishment	●	●		
<u>Food and Beverage Manufacturing Industry</u>	●	●		
Farm Supply / Implement Dealer	●	●		
<u>Gas Bar</u>	●	●		
Greenhouse/Nursery/Garden Centre	●	●		
Laundromat	●			
Marina	●	●		
Marina Sales and Service Establishment	●	●		
Motor Vehicle Repair and Body Shop	●	●		
<u>Motor Vehicle Dealership</u>	●			
Motor Vehicle Service Station	●	●		
Motor Vehicle Towing Establishment	●	●		
Motor Vehicle Washing Establishment	●	●		
Park, Public	●	●	●	●
Pit			●	
Printing and Publishing Establishment	●	●		
Quarry			●	
<u>Recreational Vehicle Sales and Service</u>	●	●		
Salvage or Wrecking Yard		●		●
Saw Mill		●		
Self Storage Facility	●	●		
Service Establishment	●	●		
Transportation Depot	●	●		
Warehouse	●	●		
Waste Disposal Site				●
Wholesale Establishment	●	●		
Wayside Pit / Quarry	●	●	●	●

TABLE 8.2 – ACCESSORY USES

ACCESSORY USE	ZONES			
	M1	M2	M3	M4
Dwelling, Single Detached Accessory	●	●		
<u>Business, Professional or Administrative Office</u>	<u>●</u>	<u>●</u>	<u>●</u>	<u>●</u>
<u>Dwelling unit, caretaker's</u>	<u>●</u>	<u>●</u>		
Commercial Use	●	●		
Heavy Equipment Storage	●	●		
Office	●	●	●	●
Outdoor Storage	●	●	●	●
<u>Outdoor Display and Sales Area</u>	<u>●</u>	<u>●</u>		

8.4 Lot Requirements

No person shall, within any Industrial Zone, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirements Table. ~~A letter(s) following a Lot Requirement, zone heading or description of the requirement, indicates that one or more conditions apply to the requirement noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Lot Requirements Table, Table 8.3.~~

TABLE 8.3 - LOT REQUIREMENTS FOR INDUSTRIAL ZONES

REQUIREMENT		ZONE			
		M1	M2	M3	M4
Minimum Lot Area (m ²)	full services	750	4,000	40,000	40,000
	private or partial services	4,000	10,000	40,000	40,000
Minimum Lot Frontage (m)	full services	20	40	<u>40</u>	40
	private or partial services	60	60	<u>640</u>	<u>640</u>
Maximum Lot Coverage (%)	full services	60	40	20	20
	private or partial services	40	40	20	20
Maximum Lot Coverage of Accessory Buildings (%) (bd)		20	20	10	10
Minimum Yard Requirements (m)	Front Yard	15	15	30	30
	Rear Yard	15	15	30	30
	Interior Side Yard	6	15	15	30
	Exterior Side Yard	15	15	<u>30</u> 15	30
	Interior Side Yard abutting a Residential Zone	15	30	60	60
	Rear Side Yard abutting a Residential Zone	15	30	60	60
Maximum Building Height (m)		11	11	11	11
Maximum Accessory Building Height (m)		6	6	6	6
Minimum Landscaped Open Space (%)		10	10	n/a	5
Other Provisions		(ac)	(b) (ac)	(a)	
<p>NOTES:</p> <p>a) No building, structure or outside storage of materials, equipment, finished or unfinished products, or parking or staging of trucks or cranes or any other mechanical equipment is permitted:</p> <p style="padding-left: 20px;">i) Within 60 m of a public street or road;</p> <p style="padding-left: 20px;">ii) Within 30 m of a zone boundary.</p> <p>b) Accessory outside storage not to be located within the front yard.</p> <p>c) Uses not on full services shall be limited to low water using and low effluent producing uses. Such uses are characterized as uses that:</p> <p style="padding-left: 20px;">i) use a water supply or sewage disposal not greater than domestic requirements;</p> <p style="padding-left: 20px;">ii) do not use water for processing;</p> <p style="padding-left: 20px;">iii) do not create discharge which would be a hazard to ground or surface water, or negatively affect the operation of the sewage disposal system.</p> <p style="text-align: center;">—</p> <p>d) (d) Included as part of total lot coverage.</p>					

8.5 Industrial Regulations

8.5.1 Notwithstanding anything to the contrary, a gatehouse or guardhouse may be permitted in any yard, provided that:

- a) It is not located in a required site triangle; and
- b) Is no more than 25 square metres in area.

8.5.2 Uses not on full services shall be limited to low water using and low effluent producing uses. Such uses are characterized as uses that:

- a) use a water supply or sewage disposal not greater than domestic

requirements;

- b) do not use water for processing;
- c) do not create discharge which would be a hazard to ground or surface water, or negatively affect the operation of the sewage disposal system.

8.4.18.5.3 Accessory retailing and office shall be limited to such activities ancillary to the principal industrial use.

8.5.1 Industrial Exceptions

~~The provisions of this Section are modified for those properties and to the extent identified in Sections 8.5.1 to 8.5.4 below.~~

8.5.18.1.1 Exceptions to Light Industrial (M1) Zone

Exception	By-law	Location	Schedule	Special Provisions
M1-1	2023/58	Part of Lot 4, Concession 2, Springer	G5-1	Permitted uses of the M1-1 zone shall be: <ul style="list-style-type: none"> ● Hydrovac processing/soil deposit site
M1-2				
M1-3				

8.5.28.1.1 Exceptions to Heavy Industrial (M2) Zone

Exception	By-law	Location	Schedule	Special Provisions
M2-1	2008/41	Pt. Lot 14, Con. 3 (Springer)	G5-1	All those uses listed in Tables 7.1 and 7.2 for C1 and C2 Zones and in Tables 8.1 and 8.2 for M1 and M2 Zones are permitted and are subject to the lot requirements for the respective zones in which the permitted use is listed.
M2-2				
M2-3				

8.5.38.1.1 Exceptions to Extractive Industrial (M3) Zone

Exception	By-law	Location	Schedule	Special Provisions
M3-1				
M3-2				
M3-3				

8.5.48.1.1 Exceptions to Waste Disposal Industrial (M4) Zone

Exception	By-law	Location	Schedule	Special Provisions
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A4-1				
A4-2				
A4-3				

Section 9: Agricultural and Rural Zones

9.1 Establishment of Agricultural and Rural Zones

The Agricultural and Rural Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
Agricultural One Zone	A1	Prime Agricultural Area
Agricultural Two Zone	A2	Prime Agricultural Area – Restriction on residential uses
Rural Zone	RU	Rural Area with varied agricultural potential

9.2 General Prohibition

No person shall within any Agricultural or Rural Zone, use any land, or erect, alter, enlarge, use or maintain any building or structure except as specified hereunder, and with all other applicable provisions of this By-law.

9.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table. **Table 9.1** applies to the Principal Use on the property and **Table 9.2** identifies the Permitted Accessory Uses.

**TABLE 9.1 – PERMITTED USES IN AGRICULTURAL AND RURAL ZONES
 (PRINCIPAL USE)**

By-law 2017/83

USE	ZONE		
	A1 (a)(e)	A2	RU (b)
Abattoir	●		●
Agricultural Use	●	●	●
<u>Agricultural Related Uses</u>	●	●	●
Agricultural Services	●	●	●
Conservation Use	●	●	●
Dwelling, Mobile Home	●		●
Dwelling, Modular	●		●
Dwelling, Single Detached	●		●
Equestrian Facility	●	●	●
Forestry	●	●	●
Kennel			● (c)
<u>Wind Facility</u>			●
Park, Public	●	●	●
Personal Storage			● (d)
Public Use	●	●	●
<p>NOTES:</p> <p>(a) — Where a residential lot is created for a surplus dwelling, the permitted uses are limited to the uses for a Rural Residential (RR) Zone, as noted in Table 6.1.</p> <p>(b) — Where a residential lot having an area of Four (4) hectares or less is created by consent, the permitted uses are limited to the principal uses for a Rural Residential (RR) Zone, as noted in Table 6.1, and is subject to the lot requirements for the Rural Residential (RR) Zone, as noted in Table 6.3. (By-law 2023-46)</p> <p>(c) — A kennel is only permitted on a lot with a minimum lot area of 10 hectares</p> <p>(d) — Personal Storage uses are only permitted on a lot with a minimum lot area of 5 hectares</p> <p>(e) — Where a surplus dwelling is removed from a farm property by consent, the permitted uses on the remnant farm property shall be as provided in the A2 zone. (By-law 2017/83)</p>			

