



East Ferris
MUNICIPALITY • MUNICIPALITÉ

Municipality of East Ferris **DRAFT** Zoning By-Law

ADOPTED BY COUNCIL
(TBD)

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

And Whereas a new Official Plan for The Corporation of the Municipality of East Ferris came into effect on April 25th, 2016;

And Whereas the Council of The Corporation of the Municipality of East Ferris wishes to implement the objectives and policies of the new Official Plan;

And Whereas the Council of The Corporation of the Municipality of East Ferris has ensured that a Public Open House was hosted in accordance with Planning Act regulations on **October 27, 2021**;

And Whereas the Council of The Corporation of the Municipality of East Ferris has ensured that adequate information has been made available to the public, and has held at least one public meeting on **November 3, 2021** after due notice for the purpose of informing the public of this By-law;

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

And Whereas the Council of The Corporation of the Municipality of East Ferris passed Committee Report (###) adopted by Council on (DATE) by Resolution number (###) to approve Zoning By-law (###) as the new Comprehensive Zoning By-law for the Municipality of East Ferris;

Now therefore the Council of The Corporation of the Municipality of East Ferris hereby enacts as follows:

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Section 1 – Interpretation and Administration

1.1 Title

This By-law may be referred to as “The Zoning By-Law for the Municipality of East Ferris”, or “East Ferris Zoning By-law” for short.

1.2 Defined Area

This By-law applies to all land and waters within the boundaries of the Municipality of East Ferris.

1.3 Administration

This By-law shall be administered by the Manager of Planning and Economic Development, Chief Building Official, and any other persons as Council may designate from time to time.

1.4 Interpretation

1.4.1 The definitions and interpretations given in this By-law shall govern.

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

1.4.3 Words in the singular include the plural, and words in the plural include singular. Gender-specific terms include both sexes and include corporations.

1.5 Compliance with Zoning By-law

No person shall use any land, erect, place or alter, expand or use any building within the territorial limits of the Municipality of East Ferris, except in full conformity with all of the provisions of this by-law.

1.6 Uses No Explicitly Permitted are Prohibited

Any use of land not explicitly permitted by this by-law shall be prohibited.

1.7 Licenses and Building Permits

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

1.8 Buildings to be Moved

No building shall be moved within the limits of the municipality, except in conformity with this By-law, and the Building By-law of the Municipality of East Ferris.

1.9 Determining Zone Boundaries

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

1.9.1 A boundary indicated as following a highway, street or lane shall be the centre line of such highway, street or lane;

1.9.2 A boundary indicated as following a watercourse, creek, stream or the right-of-way of a railway or an electrical, gas or oil transmission line shall be the centre line of such watercourse, creek, stream, or right of way;

1.9.3 A boundary indicated as following a shoreline shall follow such shoreline, and in the event of a change in shoreline, the boundary shall be construed as moving with the actual shoreline.

1.9.4 A boundary indicated as approximately following lot lines shown on a registered plan of subdivision or Municipality lot lines shall follow such lot lines;

1.9.5 Where a boundary is indicated as approximately parallel to a street line or other feature indicated in clauses 1.9.1, 1.9.2 or 1.9.3 of this sub-section, and the distance from such street line or other feature is not indicated, and clause 1.9.4 is not applicable, such boundary shall be construed as being parallel to such street line or other feature, and the distance therefrom shall be determined according to the scale shown on the appropriate Schedule;

1.9.6 A boundary indicated as following the limits of the Municipality shall follow such limits.

1.10 Zoning Schedules

Schedule XX attached hereto, together with notations and references are hereby declared to form part of this By-law. In addition, any site plan added as Schedule XX to this By-law by amendment shall be declared to form a part of this By-law.

1.11 Offences and Penalty

Any person who contravenes any provision of this By-law and, if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention, is guilty of an offence and on conviction is liable:

1.11.1 On a first conviction to a fine of not more than \$25,000; and

1.11.1 On a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

1.11.2 Where the person convicted of a contravention of this By-law is a corporation, the corporation is liable:

1.11.3 On a first conviction to a fine of not more than \$50,000; and

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

1.11.5 Where a conviction for a breach of any of the provisions of this by-law has been entered, in addition to any other remedy or penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.

1.12 Repeal of Former By-laws

All Zoning By-laws for the Corporation of the Municipality of East Ferris and amendments to these By-laws are repealed.

1.13 Effective Date of By-law

The effective date of this By-law is the date the By-law was passed by the Council of the Corporation of the Municipality of East Ferris.

1.14 Severability Provision

If any provision of this By-law is for any reason held to be invalid by a decision of a court, all remaining provisions shall be valid and shall remain in full force and effect.

1.15 Technical Changes

Revisions may be made to this By-law without the need for a Zoning By-Law amendment in the following cases;

- 1.15.1** Corrections of spelling, grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a provision.
- 1.15.2** Adding or revising technical information on maps or schedules that does not change zone boundaries or affect the zoning of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, labels, legends, or title blocks.
- 1.15.3** Changes to appendices, footnotes, headings, indices, tables of contents, illustrations, historical or reference information, page numbering, which do not form a part of this By-law and are editorially inserted for convenience of reference only.

1.16 Closings

In the event a dedicated street or lane shown on a Schedule forming part of this By-law is closed, the property formerly in such street or land shall be included within the Zone of the adjoining property on either side of such closed street or lane. If a closed street or lane is the boundary between 2 or more different Zones, the new Zone boundaries shall be the former centre line of the closed street or lane.

1.17 Establishment of Zones

For the purposes of this By-law, the Municipality of East Ferris is divided into the following land use zones with the following symbols:

| <u>Zone</u> | <u>Symbol</u> |
|-----------------------|---------------|
| Rural | R |
| Estate Residential | RE |
| Resort Residential | RS |
| Lakefront Residential | RL |

Hamlet Residential
Urban Residential
Mobile Home Park
General Commercial
Service Commercial
Resort Commercial
Institutional
Light Industrial
General Industrial
Heavy Industrial
Recreational
Conservation

RH
RU
RMH
C1
C2
C3
I
M1
M2
M3
O1
O2

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Section 2 – Definitions

Abutting: To have a common **lot line** in any **yard** with an adjacent **street**, property, waterway, or any other feature.

Accessory Building or Structure: A **building** or **structure**, which is normally incidental or subordinate and located on the same **lot** as the primary **use**.