TABLE 9.2 – PERMITTED ACCESSORY USES IN AGRICULTURAL AND RURAL ZONES

USE	ZONE		
	A1 (a)	A2	RU (b)
Abattoir	●		●
Additional Residential Unit	●		●
Agricultural Processing Establishment	●	●	●
Agricultural Produce Warehouse	●	●	●
Agricultural Product Sales Outlet	●	●	●
Agricultural Related Uses	●		●
Bed & Breakfast Establishment	●		●
Dwelling, Single Detached	●		●
Greenhouse, Nursery, Garden Centre	●	●	●
Group Home	●		●
Home Occupation Home Based Business	●		●
Home Industry	●		●
On-Farm Diversified Use	●	●	●
Private Home Daycare	●		●
Veterinary Clinic	●		●
<p>NOTES:</p> <p>(a) Where a residential lot is created for a surplus dwelling, the permitted accessory uses are limited to the uses for a Rural Residential (RR) Zone, as noted in Table 6.2.</p> <p>(b) Where a residential lot having an area of Four (4) hectares or less is created by consent, the permitted accessory uses are limited to the accessory uses for a Rural Residential (RR) Zone, as noted in Table 6.2, and is subject to the lot requirements for the Rural Residential (RR) Zone, as noted in Table 6.3. (By-law 2023/46)</p>			

9.4 Lot Requirements

No person shall, within any Agricultural or Rural Zone, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirements Table. ~~A letter(s) following a Lot Requirement, zone heading or description of the requirement, indicates that one or more conditions apply to the requirement noted or, in some cases, to the entire Zone. Conditions are listed in the Notes below the Lot Requirements Table, Table 9.3.~~

TABLE 9.3 – LOT REQUIREMENTS FOR AGRICULTURAL AND RURAL ZONES

By-Law 2015/59 Height(s) of Accessory Structures
 By-law 2017/83 RU General Lot Area

REQUIREMENT		ZONE		
		A1	A2	RU
Minimum Lot Area (hectares)	General	30 <u>25</u>	30 <u>25</u>	4
	Residential Lot (surplus dwelling)	0.4	n/a	n/a
	Residential Lot (created by consent)	n/a	n/a	<u>0.8</u> 1
Minimum Lot Frontage (metres)		60	60	60
Maximum Lot Coverage (%)		10	10	10
Maximum Lot Coverage of Accessory Buildings (%) (a)		5	5	5
Minimum Yard Requirements (metres)	Front Yard	15 (d)	15	15 (d)
	<u>Front Yard (Detached Dwelling)</u>	<u>10</u>	<u>n/a</u>	<u>10</u>
	Rear Yard	15	15	15
	Interior Side Yard	15 (b)	15	15 (b)
	<u>Interior Side Yard (Detached Dwelling)</u>	<u>4.5</u>	<u>n/a</u>	<u>4.5</u>
	Exterior Side Yard	15	15	15
Maximum Building Height (metres)		11 (e)	11 (e)	11 (e)
Maximum Accessory Building Height (m)		9	9	9
NOTES: a) — Included as part of total lot coverage. b) — Reduced to 6.0 m for Detached Dwelling c) — Maximum Building Height does not apply to any farm building or structure (except dwellings)				

9.5 Agricultural and Rural General Regulations

9.5.1 Where a residential lot having an area of Four (4) hectares or less is created by consent, the permitted uses are limited to the principal uses for a Rural Residential (RR) Zone, as noted in Table 6.1, and is subject to the lot requirements for the Rural Residential (RR) Zone, as noted in Table 6.3.

9.5.2 Notwithstanding 9.5.1, where a residential lot having an area of four (4) hectares or less is created by consent and the residential lot has frontage on a navigable watercourse, the permitted uses are limited to the principal uses for the Shoreline Residential (SR) Zone, as noted in Table 6.1, and is subject to the lot requirements for the Shoreline Residential (SR) Zone, as noted in Table 6.3.

~~9.5.1~~9.5.3 Where a surplus dwelling is removed from a farm property by consent, the permitted uses on the remnant farm property shall be as provided in the A2 zone.

9.5.29.5.4 Agricultural Related Uses

Agriculture-related uses are subject to the following provisions:

- a) The maximum combined area of all agriculture-related uses and on-farm diversified uses on a lot is 1 hectare;
- a)b) If there is more than one agriculture-related use or on-farm diversified use on a lot, the combined area of all agriculture-related and on-farm diversified uses is included in the total;
- b)c) The maximum area of agriculture-related uses includes any buildings, structures, outdoor storage areas, parking areas, and well and septic systems that are associated with the use.

9.5.5 On Farm Diversified Uses

- a) an on-farm diversified use is permitted if the principal use on the lot is agricultural, subject to the following provisions:
 - i) on-farm diversified uses are limited to 2 per cent of the total lot area, to a maximum of 1 hectare
 - ii) the maximum area in i) includes: buildings, structures and outdoor storage associated with home-based businesses and agricultural-related storage and sorting; the total area of buildings and structures associated with the on-farm diversified use; the area of laneways and septic systems used solely for the on-farm diversified use; parking areas, outdoor storage areas, and landscaped areas that are associated with an on-farm diversified use:
 - iii) The total floor area of buildings or enclosed structures occupied by an on-farm diversified use may not exceed 20% of the total land area permitted for an on-farm diversified use on the lot, to a maximum of 600 square metres.
 - iv) Any outdoor storage or parking areas associated with an on-farm diversified use must be screened from view from a public street and not be located within 10 metres of any lot line.
- b) Every effort should be made to cluster on-farm diversified uses, make use of existing laneways, and located on areas of poorer soil.
- c) The total enclosed gross floor area of a lot devoted to retail uses shall not exceed 50% of the floor area of all buildings and structures used in conjunction with the on-farm diversified use. This provision shall not apply to a farm produce outlet.
- d) The services required for the proposed on-farm diversified use are provided on the same lot.

9.6 — Agricultural and Rural Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Sections 9.5.1 to 9.5.3 below.

9.6.1 — Exceptions to Agricultural One (A1) Zone

Exception	By-law	Location	Schedule	Special Provisions
A1-1	2025/47	592 Rainville Road Part Lot 5, Concession B, parts 1 & 2, 36R-3552, Part 2, 36R-14262, Caldwell	G3-4 & H3-2	(a) A detached accessory dwelling unit is permitted (b) Only one (1) detached accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and A minimum of one parking space is provided for the accessory dwelling unit
A1-2				
A1-3				
A1-4				
A1-5				

9.6.2 — Exceptions to Agricultural Two (A2) Zone

Exception	By-law	Location	Schedule	Special Provisions
A2-1				
A2-2				
A2-3				
A2-4				
A2-5				

9.6.3 — Exceptions to Rural (RU) Zone

Exception	By-law	Location	Schedule	Special Provisions
RU-1	2013/70	Pt. Lot 9, Con. 8, Caldwell	H3-1	In addition to the permitted uses in Table 9.1, a second single detached dwelling unit is permitted.