Accessory Use: Shall mean a **use** that is normally incidental or subordinate to a primary **use** located on the same **lot**.

Animal Hospital: A **building** where one or more licensed veterinarians or staff provide medical or surgical care, grooming or boarding services on site for household pets, but strictly does not include a **Kennel**.

Art Gallery: Shall mean a place where paintings, sketches, sculptures, or installations of handmade goods are stored and placed on display for public viewing.

Auto Body Shop: A **building** or place **used** as a motor vehicle repair shop, including auto body repairs and spray painting. Automobile fuels or lubricants may be stored or kept for sale and is where mechanical repairs or the washing or cleaning of motor vehicles may be carried out, but does not include a **carwash**.

Automobile Sales and Leasing Establishment: An area comprised of land or a **building**, or both, for the purpose of displaying new and/or **used** vehicles for sale; but does not include an automobile wrecking yard, or **salvage yard**.

Automobile Service Station: A commercially operating business **used** for the mechanical repair of motor vehicles, and/or where motor vehicle products are kept for sale, such as tires, oils, batteries, fuels, or lubricants.

Barn: Shall mean a **building** located on a **farm**, **used** for the housing or livestock, agricultural products, machinery, feed, and materials associated with an agricultural **use**. A **barn** may be considered a **main building** when associated with an agricultural **use**.

Basement: Shall mean one or more **storeys** located below the first **storey**.

Bed and Breakfast Establishment: A **home occupation** in a detached **dwelling** where the proprietor resides, and overnight accommodations are provided to guests on a temporary basis for monetary gain. This does not include a **hotel**, **restaurant**, **group home**, or any other form of **dwelling unit** as defined by this By-law.

Boathouse: Shall mean a detached, single storey **accessory building** that may project over the water in which one or more boats and accessory marine equipment are stored, kept, or repaired.

Building: Any **structure**, whether temporary or permanent, consisting of walls or flooring, and a roof.

Building Line: A line parallel to the **front lot line**, drawn starting at the closest point of the main **structure** to the **front lot line**.

Building, Main: A **building** in which the principal **use** on the **lot** is carried out.

Camp: Shall mean one or more **buildings used** for sleeping accommodation, the preparation and servicing of food, and/or sports or recreation facilities, and intended for recreation purposes on a temporary or seasonal basis. A **camp** may also include a **restaurant**.

Campground: A commercial operation **used** and maintained for campers, providing short term accommodation for tents, trailers, motor homes, cabins, or recreational vehicles. A **campground** may also include a **convenience store**.

Carport: A **building** or **structure** attached to the **main building** that is open and unobstructed by any wall, door, or post on at least one side that is **used** for the temporary parking or storage of private passenger motor vehicles or commercial vehicles. For the purpose of this By-law, the perimeter includes the main wall of the **building** to which the **carport** is attached.

Carwash: A commercially operating business which involves either automated or manual facilities, and/or detailing services, **used** for washing or cleaning of vehicles, but does not include an **automobile service station**.

Cemetery: Land that is **used** for the interment of human remains, in accordance with the *Funeral, Burial and Cremation Services Act*, 2002, S.O. 2002, C. 33, or any successor to this Act. This land may also include **accessory uses** such as a mausoleum, crematorium, or columbarium.

Club or Recreational Facility: A **building** or part thereof **used** for social, cultural, athletic, or recreational purposes.

Coach House: Shall mean a separate, permanent, self-contained second **dwelling unit** that is separate, subordinate in size and **accessory** to the principal **dwelling unit**. The unit may be a free standing **structure** attached to, or above a **detached garage** or other **accessory structure**.

Community Centre: A **building, structure**, or part thereof, or any part of the **lot used** for community activities whether **used** for commercial purposes or not. A **Community Centre** will generally be a public, municipally owned **building**.

Convenience Store: A commercially operating establishment serving the daily or occasional needs of the residents by supplying household necessities and groceries to the surrounding area.

Corporation: Shall refer to the **Corporation** of the **Municipality** of East Ferris.

Council: Shall refer to the **Council** of the **Corporation** of the **Municipality** of East Ferris.

Day Care: A **building, structure**, or part thereof, with or without an outdoor play area, **used** primarily for providing temporary care for children, seniors, or people with disabilities. The period of care should not exceed 12 consecutive hours.

Daylight Triangle: Means the portion of a **corner lot** to be kept free of **buildings** or **structures** to ensure that adequate sight lines are maintained between **streets** adjacent to a **corner lot**.

Deck: A **structure** without a roof, having a foundation to hold it **erect**, and attached to or **abutting** one or more walls of a **building**, or constructed separate from a **building**, with or without direct access to the ground, the floor of which is equal to or greater than 0.61 m above **established grade**.

Dwelling: A **building** which is **used**, or capable of being **used** for residential occupancy by one or more **persons**. A **dwelling** does not include recreational vehicles, tent trailers, **hotels, group homes, retirement homes**, or other institutional uses.

Dwelling, Multiple Residential: A **building**, or part thereof, which contains 3 or more separate **dwelling units** on the same **lot**, with either independent entrances, or entrances through a common vestibule.

Dwelling, Seasonal: A **building** that is not **used** or inhabited continuously throughout the calendar year, and is not a permanent residence for its occupants.

Dwelling, Semi-Detached: A **building** with 2 attached **dwelling units**, vertically divided, and located on their own separate **lots**. Each **dwelling unit** shall front onto a **street**.

Dwelling, Single Detached: A **building** comprised of one **dwelling unit**.

Dwelling, Townhouse: A **building** of 3 or more **dwelling units** divided vertically and separated by a common wall extended from the base of the foundation to the roof line, with each unit having an independent entrance at **established grade**.

Dwelling Unit: Shall mean a room or group of rooms in a **building** to be **used** as living quarters as a self-contained unit. A **dwelling unit** is subject to the following;

- a) In which food preparation and sanitary facilities are provided for the exclusive **use** of the inhabitant of the **dwelling unit**, and
- b) Which has a private entrance from outside the **building** or from a common hallway or stairway inside the **building**, but
- c) Does not mean or include a tent, or room, or suite of rooms in a boarding or rooming house, in a **hotel**, or **tourist trailer**.

Erect: Shall mean to construct, reconstruct, alter, build, and/or relocate and, without limiting the generality of the foregoing, includes any associated physical operations. This also includes structurally altering any **existing building** or **structure**.