<p>RU-2</p>	<p>915 (Twp. Springer)</p>	<p>Pt of Lot 8, Con 6, Geographic Township of Springer</p>	<p>E4-4</p>	<p>The permitted uses are limited to the following:</p> <ul style="list-style-type: none"> • Seasonal dwelling • Accessory buildings to a seasonal dwelling <p>The lot and yard requirements shall be as follows:</p> <ul style="list-style-type: none"> • Maximum number of dwelling units per lot: 1 • Maximum number of dwelling units within the area zoned RU-2: 4 • Minimum Lot Frontage: 840 metres • Minimum Lot Area: 5.6 hectares • Minimum distance between dwellings: 30 metres • Minimum front, rear and side yards: 15 metres • Maximum Lot Coverage: 10% • Maximum Building Height: 10.5 metres • Minimum Floor Area per dwelling Unit: 122 square metres • Minimum distance to lot lines for accessory buildings: 2 metres • Maximum height of accessory buildings: 6 metres <p>• No habitable buildings may be erected between the 256 metre contour and the normal high water mark of Burnt Lake and no external openings to habitable buildings will be permitted below the minimum elevation of 256 m.a.s.l.</p>
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Exception	By-law	Location	Schedule	Special Provisions
RU-3	2015/61	Part Lot 1, Concession 3, Springer	F5-4	Permitted Uses and Accessory Uses shall be as in Table 9.1 and 9.2 for the RU Zone and shall also include one (1) only accessory dwelling unit within an accessory structure.
RU-4	2016/44	Part of Lot 2, Concession C-Caldwell	H3-2	Lot Standards shall be as in Table 9.3 except that a setback of not less than 120 m from any Provincially Significant Wetland located on the property as established by MNRF.
RU-5	2016/67	SW ¼ Lot 5, Concession 1, Field	E5-1	Permitted Uses and Accessory Uses shall be as in Table 9.1 and 9.2 zone for the RU Zone and shall permit two (2) dwellings in the form of one (1) single detached dwelling and one (1) mobile home.
RU-6	2018/64	South Part Broken Lot 9, Concession 5, Falconer	L-1	Permitted Uses and Accessory Uses shall be as in Table 9.1 and 9.2 zone for the RU zone and shall permit two (2) dwellings.
RU-7	2021/30	10537 Highway 17, Verner; Part Lot 8, Concession 4, Parts 1-12, NR2164	F3-1	Permitted Accessory Uses shall include a single family dwelling.
RU-8	2021/51	174 West Bay Road, Part Lot B, Concession 5, Loudon	J2	Section 4.1 – Accessory Dwelling Unit (a) A detached accessory dwelling unit is permitted (b) Only one (1) accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and (d) A minimum of one parking space is provided for the accessory dwelling unit
RU-9	2021/52	249 Quesnel Road, Sturgeon Falls	SF-9	RU-9(a): Table 9.3: Minimum Lot Frontage 45m Table 9.1: Permitted Uses include Dwelling, Duplex RU-9(b): Table 9.3: Minimum Lot Frontage 45m

<p>RU-10</p>	<p>2022/76</p>	<p>11 Sunnyridge Rd, Verner, Part of Lot 2, Concession 2, Part 4, Plan 36R-12839</p>	<p>E2</p>	<p>Section 4.1— Accessory Dwelling Unit (a) A detached accessory dwelling unit is permitted (b) Only one (1) accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and (d) A minimum of one parking space is provided for the accessory dwelling unit</p>
<p>RU-11</p>	<p>2022/84</p>	<p>142 Plante Rd, Lavigne, Part of Lot 11, Concession 2, Macpherson</p>	<p>I1</p>	<p>Section 4.1— Accessory Dwelling Unit (a) A detached accessory dwelling unit is permitted (b) Only one (1) accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and (d) A minimum of one parking space is provided for the accessory dwelling unit</p>
<p>RU-12</p>	<p>2023/57</p>	<p>Part of Lot 3, Concession A, Parts 1 to 4, 36R-2748, Springer</p>	<p>SF-8</p>	<p>Permitted uses of the RU-zone shall be: • A duplex dwelling.</p>
<p>RU-14</p>	<p>2025/66</p>	<p>700 Burnt Lake Rd Part Lot 7, Concession 5, Springer</p>	<p>F5-4</p>	<p>(a) A detached accessory dwelling unit is permitted (b) Only one (1) detached accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and A minimum of one parking space is provided for the accessory dwelling unit</p>

Section 10: Other Zones

10.1 Establishment of Other Zones

The Other Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
Crown Lands Zone	CL	Lands in the ownership of the Crown
Provincially Significant Wetland	PSW	Provincially significant wetlands
Community Facilities Zone	CF	Institutional uses
Open Space Zone	OS	Public and private open space uses

10.2 General Prohibition

No person shall within any of the Other Zones, use any land, or erect, alter, or use any building or structure except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

10.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table. ~~A letter(s) following the symbol '●', zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Permitted Uses Table, Table 10.1.~~

TABLE 10.1 - PERMITTED USES IN OTHER ZONES

USE	CL	PSW	CF	OS
Agricultural Use (Existing)	●	●		●
Cemetery			●	●
Community Centre			●	●
Day Nursery/care Facility			●	
Driving Range				●
Educational Establishment			●	
Forestry Use	●			●
Funeral Home			●	
Golf Course				●
Government Office			●	
Health Services Establishment			●	
Hospital			●	
Hunt Camp	●			
Outdoor Recreation, Active			●	●
Outdoor Recreation, Passive			●	●
Park, Public	●		●	●
Place of Assembly			●	●
Place of Recreation			●	●
Place of Worship			●	
Residential Care Facility			●	

TABLE 10.2 - PERMITTED ACCESSORY USES IN OTHER ZONES

ACCESSORY USE	CL	PSW	CF	OS
Dwelling Unit			•	•
Dwelling, Accessory Single Detached				•

10.4 Lot Requirements

No person shall, ~~within any Industrial Zone~~, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirements Table. ~~A letter(s) following a Lot Requirement, zone heading or description of the requirement, indicates that one or more conditions apply to the requirement noted or, in some cases, to the entire Zone. Conditions are listed in the Footnotes below the Lot Requirements Table, Table 10.2.~~

TABLE 10.3 - LOT REQUIREMENTS FOR OTHER ZONES

REQUIREMENT		CL	PSW	CF	OS
Minimum Lot Area (m ²)	full services	n/a	n/a	1,000	n/a
	private and partial services	n/a	n/a	2,000	n/a
Minimum Lot Frontage (m)	full services	n/a	n/a	15	n/a
	private and partial services	n/a	n/a	30	n/a
Maximum Lot Coverage (%)	full services	5	5	50	30
	private and partial services	5	5	40	20
Maximum Lot Coverage of Accessory Buildings (%) (a)		n/a	n/a	20	10
Minimum Yard Requirements (m)	Front Yard	7.5	7.5	7.5	7.5
	Rear Yard	4.5	15	7.5	7.5
	Interior Side Yard	4.5	15	3	7.5
	Exterior Side Yard	4.5	15	7.5	7.5
	Interior Side Yard abutting a Residential Zone	4.5	15	6	7.5
	Rear Side -Yard abutting a Residential Zone	4.5	15	10	7.5
Maximum Building Height (m)		n/a	6	14	11
Maximum Accessory Building Height (m)		n/a			
Minimum Landscaped Open Space (%)		50	n/a	20	50
NOTES:					
a) Included as part of total lot coverage.					

10.5 Other Zone Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Sections 10.5.1 to 10.5.4 below.

10.5.1 Exceptions to Provincially Significant Wetland (PSW) Zone

Exception	By-law	Location	Schedule	Special Provisions
PSW-1				
PSW-2				
PSW-3				
PSW-4				
PSW-5				

10.5.2 Exceptions to Community Facilities (CF) Zone

Exception	By-law	Location	Schedule	Special Provisions
CF-1				
CF-2				
CF-3				
CF-4				
CF-5				

10.5.3 Exceptions to Open Space (OS) Zone

Exception	By-law	Location	Schedule	Special Provisions
OS-1				
OS-2				
OS-3				
OS-4				
OS-5				

Section 11: Holding Zones

11.1 Establishment of Holding Zones

Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter “H” and a number (for example R1-H-1) no person shall use the land to which the letter “H” applies for any use other than the use which existed on the date the By-law applying the “H” was passed, until the “H” is removed in accordance with the policies of the Official Plan and the *Planning Act, as amended*.

Council may pass a By-law in accordance with the Planning Act, as amended, to remove the Holding “H” symbol, when all of the applicable requirements have been met, thereby placing the lands in the zone indicated by the Zone symbol.

Properties with Holding “H” Provisions are identified on the Zoning Schedules and in Table 11.1 below, together with the conditions for the “H” removal.

4.18 Waste Management Influence Area Overlay

a) Lands located within the Waste Management Influence Area as shown on the Schedules to this by-law are subject to a Holding (H) provision and shall be used for no other purpose than those uses which legally existed prior to the passing of this By-law. The uses permitted within the underlying zone shall not be permitted and the Holding (H) provision removed until a ground and surface water study (hydrology and hydrogeology study) and methane gas migration study, and any other study as may be required by the Municipality, have been completed to the satisfaction of the Municipality to demonstrate that there will be no adverse public health and safety risks associated with the former waste disposal site(s), and to require that the owner enter into a development agreement with the Municipality to implement the recommendations of the studies. Notwithstanding the above, such studies shall not be required for the following:

- i. interior alterations to existing structures;
- ii. exterior alterations that do not expand the footprint of an existing structure;
- iii. new structures or alterations to existing structures where such structures do not prevent the free movement of air into the atmosphere; and
- iv. any structure that does not require a building permit.

11.2 Requirements for removal of Holding provision

Table 11.1 identifies properties that are subject to a Holding “H” Provision and stipulates what specific provision is required to be satisfied in order for consideration to be given to

the removal of the “H” provision.

TABLE 11.1 – HOLDING PROVISIONS

Zone Symbol	Holding Provision	Property/Legal Description	Schedule No.	By-law No.	Provisions	By-law Removing “H”
	H-1	Located throughout the municipality within areas identified on Waste Management Assessment Area	various		Approval of Study showing no contamination from the adjacent waste management facility.	
	H-2	Pt. West ½ Lot 4, Con. A, Springer	SF8 G5-3	2013/59	The Holding “H” may be removed by by-law when the following conditions have been met: <ul style="list-style-type: none"> a) Approval of servicing the site/area is given or servicing of adequate standards provided; b) A proposal is submitted for the site that conforms to the policies of the West Nipissing Official Plan and applicable zoning by-laws; c) A phasing plan is submitted; d) Architectural or design drawings and studies, where applicable, are submitted showing the required features; e) Financial securities have been submitted; With respect to contaminated sites, the “H” may be removed upon the receipt of a report approved by Council that the appropriate level of remediation demonstrated by a Ministry of Environment acknowledged Record of Site Condition has been achieved.	2017/15
	H-3					
	H-4					

Section 12: Temporary Use

12.1 Temporary Use Provisions

Zone Symbol	By-law	Location	Schedule	Provisions
M2-1 (T)	2018/40	Lot 14, Plan 36M-618 Municipality of West Nipissing	G5-1	<ul style="list-style-type: none"> • Permitted uses in accordance with Table 8.2; • Lot requirements in accordance with Table 8.3, except for the front, rear, interior side and exterior side yards, which shall be 0.5 m • Temporary Use is in effect until April 17, 2021.
C1-2(T)	2024-72	178 Craig St Pt Block 17, Lot 10, Part 1, 36R-15058		<p>The following uses are temporarily permitted:</p> <ul style="list-style-type: none"> a) Beverage manufacturing and production, including ancillary retaining of products, provided further that: <ul style="list-style-type: none"> i) Ancillary retailing is limited to 5% of the gross floor area of the building ii) Ancillary retailing is limited to products produced on-site iii) No consumption of products shall occur on site <p>Temporary use permissions shall be in effect until September 30th, 2026.</p>

Section 13: Exception Zones

13.1 Residential Exceptions

The Provisions of this Section are modified for those properties and to the extent identified in Sections 6.5.1 to 6.5.6 below.

Exceptions to Residential One (R1) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>R1-1</u>	<u>2016/66</u>	<u>Part of Lot 2, Concession C Caldwell</u>	<u>SF5</u>	<u>The minimum rear yard shall be 2.9 m</u>
<u>R1-2</u>	<u>2019/71</u>	<u>Lot 6, Plan M-533 and Parts 4, 7, 9 and 11, 36R-13150, being part of Block 13, Plan 36M-616, Part of Lot 6, Con A, Springer</u>	<u>SF-7</u>	<p><u>The special zone shall comprise both properties described herein, neither of which may be conveyed, mortgaged or otherwise dealt with separately without a further amendment to the zoning by-law pursuant to Section 34 of the Planning Act;</u></p> <p><u>The only permitted use on the lot described as Parts 4, 7, 9 and 11, 36R-13150 shall be a detached garage, accessory to the principal residential use on Lot 6, Plan M-533.</u></p> <p><u>The garage shall meet the following requirements:</u></p> <ul style="list-style-type: none"> <u>• Minimum front yard shall be 7.5 metres;</u> <u>• Minimum rear yard shall be 7.5 metres;</u> <u>• Minimum side yards shall be 3 metres.</u> <p><u>All other provisions as applicable to the R1 zone continue to apply.</u></p>
<u>R1-3</u>	<u>2020/21</u>	<u>Part of Lot 6, Concession 1, Part 2, 36R-8430, Part 1, 36R-13191, Springer</u>	<u>SF1</u>	<u>Permitted uses shall include an accessory dwelling unit in an accessory structure.</u>
<u>R1-4</u>	<u>2020/22</u>	<u>Part of Block 33, Plan 35, Park 2, 36R-11040, Springer</u>	<u>SF2</u>	<u>Permitted accessory uses shall be as in Table 6.2 and shall also include a Home Industry (S 4.10) as a permitted accessory use.</u>
<u>R1-5</u>	<u>2025/90</u>	<u>382 Sabourin Road Part Lot 3, Concession 1 & 2, Springer</u>	<u>SF2</u>	<p><u>(a) A detached accessory dwelling unit is permitted</u></p> <p><u>(b) Only one (1) detached accessory dwelling unit may be created;</u></p> <p><u>(c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws;</u></p> <p><u>(d) A minimum of one parking space is provided for the accessory dwelling unit</u></p> <p><u>(e) The maximum lot coverage is 12%</u></p> <p><u>The maximum number of accessory structures is four (4).</u></p>

Exceptions to the Residential Two (R2) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>R2-1</u>	<u>2017/13</u>	<u>Lots 20-24 W/S Levesque Street, Lots 20-24, E/S Main Street, Sturgeon Falls</u>	<u>SF2</u>	<ul style="list-style-type: none"> • <u>The minimum lot frontage shall be 12.5 m for single detached dwellings and 6.25 m/unit for duplex and semi-detached dwellings</u> • <u>The minimum lot area shall be 350 m² for single detached dwellings and 175 m² for semi-detached and duplex dwellings</u> • <u>The rear yard setback shall be 6.0 m</u>
<u>R2-2</u>	<u>2021/06</u>	<u>Floral Street, Lot 21, E/S Floral Street Plan 14, Sturgeon Falls</u>	<u>SF-4</u>	<ul style="list-style-type: none"> • <u>Table 6.1: Permitted Uses and Accessory Uses shall be limited to Personal Storage</u> • <u>Table 6.3</u> <ul style="list-style-type: none"> • <u>Maximum lot coverage: 30%</u> • <u>Yard requirements:</u> <ul style="list-style-type: none"> • <u>Front yard: 6m</u> • <u>Rear yard: 3m</u> • <u>Interior Side yard: 3m</u>
<u>R2-3</u>	<u>2022/04</u>	<u>Domina Crescent, being Part of Lot 4, Concession 1 and Part 5, Plan 36R-13041, Springer</u>	<u>SF-2</u>	<u>Reduce minimum frontage from 18m to 6m.</u>
<u>R2-4</u>				
<u>R2-5</u>				

Exceptions to the Residential Three (R3) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>R3-1</u>	<u>2016/02</u>	<u>Part of Lot 2, Concession 1, Springer</u>	<u>SF6</u>	<u>The lot and yard requirements shall be as in Table 6.3 for the R3 Zone except for the front yard which shall be 4.5 m.</u>
<u>R3-2</u>	<u>2021/16</u>	<u>Principale Street, Verner, Proposed Lots 2-7</u>	<u>F2-2</u>	<ul style="list-style-type: none"> • <u>Permitted uses of a lot in the R3-2 zone shall be as in Table 6.1 and shall further include up to four (4) separate duplex dwellings on one lot.</u>
<u>R3-3</u>				
<u>R3-4</u>	<u>2022/01</u>	<u>12 Principale Street East, being Parcel 9873, Part Lot 10, Plan M21, Caldwell</u>	<u>F3-1</u>	<ul style="list-style-type: none"> • <u>The front yard and exterior side yard set-backs shall be zero (0)</u>
<u>R3-5</u>	<u>2022/60</u>	<u>270 Coursol Rd, Part of Lot 2, Concession 1 and Part 1, Plan 36R-9005, Sturgeon Falls</u>	<u>SF-6</u>	<u>Interior side yard: 1.2m</u> <u>Exterior side yard: 1.2m</u> <u>Front yard: 6.0m</u>
<u>R3-6</u>	<u>2023/39</u>	<u>Part of Block E, Plan M3, Sturgeon Falls</u>	<u>SF-5</u>	<u>Permitted uses of the R3-6 zone shall be:</u> <ul style="list-style-type: none"> • <u>To allow a dwelling within an accessory structure</u>