Established Grade: Means with reference to a **building** or **structure**, the average elevation of the finished surface of the ground immediately surrounding the **building** or **structure**. With reference to a **street**, road, or highway, means the elevation of the **street**, road, or highway established by the **Municipality** or other authority.

Existing: Shall mean legally **existing** as of the date of the passing of this By-law.

Farm: Shall mean **buildings** or land **used** for the growing of crops, the keeping of livestock, or the harvesting or collection of goods for commercial purposes. A **farm** may include **accessory uses** such as a **dwelling unit**, **accessory buildings**, and a **retail store**.

Floodplain: The area below the **high water mark** of a **watercourse**, drainage canal, or lake as defined by the North Bay-Mattawa Conservation Authority, The Ministry of Natural Resources, or the area within 30 m of the centre line of a **watercourse** whichever distance is greater.

Floor Area, Gross: The sum of all **floor areas** that are above **grade**. In the case of a **dwelling**, it shall exclude any porches, **decks**, or private **garage**.

Floor Area, Non-Residential: Shall mean the total **floor area** of a non-residential **building** above or below **established grade** that is dedicated to the **use** of the **building** excluding: washrooms, stairwells, elevators, mechanical rooms, or other similar spaces.

Forestry Operation: Shall mean the general raising, management and harvesting of wood and shall include the raising and cutting of fuel wood, pulpwood, lumber, Christmas trees, other forestry products and silviculture practices for sale and distribution.

Freight Container: Shall mean a metal box such as is generally associated with the overseas shipping industry, when **used** in a manner similar to an **accessory structure**.

Garage, Attached: A **building, structure**, or part thereof including a **carport**, that is attached to the primary **dwelling used** for the parking of motor vehicles, and while having direct access to the driveway.

Garage, Detached: A **building, structure**, or part thereof **used** for the parking of motor vehicles while having direct access to the driveway. However, it does not share a common wall with the main **dwelling**.

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

Gas Station: Means the **use** of land, **buildings**, or **structures** where fuel for vehicles is dispensed and may include **accessory uses** such as a **carwash** or **convenience store**. This does not include an **automobile service station** or an **auto body shop**.

Group Home: Shall mean a supportive housing facility where **persons** live as a unit under responsible supervision consistent with the requirements of its occupants, which must be licenced or approved by the Province of Ontario, but excludes a facility that provides rehabilitation of offenders.

Height: With reference to a **building**, the vertical distance measured from the **established grade** at the **building** to:

- a) The highest point of the roof surface or the parapet, whichever is the greater, of a flat roof.
- b) The deckline of a mansard roof.
- c) The midpoint between eaves and ridge of a gabled, hip, gambrel, or other type of sloped roof.
- d) In any other case not previously defined, **height** shall mean the highest point of the **building** or **structure**.

High Water Mark: The average annual high water elevation for lakes, rivers, or other water bodies.

Hobby Farm: Land on which an **accessory** barn, stable, or animal shelter may be **erected** to house domestic animals kept for recreational purposes.

Home Industry: An occupation carried out within a **dwelling** or an **accessory building or structure** by the **person(s)** whose principle residence is on the same **lot** and may include a limited number of non-resident employees. The **home industry use** shall be clearly secondary to the main residential **use**, and subject to the provisions of this By-law. Some examples of a **Home Industry** would include: home craft businesses (woodworking, small scale assembly), and repair services (small appliances, computers).

Home Occupation: An occupation or business that is carried out entirely by the occupant of a **dwelling** within their **dwelling** as an **accessory use**. This will exclude any retail commercial types of businesses, or any manufacturing and industrial uses. Some examples of a **Home Occupation** would include: Professional and Consulting Services (accountants, real estate agents, legal services), and Instructional Services (academic or artistic tutoring).

Hospital: Shall mean an institution as defined by the Public Hospitals Act of Ontario as amended from time to time.

Hotel: A **building**, or combination of **buildings used** for the purposes of catering to the needs of the travelling public. This establishment provides a furnished sleeping accommodation, and may include **accessory uses** such as a **restaurant, convenience store**, or other related **accessory** retail **uses**.

Kennel: An establishment that is operated as a commercial boarding or breeding facility for domesticated animals for commercial purposes, but shall not apply to the keeping of animals in a veterinary establishment for the purpose of observation and/or recovers necessary to veterinary treatment.

Landscaped Open Space: Any combination or ornamental shrubs, flowers, trees, or other horticultural elements, together with decorative stonework, paving, or screening, all of which may be **used** to enhance the visual aesthetics of an area. This space may also be occupied by pathways, walkways, courtyards or patios.

Lane: A private or public right-of-way that affords a secondary access to **abutting lots**, and is not generally intended for the circulation of traffic, with the exception of some local traffic.

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

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

Loading Space: Shall refer to an area of an off-street **lot used** temporarily for the parking of a commercial vehicle while loading or unloading goods, merchandise, and materials. This vehicle must not block any **street** or laneway.

Lot: Shall refer to a parcel of land that is registered at the Land Registry Office.

Lot Area: The combined horizontal area within the **lot lines** of a **lot**.

Lot, Corner: Shall refer to a **lot** situated at an intersection of, and **abutting** 2 or more public or private **streets**, provided that the angle of intersection of such **streets** is not more than 135 degrees.

Lot Coverage: The percentage of the **lot** covered by all **buildings** or **structures**, above grade, and including **decks** above 0.61 m in **height**. For **lots** having multiple zoning classifications, the **lot coverage** shall be deemed to apply to only the portion of the **lot** which is located within each zone.

Lot Depth: Shall mean the horizontal distance between the **front and rear lot lines**. When these **lot lines** are not parallel, the **lot depth** shall be the length of a line joining the midpoints of the **front and rear lot lines**.

Lot Frontage: Shall mean the distance measured in a straight line between the points where the **side lot lines** are intersected by the **front lot line**.

Lot, Interior: Shall refer to a **lot** situated between adjacent **lots**, and having access to 1 **street**.

Lot Line: Shall mean any boundary of a **lot**.

Lot line, Exterior Side: Shall mean the **lot line** other than the **front or rear lot lines** that **abut** a **street** on a **corner lot**.