Exceptions to the Residential Four (R4) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>R4-1</u>	<u>2016/66</u>	<u>Part of Lot 2, Concession C Caldwell</u>	<u>SF5</u>	<ul style="list-style-type: none"> <u>The minimum rear yard shall be 2.9 m</u>
<u>R4-2</u>				
<u>R4-3</u>				
<u>R4-4</u>	<u>2023/80</u>	<u>Pt Lots 23, 24 W/S Main St and E/S Levesque St, Plan 11, Parts 1-8, Part of Parts 9 & 10. 36R-14258</u>	<u>SF-2</u>	<u>Minimum front yard setback: 4m</u> <u>Minimum Exterior side yard setback: 4m</u> <u>Maximum building height: 13m</u> <u>Minimum lot are per unit: 85 sq.m.</u> <u>Minimum landscaped open space: 17%</u> <u>Lot line (front): the lot line abutting Russell street</u> <u>Landscaped buffers (rear and side lot lines): zero (0) landscaped buffer along the south boundary replaced by fencing</u> <u>Landscaped buffers (outer perimeter of parking areas): zero (0) landscaped buffer along outer perimeter of parking areas</u>
<u>R4-5</u>				

Exceptions to the Shoreline Residential (SR) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>SR-1</u>	<u>2012/03</u>	<u>Lots 1-7, and Retained Lot, Pt. Island 151, French River, Keystone Island Bertran</u>	<u>K6</u>	<ul style="list-style-type: none"> <u>The minimum lot area is 1,950 square metres;</u> <u>Minimum lot area for Lot 7 and the retained lot, is 7,000 square metres;</u> <u>The minimum lot frontage is 40 m.</u>
<u>SR-2</u>	<u>2014/76</u>	<u>Part of Broken Lot 1, Concession 6, Badgerow</u>	<u>C4-3</u>	<ul style="list-style-type: none"> <u>Permitted uses are limited to recreational vehicles and accessory structures, provided such structures are non-permanent and do not have permanent foundations.</u> <u>A maximum of one recreational vehicle per lot shall be permitted.</u> <u>A septic/leaching bed is not permitted.</u> <u>No building opening is permitted below the established flood elevation which shall be determined prior to the creation of any lot on the property.</u> <u>Title to the property shall include a restrictive covenant to notify prospective purchasers of flood risk, which covenant may be removed with the consent of the Municipality of West Nipissing.</u>

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>SR-3</u>	<u>2015/21</u> <u>repealed</u> <u>by</u> <u>2018/37</u>			
<u>SR-4</u>	<u>2015/67</u>	<u>Lot 9, Plan M-304, Part of</u> <u>Block B, Part 1, 36R-13394,</u> <u>Field</u>	<u>D4-3</u>	<u>Permitted Uses and Accessory Uses shall be</u> <u>as in Table 6.1 and 6.2 for the SR Zone and</u> <u>shall also include one (1) only accessory</u> <u>dwelling unit within an accessory structure.</u>
<u>SR-5</u>	<u>2016/79</u>	<u>Lot 3, 36M-297, Part Lot 6,</u> <u>Con. C, Part 1, 36R9387,</u> <u>Part 2, 36R-13901,</u> <u>Springer</u>	<u>H5-1</u> <u>H5-3</u>	<ul style="list-style-type: none"> • <u>The special zone shall comprise both</u> <u>properties described herein, neither of</u> <u>which may be conveyed, mortgaged or</u> <u>otherwise dealt with separately</u> <u>without a further amendment to the</u> <u>zoning by-law pursuant to Section 34</u> <u>of the Planning Act;</u> • <u>Permitted Accessory Uses shall include:</u> <ul style="list-style-type: none"> (i) <u>A guest house/sleep cabin having</u> <u>a gross floor area of 96 m2 which</u> <u>may include cooking facilities;</u> (ii) <u>A garage located on a lot other</u> <u>than the lot on which the</u> <u>principal building is located.</u>
<u>SR-6</u>	<u>2017/14</u>	<u>Part of Lot 3, Con 6,</u> <u>Badgerow</u>	<u>C3</u>	<ul style="list-style-type: none"> • <u>Permitted uses are limited to</u> <u>recreational vehicles and accessory</u> <u>structures, provided such structures</u> <u>are non-permanent and do not have</u> <u>permanent foundations.</u> • <u>A maximum of one recreational vehicle</u> <u>per lot shall be permitted.</u> • <u>A septic/leaching bed is not permitted</u> <u>No building opening is permitted</u> <u>below the established flood elevation</u> <u>which shall be determined prior to the</u> <u>creation of any lot on the property.</u> • <u>Title to the property shall include a</u> <u>restrictive covenant to notify</u> <u>prospective purchasers of flood risk..</u>
<u>SR-7</u>	<u>2017/47</u>	<u>Part of Lot 8, Con B,</u> <u>Springer;</u> <u>Parts 1-4, 36R-9294</u>	<u>H4-2</u>	<ul style="list-style-type: none"> • <u>Two single detached dwellings are</u> <u>permitted on the property;</u> • <u>The maximum lot coverage shall be</u> <u>18%.</u>

<p><u>SR-8</u></p>	<p><u>2023/84</u></p>	<p><u>Part Lots 11, 12</u> <u>Concession 6, Parts</u> <u>2 and 9, 36R-13788</u> <u>being proposed</u> <u>Lots 1-6, Plan 36M-</u></p>	<p><u>E4-3</u></p>	<p><u>Lot 1: minimum lot area: 0.571ha</u> <u>Lot 2: minimum front yard setback: 18m</u> <u>Lot 3: minimum front yard setback: 18m</u> <u>Lot 4: road frontage: 30m</u> <u>Lot 5: road frontage: 32.06m</u> <u>Interior side yard: 1.65m</u> <u>Front yard setback: 9.9m</u> <u>Lot 6: road frontage: 30m</u></p>
<p><u>SR-9</u></p>	<p><u>2019/59</u></p>	<p><u>Part of Lot 3,</u> <u>Concession C,</u> <u>Caldwell</u></p>	<p><u>E3-4</u></p>	<p><u>(a) A detached accessory dwelling unit is permitted</u> <u>(b) Only one (1) accessory dwelling unit may be created;</u> <u>(c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</u> <u>(d) A minimum of one parking space is provided for the accessory dwelling unit</u></p>
<p><u>SR-10</u></p>	<p><u>2019/72</u></p>	<p><u>Part of Lot 3,</u> <u>Concession 6,</u> <u>Badgerow;</u> <u>Parts 1, 2 and 3,</u> <u>36R-14028</u></p>	<p><u>C-3</u></p>	<ul style="list-style-type: none"> <u>• Permitted structures shall be limited to canopies, decks, sheds, porches, and sunrooms. No structure intended for sleeping shall be allowed nor shall any cooking or washroom facilities be located within any structure.</u> <u>• Any structure or camping trailer intended to remain on the property for greater than 90 days shall not be located closer than 18m from the front lot line as shown in 36R-14028. Any erosion in the river bank since the depositing of Plan 36R-14028 shall be deducted from the required front yard set-back;</u> <u>• Grey water disposal and field beds may be permitted, subject to permitting by the North Bay Mattawa Conservation Authority;</u> <u>• The number of permitted permanent trailers shall be one (1) however, should the Comprehensive Zoning By-law be amended with regard to permitted recreational vehicles, then the within zone shall follow the regulations therein set out with respect to permitted numbers of camping trailers on a</u>

				<p><u>lot.</u></p> <ul style="list-style-type: none"> • <u>Transient trailers may be permitted for a consecutive period not exceeding 90 days.</u> • <u>A vegetative buffer shall be maintained across not less than 50% of the lot frontage to a depth of 9m.</u>
<u>SR-11</u>	<u>2020/77</u>	<u>Part of Lot 10, Concession 5, Part 1, NR-24, Parts 2 and 3, NR-24A, Part 4, 36R-13635, Grant</u>	<u>C6</u>	<p><u>Minimum lot frontage: 50m</u> <u>Minimum lot area: 0.36ha</u> <u>Minimum front yard: 7.5m</u></p>
<u>SR-12</u>	<u>2022/66</u>	<u>140 Promenade du Lac, being Parcels 13848 and 13856, Part Lot 1, Concession C, Springer</u>	<u>H5-2</u>	<p><u>Section 4.1 – Accessory Dwelling Unit</u> <u>(a) A detached accessory dwelling unit is permitted</u> <u>(b) Only one (1) accessory dwelling unit may be created;</u> <u>(c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</u> <u>(d) A minimum of one parking space is provided for the accessory dwelling unit</u></p>
<u>SR-13</u>	<u>2021/70</u>	<u>28 Fortin Drive, being Parcel 19393, being Part of Lot 2, Concession C and Part 3, Plan 36R-14500, Caldwell</u>	<u>H3-4</u>	<p><u>The special zone shall comprise both properties described herein, neither of which may be conveyed, mortgaged or otherwise dealt with separately without a further amendment to the zoning by-law pursuant to section 34 of the Planning Act;</u></p> <p><u>Permitted Accessory Uses shall include:</u> <u>a garage located on a lot other than the lot on which the principal building is located.</u></p>
<u>SR-14</u>	<u>2022/28</u>	<u>116A Nature’s Trail, being Part of Lot 8, Concession 1, Falconer</u>	<u>M-1</u>	<ul style="list-style-type: none"> • <u>Lot frontage 29m</u> • <u>Lot Area 0.5ha</u> • <u>Interior side yard nil</u> • <u>Maximum number of accessory structures: 4</u>
<u>SR-15</u>	<u>2022/33</u>	<u>207 Moose Point Road, being Part of Location CL17458 and Part of Broken Lot 10, Concession 5, Grant</u>	<u>C-6</u>	<ul style="list-style-type: none"> • <u>Minimum lot area 0.4ha</u> • <u>Minimum front yard setback 11m</u> • <u>Number of permitted dwellings 2</u>

SR-16	2022/83	975-B Lac Clair Rd, Field, Part of Lot 12, Concession 1 & 2, Field	E4-2	<p>Section 4.1 – Accessory Dwelling Unit</p> <p>(a) A detached accessory dwelling unit is permitted</p> <p>(b) Only one (1) accessory dwelling unit may be created;</p> <p>(c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</p> <p>(d) A minimum of one parking space is provided for the accessory dwelling unit</p>
SR-17	2022/91	Burnt Lake Rd, Sturgeon Falls Part of Lot 8, Concession 6, Springer	E4-4	Table 6.3 – To reduce the lot frontage from 60m to 50m on Lot 1 only.
SR-18	2023/18	Part of Lot 9, Concession 3, Lots 1-7, Plan 36M-720, Loudon	J1	<p>Lot requirements for the watercourse setback of the SR zone shall be:</p> <ul style="list-style-type: none"> • Lot 1- 10.57m (existing condition) • Lot 2 – 10.99m (existing condition) • Lot 3 – 15.61m (existing condition) • Lot 4 – 12.14m (existing condition) • Lot 5 – 18m • Lot 6 – 18m • Lot 7 – 18m
SR-19	2024/65	Pt Lot 6, Concession C, Part 1, 36R-4936, Springer Twp 646 Marleau Rd	H5-1	<p>Section 4.1 – Accessory Dwelling Unit</p> <p>(a) A detached accessory dwelling unit is permitted</p> <p>(b) Only one (1) accessory dwelling unit may be created;</p> <p>(c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</p> <p>(d) A minimum of one parking space is provided for the accessory dwelling unit</p>
SR-20	2024/61 *repealed by 2025/67	Pt Lot 3, Concession 5, Kirkpatrick Twp	F2-1	<p>For lots 1-6: the minimum setback from watercourse is 30 metres</p> <p>For Lot 5: the minimum eastern interior side yard setback is 5 metres</p>
SR-21	2024/71	Pt Lots 1 & 2, Concession 3, Field Twp 37 Pine Ridge Dr	D5-1	<p>(a) An accessory dwelling unit located in an accessory structure is permitted</p> <p>(b) Only one (1) accessory dwelling unit may be created;</p> <p>(c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</p> <p>(d) A minimum of one parking space is provided for the accessory dwelling unit</p>

SR-22	2025/59	234 Levert Drive Part lot 2, Concession 2, Part 2, 36R-15290, Springer	F5-4	<p>(a) A detached accessory dwelling unit is permitted</p> <p>(b) Only one (1) detached accessory dwelling unit may be created;</p> <p>(c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</p> <p>(e) A minimum of one parking space is provided for the accessory dwelling unit</p>
SR-23	2025/67	Part West Half Lot 3, Concession 5, Parts 3 to 5, 36R- 14822, Kirkpatrick	F2-1	<p>Permitted principal use shall be:</p> <ul style="list-style-type: none"> • Single detached dwelling • Seasonal dwelling • Mobile home dwelling • Modular dwelling <p>For lots 1-6 – Watercourse setback</p> <ul style="list-style-type: none"> • The minimum setback from watercourse is 30 metres <p>For Lot 5 – Interior Side Yard Setback</p> <p>(f) The minimum western interior side yard setback is 5 metres</p>
SR-24	2025/83	34 Fortin drive Part Lot 2, Concession C, Parts 2 & 3, NR-89, Part 1, 36R-11618, Caldwell	H3-4	<p>(a) The maximum number of accessory structures shall be five (5).</p> <p>(b) The maximum lot coverage for accessory buildings shall be 6.3%.</p> <p>(g) The minimum western side yard setback for a sleep cabin shall be 1.8 metres.</p>

Exceptions to the Rural Residential (RR) Zone

Exception	By-law	Location	Schedule	Special Provisions
RR-1	2019/21	Part of Lot 8, Concession A, Part 1, 36R-14013, Caldwell	G3-3	Permitted Accessory Uses shall be as in Table 6.2 for the RR Zone and shall also include a Place of Entertainment as an additional permitted use.
RR-2	2020/61	Part of Lot 5, Concession 5, Part 3, 36R-13422, KirkPatrick	F2-1	<p>Permitted uses shall be as in Table 6.2 and shall also include the following:</p> <p>Agricultural uses, as in 3.6, but shall exclude truck gardening, animal husbandry and dairying.</p> <p>Greenhouse, as in 3.72</p> <p>Place of Worship, as in 3.135</p>
RR-3				
RR-4	2022/13	13117 Highway 17, being Part Lot 1, Concession 1, Pedley	G6	<p>Section 4.1 – Accessory Dwelling Unit</p> <p>(e) A detached accessory dwelling unit is permitted</p> <p>(f) Only one (1) accessory dwelling unit may be created;</p> <p>(g) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other</p>

				<p><u>health, safety or occupancy regulations or by-laws; and</u></p> <p><u>(h) A minimum of one parking space is provided for the accessory dwelling unit</u></p>
<u>RR-5</u>				
<u>RR-6</u>	<u>2025/36</u>	<u>968 Stewart Road Part Lot 9, Concession 2, Part 1, 36R-12515, Springer</u>	<u>F4-4</u>	<p><u>(a) A detached accessory dwelling unit is permitted</u></p> <p><u>(b) Only one (1) accessory dwelling unit may be created;</u></p> <p><u>(c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</u></p> <p><u>A minimum of one parking space is provided for the accessory dwelling unit</u></p>
<u>RR-7</u>	<u>2025/104</u>	<u>Part Lot 8, Concession B, Springer</u>	<u>G4-4</u>	<p><u>(a) No structure shall be constructed less than 5 metres from the top of bank for all roadside ditches and the drainage courses illustrated in Schedule 'B' of by-law 2025/104.</u></p> <p><u>No individual on-site sanitary system shall be constructed less than 30 metres from the top of bank for all roadside ditches and the drainage courses illustrated in Schedule 'B' of by-law 2025/104.</u></p>

Exceptions to Mobile Home Residential (MHR) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>MHR-1</u>				
<u>MHR-2</u>				