Lot line, Front: Shall mean the **lot line** that divides the **lot** from the **street**, but:

- a) In the case of a **corner lot** with 2 **street lines** of equal length, the **lot line** that **abuts** the wider **street**, or **abuts** a Regional or Provincial Road or Highway shall be deemed to be the **front lot line**. In the case of both **streets** being under the same jurisdiction, and of the same width, the **Municipality** may designate either **street line** as the **front lot line**.
- b) In the case of a **corner lot abutting** a 0.3 m reserve, the **lot** so **abutting** the 0.3 m reserve shall be deemed an **exterior side lot line**, and the other line **abutting** the **street** shall be deemed the **front lot line**.
- c) In the case of a **through lot**, the longer boundary dividing the **lot** from the **street** shall be deemed to be the **front lot line** and the opposite shorter boundary shall be deemed to be the **rear lot line**. In the case that both **lot lines** should be of equal length, the **Municipality** may designate either **street line** as the **front lot line**.
- d) In the case of a **lot** with water frontage on a navigable lake, the **front lot line** shall be either the line of the established **high water mark** of such lake, or the inner limit of the original road allowance along the shore.

Lot line, Interior Side: Shall mean the **lot line** other than the **front, rear, or exterior side lot line**.

Lot Line, Rear: Shall mean the **lot line** opposite to the **front lot line**.

Lot, Through: Shall mean a **lot** bounded on 2 opposite sides by **streets**.

Main Building: The **building** that is **used** as the principal **use** on the **lot**, and includes any attached **use**, such as a **garage** or **carport**.

Manufacturing, Heavy: Shall mean an industrial or manufacturing **use** which operations do not involve the emission of air or water pollutants that exceed emission standards. A **heavy manufacturing use** is generally incompatible with other land uses, and may consist of refineries, plants, or mills. A **heavy manufacturing use** does not include a **pit or quarry**.

Manufacturing, Light: Shall mean a general industrial or manufacturing **use** which operations do not involve the emission of air or water pollutants that exceed emission standards. A **light manufacturing use** may consist of general assembling, processing, or warehousing of goods and substances such as food and beverages, textiles, wood products, or other similar **uses**.

Marina: A commercial establishment where a boat house, boat storage, boat repair facilities, boat rental, pier, dock, or any combination of the foregoing are available for commercial **use**. Additionally, a **marina** may include a gasoline pump strictly for the **use** of fuelling marine craft, and a **building** or **structure used** for the sale of marine craft, accessories, and/or refreshments.

Medical Office: A **building, structure**, or part thereof, other than a **hospital, used** for the treatment of patients by a doctor, dentist, or other licensed health professional in the Province of Ontario. This may include **accessory uses** such as a **pharmacy**, or related retail uses.

Mobile Home: A **dwelling unit** designed to be made mobile, and constructed to provide a permanent **use** for one or more **persons**. A **mobile home** by definition does not include recreational vehicles such as a **travel trailer**, tent trailer, or trailer otherwise designed.

Mobile Home Park: An area for the **use** of **mobile homes** that are **used** for permanent residences, while including all **accessory buildings** necessary to the operation of the park.

Municipality: Shall refer to the **Corporation** of the **Municipality** of East Ferris.

Municipal or Public Authority Facility: shall mean a facility operated by the **Municipality** of East Ferris or another Public Authority and may include **uses** such as parks, playgrounds, recreational facilities, or administrative facilities.

Museum: Shall mean a place where public archives, artifacts or pieces of historic or cultural significance are stored and placed on display for public viewing.

Obnoxious Use: Shall mean an offensive **use** or trade, or any **use** which is a nuisance by reason of emission, or the creation of odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot, wastes, or the depositing or leaving of unsightly objects on land.

Office: A **building** or part thereof **used** for the practice of professional services and general business administration. Examples may include, but are not limited to, lawyers' offices, real estate offices, or corporate administrative offices. This shall not include the manufacturing of any product, or general **retail store**.

Outdoor Storage: The large-scale storage of equipment and materials associated with a business operation outside of a building. This includes things such as building materials, heavy equipment and machinery, and aggregate materials.

Parking Area: Shall mean an area of land which is provided for the parking of motor vehicles, is maintained on the same **lot** on which the principal **use** is located, and includes all entrances, exits, and drive aisles.

Parking Space: The portion of a **parking area** exclusive of drive aisles which is **used** for the parking of 1 motor vehicle. A **parking space** may also be located inside a **garage**.

Person: Shall mean any individual, association, firm, partnership, Municipal **Corporation**, trust, incorporated company, corporation created under the Condominium Act, organization, trustee or agent, and the heirs, executors or other legal representatives of a **person** to whom the provisions and regulations of this By-law can apply according to law.

Personal Service Establishment: Shall mean a **building, structure**, or part thereof where services are provided and administered to individual and personal needs. A **Personal Service Establishment** is also where the retail sale of goods **accessory** to the service provided is permitted and may include hair care, health and beauty treatment, a laundromat, dry cleaning establishment, or other similar services.

Pharmacy: A **building**, or part thereof, where medical prescriptions are filled, and the facility is **used** for the sale of medications, medical devices and supplies, non-prescription medicines, and associated non-medical products.

Pit or Quarry: Shall mean the opening or excavation of the ground for the purpose of the removal of minerals, stones, or other material that are to be **used** for construction, or manufacturing processes.

Place of Religious Assembly: A **building, structure**, or part thereof that is **used** as a place of public worship.

Public Authority: Shall mean either the **Municipality** of East Ferris, Province of Ontario, Government of Canada, or any Ministry, Department, Agency, or Authority as established by the previous.

Recreational Vehicle Sales and Leasing Establishment: Shall mean a commercially established location that is comprised of land, a **building**, or both, the purpose of which is for the display or sale, or both, of new and/or **used** recreational vehicles.

Restaurant: Shall mean a **building, structure**, or part thereof, where food is prepared and offered for sale to the public for consumption within the **building or structure**, or off premises. The establishment may be licensed for the sale of alcoholic beverages.

Retail Store: Shall mean a **building** or part thereof in which goods, wares, merchandise, substances, articles, or items are offered or kept for sale directly to the public, but does not include any manufacturing, processing, or construction uses.

Retirement Home: A premises maintained and operated for **persons** requiring care and includes lodging with meals, provides nursing, medical, or similar care and treatment, but shall not include a **hospital**. A **retirement home** may include **accessory uses** such as a **convenience store** or **personal service establishment**.

Salvage Yard: A **lot** and/or **buildings used** for the storage and handling of scrap metal and materials.

School: Shall mean a public or private **school**, a technical **school**, a college or university, or any other **school** established and maintained under provincial legislation.

Second Unit: A separate and permanent self-contained unit located in the same **building** or on the same **lot** as the principal **dwelling**. The creation of the **second unit** does not result in the creation of a **semi-detached** or other defined style of **dwelling**, for the purpose of this by-law.

Self-Storage Use: Shall mean a facility where space is leased for storage purposes.

Setback: The minimum distance between any **lot line** and the nearest main wall of any **building** or **structure** and extending the full width of the **lot**.

Short Term Rental: Shall mean the **use** of a **building** or part of a **building** for overnight guest lodging for a period of not more than 28 days in exchange for payment or service.

Solar Farm: A device, or combination of devices **used** in the collection of direct solar radiation for the purpose of generating electricity or converting into usable forms of energy. This does not include the **use** of solar panels for personal **use** on a **dwelling**.

Storey: Shall mean the portion of a **building** between any floor and the floor, ceiling, or roof next above, provided that any portion of a **building** partly below **grade** shall not be deemed a **storey** unless its ceiling is at least 1.8 m above average **grade**.

Storey, Half: Shall mean the portion of a **building** located whole or partly within a sloping roof having a **floor area** of not less than 1/3 or more than the 2/3 of the **floor area** of the **storey** next below, sidewalls not less than 1.2 m in **height** and a ceiling with a minimum **height** of 2.5 m over an area equal to at least 50% of its **floor area**.

Street: A public way including a **lane**, or private right-of-way **used** for vehicles or pedestrian traffic. This may also include designs for curbs, sidewalks, or other similar features.

Street line: Shall mean the boundary line of a **street**, being the dividing line between a **lot** and **street**.

Structure: Shall mean anything that is **erected**, built or constructed of parts that are joined together, or supported by the soil and/or another **structure**. For the purposes of this By-law, a fence not exceeding 1.8 m shall not be deemed to be a **structure**.

Swimming Pool: An artificial body of water having a depth greater than 0.6 m and intended primarily for bathing, swimming and diving, but shall not include a natural, dug, or dammed pond primarily intended for aesthetic or agricultural purposes.

Tourist or Travel Trailer: Shall mean a tent trailer, truck camper, or house trailer that is **used** or intended to be **used** for a short term, and is located or parked for a temporary or seasonal period.

Tourist Trailer Park: An establishment comprising land or other premises under a single ownership, **used** for the parking of **tourist or travel trailers** on a temporary or seasonal basis, and where community laundry, social, local commercial, and recreational facilities may be located as **accessory uses**.

Use: Shall mean the purpose for which any land, **building**, **structure**, or part thereof is arranged, designed, **used**, or intended to be **used**.

Vegetative Buffer: A defined area on a **lot** along a shoreline or otherwise that is kept vegetated in its natural state or repopulated with natural vegetation if the natural state has been disturbed.

Watercourse: Shall mean a natural channel for a stream and, for the purpose of this By-law, includes a natural channel for an intermittent stream and all **watercourses**.

Wind Farm: A device or combination of devices designed to extract kinetic energy from the wind and supply it in the form of electrical energy.

Yard: An open, uncovered space on a **lot** that is unoccupied by **buildings** or **structures** except as specifically permitted elsewhere in this By-law, and is located between the main wall of the **main building**, and one of the **lot lines** of the **lot**.

Yard, Exterior: Shall mean the **yard** of a **corner lot**, which **side yard** extends from the **front yard** to the **rear yard** between the side **lot line** that **abuts** a **street**, and the nearest main wall of any **main building** or **structure**.

Yard, Front: Shall mean a **yard** extending across the full width of a **lot** between the **front lot line** and the nearest wall of any **main building** or **structure** on the **lot**. The minimum **front yard setback** means the minimum depth of a **front yard** on a **lot**.

between the **front lot line** and the nearest main wall of any **main building** or **structure** on the **lot**.

Yard, Rear: Shall mean a **yard** extending across the full width of a **lot** between the **rear lot line** and the nearest wall of any **main building** or **structure** on the **lot**. The minimum **rear yard setback** means the minimum depth of a **rear yard** on a **lot** between the **rear lot line** and the nearest main wall of any **main building** or **structure** on the **lot**.

Yard, Side: Shall mean a **yard** extending from the **front yard** to the **rear yard** of a **lot** between a **side lot line** and the nearest wall of any **building** or **structure** on a **lot**. The minimum **side yard setback** means the minimum width of a **side yard** on a **lot** between a **side lot line** and the nearest main wall of any **main building** or **structure** on the **lot**.

Section 3 – General Provisions

| Provision Name | Section |
|--|---------|
| Application of By-Law | 3.1 |
| Accessory Uses | 3.2 |
| Automobile Service Stations and Gas Stations | 3.3 |
| Bed and Breakfast Establishments | 3.4 |
| Building Repair and Reconstruction | 3.5 |
| Buildings to be Moved | 3.6 |
| Change of Use | 3.7 |
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| Home Industries and Home Occupations | 3.18 |
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| Legal Non-Conforming & Legal Non-Complying Uses and Standards | 3.21 |
| Licenses, Permits, and Other By-Laws | 3.22 |
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| Pits and Quarries | 3.25 |
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| | |
|---|------|
| Forced Roads | 3.42 |
| Setback from Septic Systems | 3.43 |
| Setbacks from Waterbodies and Wetlands | 3.44 |

For the purpose of this By-law, the following Zones are established.

| <u>Zone</u> | <u>Symbol</u> |
|-----------------------|----------------------|
| Rural | R |
| Estate Residential | RE |
| Resort Residential | RS |
| Lakefront Residential | RL |
| Hamlet Residential | RH |
| Urban Residential | RU |
| Mobile Home Park | RMH |
| General Commercial | C1 |
| Service Commercial | C2 |
| Resort Commercial | C3 |
| Institutional | I |
| Light Industrial | M1 |
| General Industrial | M2 |
| Heavy Industrial | M3 |
| Recreational | O1 |
| Conservation | O2 |

No **person** shall **use** land or **erect** a **building** or **structure** except in accordance with the general zone provisions and special zone provisions of this By-law applying to the zone in which the land, **building** or **structure** is, or is to be situated.

3.1 Application of By-Law

The provisions of this By-law apply to all lands, including islands, located within the **Municipality** of East Ferris. No **building**, **structure**, or part thereof shall hereafter be **erected** or altered, and the **use** of any building, **structure**, or **lot**, shall hereafter not be changed in whole or in part except in conformity with the provisions of this By-law.