13.2 Commercial Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Sections 7.5.1 to 7.5.3 below.

Exceptions to General Commercial (C1) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>C1-1</u>		<u>Sturgeon Falls, downtown core</u>		<p><u>The Lot and Yard requirements in the C1-1 Zone shall be as follows:</u></p> <ul style="list-style-type: none"> <u>(i) Minimum lot area – NIL</u> <u>(ii) Minimum lot frontage – NIL</u> <u>(iii) Maximum lot coverage – 100%</u> <u>(iv) Minimum front, rear and side yards – NIL</u> <u>(v) No parking requirements for a commercial or residential use</u> <u>(vi) Requirements only apply to the existing buildings</u>
<u>C1-2</u>	<u>2019/58</u>	<u>Lot 10, Block 17, Plan 35, Springer</u>	<u>SF1</u>	<p><u>The lot and Yard requirements shall be as follows:</u></p> <ul style="list-style-type: none"> <u>- Minimum front yard set-back: 4.5m</u> <u>- Minimum rear yard set-back 1.6m</u> <u>- Minimum Exterior Side Yard (north) 0m</u> <u>- Minimum Interior Side Yard (south) 1m0.</u> <p><u>Permitted uses shall be motor vehicle service station and indoor storage.</u></p> <p><u>Permitted accessory uses shall be dwelling units in non-residential building</u></p>
<u>C1-3</u>	<u>2020/54</u>	<u>Part of Lot 2, Concession 1 and 2, Field</u>	<u>E5-2</u>	<p><u>Permitted uses of the C1-3 zone shall be</u></p> <ul style="list-style-type: none"> <u>• Convenience store</u> <u>• Retail store</u> <u>• Restaurant</u> <p><u>The permitted accessory uses shall be as in Table 7.2.</u></p>
<u>C1-4</u>	<u>2023/06</u>	<u>Part of Montreal Street, Part 1, Plan 36R-7270, Part of Lot 1, Lots 2-4, E/S Montreal Street, Part of Lot 5 W/S being Part 5, Plan 36R-7374</u>	<u>SF-5</u>	<p><u>Permitted uses of the C1-3 zone shall be:</u></p> <p><u>Permitted uses:</u></p> <ul style="list-style-type: none"> <u>• Business, Professional or Administrative Office; and</u> <u>• Contractor’s Establishment</u> <p><u>Permitted accessory uses:</u></p> <ul style="list-style-type: none"> <u>• Outdoor storage</u> <u>• Residential units on main floor</u>
<u>C1-5</u>				

Exceptions to Highway Commercial (C2) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>C2-1</u>	<u>2014/56</u>	<u>Part Lot 3, Concession 1, Spring, being Part 1, 36R-10553</u>	<u>SF5</u>	<p>All those uses listed in Table 7.1 for the C1 and C2 zones are permitted.</p> <p>In all other respects the provisions of the Highway Commercial (C2) Zone shall apply.</p>
<u>C2-2</u>	<u>1027 (Twp. Field)</u>	<u>Highway 539 (Field)</u>	<u>C4-3</u>	<p>The permitted uses are limited to the following:</p> <ul style="list-style-type: none"> • <u>Single Detached Dwelling</u> • <u>Automobile Body Repair Shop</u> • <u>Household Occupation</u> • <u>Motor Vehicle Sales Area</u> <p>The lot and yard requirements shall be as follows:</p> <ul style="list-style-type: none"> i) <u>Minimum Lot Area</u> 1.0 ha ii) <u>Min. Lot Frontage</u> 190 m iii) <u>Min. Exterior Side Yard</u> 10.5 m iv) <u>Min. Interior Side Yard</u> 6 m v) <u>Maximum Lot Coverage</u> 10% vi) <u>Max. No. of Dwellings per lot</u> 1 vii) <u>Max. No. of Dwelling units</u> 1 <p>For the purposes of this Section, the following definitions apply:</p> <ul style="list-style-type: none"> • <u>BODY REPAIR SHOP, AUTOMOBILE</u> means an establishment for the repair of damage to a motor vehicle caused by collision, accident, corrosion or age, and without limiting the generality of the foregoing, includes the reconstruction of motor vehicles, the painting or repainting of motor vehicles and the rebuilding or conversion of automotive engines or engine parts, but does not include an automobile service station, gas bar or impounding yard. • <u>MOTOR VEHICLE SALES AREA</u> means any land, building or structure where new or used automobiles or trucks are kept for sale, rent or lease and in conjunction with which there may be an automobile repair garage or body shop.
<u>C2-3</u>	<u>2025/10</u>	<u>202 Highway 539A Part Lot 3, Concession 4, Crerar Twp</u>	<u>B2-1</u>	To permit a detached single family dwelling
<u>C2-4</u>				
<u>C2-5</u>				

Exceptions to Tourist Commercial (C3) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u> <u>e</u>	<u>Special Provisions</u>
<u>C3-1</u>	<u>2012/56</u>	<u>Pt. Lot 8, Con. C (Caldwell), 10 Brouillette Road</u>	<u>H3-3</u>	<p>The permitted uses are limited to the following:</p> <ul style="list-style-type: none"> • <u>spa, medical and wellness service;</u> • <u>staff accommodations.</u> <p><u>The minimum lot frontage (road) is 53 m;</u> <u>Structures in existence as of Sep. 18, 2012, are deemed to comply with applicable yard requirements.</u></p>
<u>C3-2</u>	<u>2024/43</u>	<u>Pt Lot 8, Concession 2, Caldwell 432 Prang's Lane</u>	<u>K1</u>	<u>Minimum watercourse setback shall be 3.0 metres for existing structures.</u>
<u>C3-3</u>	<u>2025/58*</u> <u>repealed and replaced by</u> <u>2025/71</u>	<u>910 Quesnel Rd Part Lot 8, Concession B, Parts 3 & 4, 36R-10453, Springer Pt Lot 8, Concession B, Part 1, 36R-13193, Springer</u>	<u>H4-2</u>	<ul style="list-style-type: none"> • <u>The special zone shall consist of the property described in paragraph 1 hereof and Pt Lot 8, Concession B, Parts 3 & 4, 36R-10353, Springer Twp. (the "Property").</u> • <u>The property shall not be conveyed, mortgaged or otherwise dealt with separately without a further amendment to the zoning by-law, pursuant to Section 34 of the Planning Act.</u> • <u>A minimum 1.5m unbroken vegetative buffer shall be maintained along any lot line which abuts a residential zone.</u> • <u>The minimum setback for any principal or accessory structure, from a lot line which abuts a residential zone shall be 10m.</u> <p><u>No recreational vehicles, travel trailer, tent trailers, camper or trailer shall be parked, stored or occupied within 10m of any lot line which abuts a residential zone.</u></p>
<u>C3-4</u>				
<u>C3-5</u>				

13.3 Industrial Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Sections 8.5.1 to 8.5.4 below.

A. Exceptions to Light Industrial (M1) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>M1-1</u>	<u>2023/58</u>	<u>Part of Lot 4, Concession 2, Springer</u>	<u>G5-1</u>	Permitted uses of the M1-1 zone shall be: <ul style="list-style-type: none"> <u>Hydrovac processing/soil deposit site</u>
<u>M1-2</u>				
<u>M1-3</u>				

B. Exceptions to Heavy Industrial (M2) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>M2-1</u>	<u>2008/41</u>	<u>Pt. Lot 14, Con. 3 (Springer)</u>	<u>G5-1</u>	<u>All those uses listed in Tables 7.1 and 7.2 for C1 and C2 Zones and in Tables 8.1 and 8.2 for M1 and M2 Zones are permitted and are subject to the lot requirements for the respective zones in which the permitted use is listed.</u>
<u>M2-2</u>				
<u>M2-3</u>				

C. Exceptions to Extractive Industrial (M3) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>M3-1</u>				
<u>M3-2</u>				
<u>M3-3</u>				

D. Exceptions to Waste Disposal Industrial (M4) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>M4-1</u>				
<u>M4-2</u>				
<u>M4-3</u>				

13.4 Agricultural and Rural Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Sections 9.5.1 to 9.5.3 below.

Exceptions to Agricultural One (A1) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>A1-1</u>	<u>2025/47</u>	<u>592 Rainville Road Part Lot 5, Concession B, parts 1 & 2, 36R-3552, Part 2, 36R-14262, Caldwell</u>	<u>G3-4 & H3-2</u>	<p>(a) <u>A detached accessory dwelling unit is permitted</u></p> <p>(b) <u>Only one (1) detached accessory dwelling unit may be created;</u></p> <p>(c) <u>The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</u></p> <p><u>A minimum of one parking space is provided for the accessory dwelling unit</u></p>
<u>A1-2</u>				
<u>A1-3</u>				