3.2 Accessory Uses

- 3.2.1** Where this By-law permits the **use** of land, **buildings**, or **structures** for a specific **use**, such **use** shall include any **buildings**, **structures** or part thereof, or **uses** accessory to the

permitted **use**, all of which are subject to the provisions of this By-law for the particular zone in which they are located.

3.2.2 An **accessory building** or **structure** shall not be **erected** on a **lot** until the **main building** has been **erected**, with the exception of:

3.2.2.1 A temporary construction **use** where it is necessary for storage of tools and materials in connection with the construction of such **dwelling**.

3.2.2.2 In all zones, a **detached garage** may be **erected** prior to the construction of the **main building** to serve the same purpose as outlined in Section 3.2.2.1. Plans for the **main building** must be submitted with the plans for the **detached garage**.

3.2.3 A Rural (R) Zone **accessory structure** may be permitted in the **front yard**, provided that the **front yard setback** requirement and all other applicable sections of this By-Law are met for the **main building**.

3.2.4 Notwithstanding subsection 3.2.3 above, a **boathouse**, dock, wharf, gazebo, shed, or similar **accessory structure** excluding a **garage** may be located in the **front yard** of a **lot** in a Lakefront Residential (RL), or Resort Residential (RS) Zone, where **lot abuts** a navigable lake, subject to the following provisions:

3.2.4.1 Shoreline **accessory structures** shall be limited to one **storey** only.

3.2.4.2 Shoreline **accessory structures** shall not have rooftop decks or patios.

3.2.4.3 Sanitary facilities within **boathouses** are prohibited.

3.2.4.4 There shall be no habitable space or **dwelling unit(s)** permitted within a **boathouse**.

3.2.4.5 Only one **boathouse** shall be permitted on a property.

3.2.4.6 Any **boathouse** or dock shall be located on the property to which it services. For **structures** that extend into water, the property boundaries shall be drawn from the ends of the present **lot lines**, perpendicular to the shore.

3.2.4.7 A sauna shall not exceed 10 m² (107.6 sq. ft.) in **floor area**.

3.2.4.8 A dock shall only be installed in compliance with the following regulations:

Maximum Length: 15 m

Side Yard Setback: 3m

Maximum Width: 5 m

3.2.4.9 A **boathouse** may only be installed in compliance with the following regulations:

Maximum Width: 8 m

Minimum **Side Yard Setback:** 4.5 m

Minimum **Lot Frontage:** 30 m

Maximum Ground **Floor Area:** 45 m²

3.2.5 When accessory to a residential **use** across any zone, no **accessory building** shall exceed 6 m in **height**, nor be built within 2 m of the **main building**.

3.2.6 The **use** of any **accessory building or structure** for human habitation is not permitted, except as expressly permitted elsewhere in this By-Law. The **use** of any **accessory building** for the keeping of animals, other than domestic pets or animals in conjunction with a permitted **hobby farm**, is not permitted in any Residential Zone.

3.2.7 No **accessory building**, accessory to a residential **use**, shall exceed the following in any Rural or Residential Zone:

| Property Size in ha. (ac.) | Maximum Accessory Building Size (sq. ft.) |
|----------------------------|--|
| 0 – 0.6 (0 – 1.49) | 89.2 m ² (960 sq. ft.) |
| 0.61 – 4.0 (1.5 – 9.9) | 111.5 m ² (1200 sq. ft.) |
| 4.01+ (10 +) | 148.6 m ² (1600 sq. ft.) |

3.2.8 The locating of transport trailers, **freight containers**, or similar, as an **accessory use** for the storage of materials on a **lot** in a Residential or Rural Zone is not permitted. The **accessory use** of a

transport trailer or **freight container** for storage are permitted in Commercial and Industrial Zones, however under no circumstance may **freight containers** be stacked one on top of the other.

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

3.3 **Automobile Service Stations and Gas Stations**

Where **Automobile Service Stations** and **Gas Stations** are permitted in this By-law, the following provisions shall apply:

- 3.3.1 No portion of any pump island shall be located closer than 6 m from the **lot line**.
- 3.3.2 The maximum width of a curb ramp at the **lot line** shall be not more than 9 m and the minimum width not less than 7.5 m.
- 3.3.3 The minimum distance between ramps shall not be less than 9 m.
- 3.3.4 The minimum distance between the property line of the **lot** at the **lot line**, and the nearest ramp shall be 3 m.
- 3.3.5 The area included between ramps or between ramps and a **lot** line or property line as required by this By-law shall not be **used** for any purpose other than landscaping.

3.4 **Bed and Breakfast Establishments**

Where permitted by this By-Law, a **Bed and Breakfast Establishment** will be subject to the following provisions:

- 3.4.1 A **Bed and Breakfast Establishment** will only be permitted in a **single detached dwelling**.
- 3.4.2 The **Bed and Breakfast Establishment** shall have the proprietor residing on the premises, and shall be incidental and secondary to the main **use** as a **dwelling unit**.
- 3.4.3 A **Bed and Breakfast Establishment** shall be permitted in the **main building** or an **accessory building**. If it is established in an **accessory building**, the standards laid out for a **second unit** in an **accessory building** in Section 3.2 shall be adhered to.
- 3.4.4 The guest rooms shall not contain kitchen or cooking facilities.

- 3.4.5 The **Bed and Breakfast Establishment** shall have adequate parking as set forth in Section 4 – Parking and Loading Provisions.
- 3.4.6 A sign may be **erected** in accordance with the Sign By-Law of the **Municipality**.
- 3.4.7 Where a **Bed and Breakfast Establishment** is located, no other rental accommodation such as a Group Home, **Second Unit**, or similar shall be permitted.

3.5 **Building Repair and Reconstruction**

Nothing in this By-law shall prevent the strengthening to a safe condition or the reconstruction of a **building** or **structure** that is deemed to be **legal non-complying** to a standard set out in this Zoning By-law, and/or deemed to be a **legal non-conforming use**, provided that:

- 3.5.1 Such repair or reconstruction does not further contravene the provisions of this By-law, because of a change in **height, floor area**, or by changing the **use** of such **building** or **structure**; and
- 3.5.2 If the **building** is a **dwelling** house in other than a Residential Zone, it shall comply with all of the requirements set out for a residential **use** in a Rural (R) Zone.

3.6 **Buildings to be Moved**

In all zones, no **building**, whether residential or otherwise, that would normally require a building permit for construction, shall be moved within the area covered by this By-law, or shall be moved into the limits of the area covered by this By-law without an inspection and permit from the Building Inspector.

3.7 **Change of Use**

Under the provisions of this By-law, the **use** of a **building, structure**, or **lot** shall not be changed unless the new **use** conforms to the provisions of the zone in which it is located and all other applicable By-Law provisions.

3.8 **Continuation of Farming Use**

Nothing contained within this By-law shall prevent the continued **use** of any land, **building** or **structures** for **farming** purposes as defined under the term '**Farm**' in Section 2. Any additions or extensions of such **farming use** shall comply with the requirements for a Rural (R) Zone as to **lot**

coverage, yard, height provisions, as well as any provisions requested by the North Bay-Mattawa Conservation Authority or any other governmental authority having jurisdiction.

3.9 **Corner Lots in Residential Zones**

Notwithstanding any other provision of this By-law, on a **corner lot** in a Residential Zone no part of any **accessory building** or **structure** shall be **erected** closer to the **exterior lot line** than the required exterior **yard setback** for that zone.

3.10 **Daylight Triangles**

On all **corner lots** within the **Municipality**, a **daylight triangle** shall be maintained, free of **structures** or vegetation, or anything else impeding the sight lines from one **street** to another, with the exception of:

- 3.10.1 Fencing, shrubs, or comparable features which do not exceed 1.2m in **height**.

Daylight triangles shall be maintained within the triangular area that is created by connecting the points that are 6 m from the corner, along each **street** adjacent to the **corner lot**.

3.11 **Dwelling Unit below Grade**

A **dwelling unit** may be located below grade, provided that it is in compliance with all other provisions of this By-Law and meets the requirements of the Ontario Building Code and Fire Code.

3.12 **Dwelling Unit in Non-Residential Building or Lot**

No **person** shall **use** any **lot**, or **erect**, alter, or **use** any **building, structure**, or part thereof 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 regulations:

- 3.12.1 1 **dwelling unit** for **use** by the owner or operator shall be permitted per lot with an approved water supply and septic system, as per the zoning tables in Sections 5 to 10 of this By-law.
- 3.12.2 The **dwelling unit** shall have a minimum **floor area** of 70 m².
- 3.12.3 The **dwelling unit** shall have a separate washroom and kitchen facilities from those of the non-residential **use**.

- 3.12.4 The **dwelling unit** shall have one separate **parking space** as provided by Section 4 of this By-law.
- 3.12.5 The **dwelling unit** shall have a separate **building** entrance to the one provided for the non-residential **use**.
- 3.12.6 The gross **floor area** of the residential portion of a non-residential **building** in a Commercial, Industrial, or Parks and Open Space Zone shall not exceed 40% of the **floor area** of the **main building**.
- 3.13 **Dwelling Units per Lot**
- Not more than 1 **dwelling unit** shall be permitted per **lot**, except where expressly permitted otherwise in this By-Law.
- 3.14 **Farming and Hobby Farms**
- Where permitted, the following requirements are to be met for a hobby **farm**:
- 3.14.1 The minimum **lot area** is 5 acres.
- 3.14.2 The minimum **lot frontage** is 90 metres.
- 3.14.3 Only one **barn** is permitted.
- 3.14.4 Section 3.2 above will be **used** to determine maximum **height** of a **barn structure**.
- 3.14.5 The **barn** may not be located within 30 m of the any **lot lines**.
- 3.14.6 **Farms** and **Hobby Farms** may be subject to additional **setback** requirements and provisions as set forth by the North Bay-Mattawa Conservation Authority.
- 3.14.7 No livestock facility shall be **erected** or expanded unless in compliance with the Minimum Distance Separation (MDS II) calculation.
- 3.15 **Frontage on a Public or Private Street, or Navigable Lake**
- 3.15.1 Frontage on a Public **Street**: No **person** shall **erect** any **building** or **structure** in any zone unless the **lot** fronts upon an open public **street**, which is maintained year round by the Province or **Municipality**.

3.15.2 Frontage on a Private Road: Notwithstanding Section 3.15.1, where a **lot** does not have frontage on a public **street**, a **building** or **structure** may be **erected** on a **lot** in a Registered Plan of Subdivision with a properly executed subdivision agreement where the private **street** or **streets** in question will not be assumed by the **Municipality**.

3.15.3 The construction of a new **dwelling** is permitted on a **lot** which fronts a private road, providing the **lot** is an **existing lot** of record.

3.15.4 Access by Navigable Lake: Notwithstanding Section 3.13.1, where an **existing lot** of record is accessed only by navigable water, the owner of such **lot** is solely responsible for obtaining access to the **lot**.

3.16 Greater Restrictions

This By-Law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.

3.17 Height Exceptions

The **height** regulations of this By-Law shall not apply to: spires on a **Place of Religious Assembly**, or other similar ornamental or functional features, chimney, wind turbines, telecommunication or radio antennas, or flagpoles.

3.18 Home Industries and Home Occupations

Where a **home industry** is permitted, the following provisions shall apply:

3.18.1 There is no external advertising other than a sign **erected** in accordance with the By-Law of the **Municipality** governing signs.

3.18.2 There is no external storage of goods, materials or equipment.

3.18.3 Not more than 2 **persons**, other than the owner, are employed on a full time basis.

3.18.4 The **lot** shall be an **existing lot** with not less than 60 m (196.85 ft.) of frontage and 0.81 hectares (2.00 acres).

3.18.5 A **Home Industry** shall include parking that is in accordance with Section 4 – Parking and Loading Provisions. In addition, on **street** parking will not be permitted.

3.18.6 Where an **accessory building** is **used** for a **Home Industry**, as defined in Section 2, such **building** or **structure** shall be located on the **lot** at a **setback** from any **abutting** road or **street** which is 15 m greater than the **setback** required by this By-Law for the **main building** on the **lot**

Where a **home occupation** is permitted, the following provisions shall apply:

3.18.7 There is no external advertising other than a sign **erected** in accordance with the By-Law of the **Municipality** governing signs.

3.18.8 There is no external storage of goods, materials or equipment.

3.18.9 The **home occupation** shall be carried out by the individual whose principal residence is on the premises, and the **home occupation** shall be clearly secondary to the main residential **use** of the property, and shall not change the character of the **dwelling**.

3.18.10 A **home occupation** shall include parking that is in accordance with Section 4 – Parking and Loading Provisions. In addition, on **street** parking will not be permitted.