Exceptions to Agricultural Two (A2) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>A2-1</u>				
<u>A2-2</u>				
<u>A2-3</u>				

Exceptions to Rural (RU) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>RU-1</u>	<u>2013/70</u>	<u>Pt. Lot 9, Con. 8, Caldwell</u>	<u>H3-1</u>	<p><u>In addition to the permitted uses in Table 9.1, a second single detached dwelling unit is permitted.</u></p>
<u>RU-2</u>	<u>915 (Twp. Springer)</u>	<u>Pt of Lot 8, Con 6, Geographic Township of Springer</u>	<u>E4-4</u>	<p><u>The permitted uses are limited to the following:</u></p> <ul style="list-style-type: none"> • <u>Seasonal dwelling</u> • <u>Accessory buildings to a seasonal dwelling</u> <p><u>The lot and yard requirements shall be as follows:</u></p> <ul style="list-style-type: none"> • <u>Maximum number of dwelling units per lot: 1</u> • <u>Maximum number of dwelling units within the area zoned RU-2: 4</u> • <u>Minimum Lot Frontage: 840 metres</u> • <u>Minimum Lot Area: 5.6 hectares</u>

				<ul style="list-style-type: none"> • <u>Minimum distance between dwellings: 30 metres</u> • <u>Minimum front, rear and side yards: 15 metres</u> • <u>Maximum Lot Coverage: 10%</u> • <u>Maximum Building Height: 10.5 metres</u> • <u>Minimum Floor Area per dwelling Unit: 122 square metres</u> • <u>Minimum distance to lot lines for accessory buildings: 2 metres</u> • <u>Maximum height of accessory buildings: 6 metres</u> • <u>No habitable buildings may be erected between the 256 metre contour and the normal high water mark of Burnt Lake and no external openings to habitable buildings will be permitted below the minimum elevation of 256 m.a.s.l.</u>
<u>RU-3</u>	<u>2015/61</u>	<u>Part Lot 1, Concession 3, Springer</u>	<u>F5-4</u>	<u>Permitted Uses and Accessory Uses shall be as in Table 9.1 and 9.2 for the RU Zone and shall also include one (1) only accessory dwelling unit within an accessory structure.</u>
<u>RU-4</u>	<u>2016/44</u>	<u>Part of Lot 2, Concession C Caldwell</u>	<u>H3-2</u>	<u>Lot Standards shall be as in Table 9.3 except that a setback of not less than 120 m from any Provincially Significant Wetland located on the property as established by MNRF.</u>
<u>RU-5</u>	<u>2016/67</u>	<u>SW ¼ Lot 5, Concession 1, Field</u>	<u>E5-1</u>	<u>Permitted Uses and Accessory Uses shall be as in Table 9.1 and 9.2 zone for the RU Zone and shall permit two (2) dwellings in the form of one (1) single detached dwelling and one (1) mobile home.</u>
<u>RU-6</u>	<u>2018/64</u>	<u>South Part Broken Lot 9, Concession 5, Falconer</u>	<u>L-1</u>	<u>Permitted Uses and Accessory Uses shall be as in Table 9.1 and 9.2 zone for the RU zone and shall permit two (2) dwellings.</u>
<u>RU-7</u>	<u>2021/30</u>	<u>10537 Highway 17, Verner; Part Lot 8, Concession 4, Parts 1-12, NR2164</u>	<u>F3-1</u>	<u>Permitted Accessory Uses shall include a single-family dwelling.</u>
<u>RU-8</u>	<u>2021/51</u>	<u>174 West Bay Road, Part Lot B, Concession 5, Loudon</u>	<u>J2</u>	<u>Section 4.1 – Accessory Dwelling Unit</u> <u>(a) A detached accessory dwelling unit is permitted</u> <u>(b) Only one (1) accessory dwelling unit may be created;</u> <u>(c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other</u>

				<p><u>health, safety or occupancy regulations or by-laws; and</u></p> <p><u>(d) A minimum of one parking space is provided for the accessory dwelling unit</u></p>
<u>RU-9</u>	<u>2021/52</u>	<u>249 Quesnel Road, Sturgeon Falls</u>	<u>SF-9</u>	<p><u>RU-9(a):</u> <u>Table 9.3: Minimum Lot Frontage 45m</u> <u>Table 9.1: Permitted Uses include Dwelling, Duplex</u></p> <p><u>RU-9(b):</u> <u>Table 9.3: Minimum Lot Frontage 45m</u></p>
<u>RU-10</u>	<u>2022/76</u>	<u>11 Sunnyridge Rd, Verner, Part of Lot 2, Concession 2, Part 4, Plan 36R-12839</u>	<u>E2</u>	<p><u>Section 4.1 – Accessory Dwelling Unit</u></p> <p><u>(a) A detached accessory dwelling unit is permitted</u></p> <p><u>(b) Only one (1) accessory dwelling unit may be created;</u></p> <p><u>(c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</u></p> <p><u>(d) A minimum of one parking space is provided for the accessory dwelling unit</u></p>
<u>RU-11</u>	<u>2022/84</u>	<u>142 Plante Rd, Lavigne, Part of Lot 11, Concession 2, Macpherson</u>	<u>I1</u>	<p><u>Section 4.1 – Accessory Dwelling Unit</u></p> <p><u>(a) A detached accessory dwelling unit is permitted</u></p> <p><u>(b) Only one (1) accessory dwelling unit may be created;</u></p> <p><u>(c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</u></p> <p><u>(d) A minimum of one parking space is provided for the accessory dwelling unit</u></p>
<u>RU-12</u>	<u>2023/57</u>	<u>Part of Lot 3, Concession A, Parts 1 to 4, 36R-2748, Springer</u>	<u>SF-8</u>	<p><u>Permitted uses of the RU zone shall be:</u></p> <ul style="list-style-type: none"> • <u>A duplex dwelling.</u>
<u>RU-14</u>	<u>2025/66</u>	<u>700 Burnt Lake Rd Part Lot 7, Concession 5, Springer</u>	<u>F5-4</u>	<p><u>(a) A detached accessory dwelling unit is permitted</u></p> <p><u>(b) Only one (1) detached accessory dwelling unit may be created;</u></p> <p><u>(c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or by-laws; and</u></p> <p><u>A minimum of one parking space is provided for the accessory dwelling unit</u></p>

13.5 Other Zone Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Sections 10.5.1 to 10.5.4 below.

Exceptions to Community Facilities (CF) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>CF-1</u>				
<u>CF-2</u>				
<u>CF-3</u>				

Exceptions to Open Space (OS) Zone

<u>Exception</u>	<u>By-law</u>	<u>Location</u>	<u>Schedule</u>	<u>Special Provisions</u>
<u>OS-1</u>				
<u>OS-2</u>				
<u>OS-3</u>				

Section ~~13~~14: Enactment

14.1 Repeal of former By-laws

- ~~a) By law No. 881, as amended, of the former Township of Field is hereby repealed upon the coming into force of this By-law;~~
- ~~b) By law No. 87-9, as amended, of the former Town of Sturgeon Falls is hereby repealed upon the coming into force of this By-law;~~
- ~~c) By law No. 18-85, as amended, of the former Township of Caldwell is hereby repealed upon the coming into force of this By-law;~~
- ~~d) By law No. 5-98, as amended, of the former Town of Cache Bay is hereby repealed upon the coming into force of this By-law;~~
- ~~e) By law No. 86-4, as amended, of the former Township of Springer is hereby repealed upon the coming into force of this By-law;~~
- ~~f) By law No. 97-01, as amended, of the former West Nipissing Planning Area is hereby repealed upon the coming into force of this By-law;~~
- a) By-law No. 2014-45, as amended, is hereby repealed upon the coming into force of this By-law.

14.2 Effective Date

This By-law shall come into force and effect on the date it is passed by the Council of the Municipality of West Nipissing subject to the applicable provisions of the Planning Act, R.S.O. 1990, c.P. 13 as amended.

14.3 Enactment (Readings)

By-law enacted this ___ day of _____ 2026.

~~By-law enacted this 8th day of July, 2014.~~

Municipality of West Nipissing

Mayor

Clerk

Schedules (Zone Maps)

Appendices

~~Appendix A: Conversion~~

Appendix A: Illustrations

~~Appendix C: Minimum Distance Separation Formula (MDS I & II)~~