3.13.11 A **Home Occupation** or **Home Industry use** that will not be permitted:

Group Home

Retail Store

Adult Entertainment Facility

Restaurant

Retirement Home

Medical Office

Automotive Body Shop or Repair Shop

Carwash

**Automobile or Recreational Vehicle Sales and Leasing
Establishment**

Heavy Manufacturing

Kennel

3.19 ***Kennels***

A ***Kennel*** shall only be permitted on a ***lot*** that is 2 hectares (5 acres) or greater in area. Further, a ***Kennel*** shall not be permitted within 60 m of a residential ***use***.

3.20 ***Land Suitability for Use***

Notwithstanding any other provision of this By-Law, no habitable ***building*** or ***structure*** shall be ***erected***, altered, or ***used*** on land which is unsuitable for the provision or satisfactory water supply, sewage disposal, or drainage facilities.

3.21 ***Legal Non-Conforming and Legal Non-Complying Uses and Standards***

3.21.1 Continuation of Legally ***Existing Uses***:

The provisions of this By-Law shall not prevent the ***use*** of any ***lot***, ***building***, or ***structure*** for any purpose prohibited herein if such ***lot***, ***building***, or ***structure*** was lawfully ***used*** for such purposes on the day of passing of this By-Law, and provided that they continue to be ***used*** for that purpose.

3.21.2 Legally ***Existing Buildings*** or ***Structures*** with Deficient Standards:

Where a ***building***, ***structure***, or part thereof has been legally ***erected*** prior to the date of passing of this By-Law, where a standard is deficient to the requirements of this By-Law, the ***building*** or ***structure*** may be enlarged, reconstructed, repaired or renovated provided that:

3.21.2.1 The enlargement, reconstruction, repair or renovation does not further reduce an ***existing*** deficient standard.

3.21.2.2 All other applicable provisions of this By-Law are complied with.

3.22 ***Licenses, Permits, and Other By-Laws***

Nothing in this By-Law shall exempt any ***person*** from complying with the requirements of the Ontario Building Code, Fire Code, or any other By-Law in force within the ***Municipality***, or from obtaining any permit, license, permission, authority, or approval required by this or any other By-Law of

the **Municipality** of East Ferris, or by any other law in force from time to time.

3.23 Mobile Home Parks

Where a **Mobile Home Park** is permitted, the following provisions shall apply:

3.23.1 Density: The maximum permissible density for a **mobile home park** shall be 10 units for each 10,000 m².

3.23.2 Commercial **Uses**:

A **Mobile Home Park** may include such commercial **uses** such as a **convenience store, restaurant, personal service establishment**, or other similar establishment that would be designed to serve the needs of those living in the **Mobile Home Park**.

3.23.3 Separation:

Mobile Homes and any part thereof shall be separated from each other or from any other **building** by not less than 6 m. Any porch, **carport**, or similar addition to, shall be regarded as part of the **Mobile Home** for the purpose of separation.

3.23.4 Storage:

There shall be no outside storage of any furniture, domestic equipment, or seasonally **used** equipment. Adequate covered storage shall be provided and located either at the individual **Mobile Home** site, or within a special storage area provided within the **Mobile Home Park** where it can be **used** communally.

3.23.5 Recreation Space:

Not less than 10% of the gross area of a **Mobile Home Park** shall be **used** as recreation space, place in a location convenient to all residents. Such space shall be free of traffic hazards and shall not include areas designated as planting strips. Where such recreation space exceeds 500 m², 2 or more such areas will be provided.

3.23.6 Landscaping and Screening:

All areas of a **Mobile Home Park** not occupied by **Mobile Homes** and their additions, **accessory buildings** or **structures**, storage **buildings**, internal roads, footpaths, permanent **buildings** and any other development facility, with the exception of a required **yard setback**, shall be sodded and **landscaped**.

3.23.7 Parking:

Parking for a **Mobile Home** site, including visitor parking, shall be in accordance with Section 4 – Parking and Loading Provisions.

3.23.8 Each **Mobile Home** site shall be accessible by means of an internal, hard surface driveway.

3.23.9 No **Mobile Home Park** shall be established unless it is in accordance with a site plan approved by the **Council**. A **Mobile Home Park** shall be comprised of individual **lots** within a Registered Plan of Subdivision and there shall be no more than 1 **Mobile Home** per **lot**.

3.24 **Outdoor Storage**

Where outdoor storage is permitted, the following provisions shall apply:

3.24.1 Outdoor storage is located behind the front or exterior wall of the **main building** facing any **street** and complies with all **yard** requirements.

3.24.2 Any portion of a **lot used** for outdoor storage is screened from adjacent **uses** and **streets** adjoining the **lot** by a **building**, planting strip, and/or fence at least 1.8 m in **height** from the ground.

3.24.3 The area **used** for outdoor storage shall be in addition to the areas required for parking, loading, and landscaping.

3.25 **Pits and Quarries**

The making or establishment of new **pits or quarries** is prohibited except in specific locations and in accordance with the express provisions of this By-Law. No **person** shall **use** land or **erect** any **building** or **structure** for the purpose of processing, washing, sorting, screening or crushing of

3.26 Planting Strips

Where a **lot** is **used** for commercial or industrial functions, and the **interior side** or **rear lot line abuts** a Residential Zone, then the strip **abutting** such Residential **lot line** shall be **used** for no purpose other than a planting strip in accordance with the following provisions:

3.26.1 Width of Planting Strip: Minimum of 3 m.

3.26.2 **Use:**

Where a Commercial or Industrial Zone **abuts** a Residential Zone, a planting strip of evergreens, shrubs, or other similar vegetation shall be established or maintained and implemented through a Site Plan Control Agreement. Alternatively, a fence of not less than 1.8 m in **height**, and in accordance with the **Municipality** of East Ferris Fence By-Law may be **used** in place of vegetation.

3.26.3 Driveways or Walks:

In all cases where ingress and egress driveways or walks extend through a planting strip, it shall be permissible to interrupt the strip within 3 m of the edge of such driveway or within 2 m of the edge of such walk.

3.26.4 **Landscaped Open Space:**

A planting strip referred to in this subsection may form part of any **landscaped open space** required by this By-Law.

3.27 Public Uses Permitted

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** of East Ferris.

3.28 Railway Crossings, Sight Distance, and Setbacks

Where any road or **street** crosses a railway, no **building** or **structure** shall hereafter be **erected** closer than 45 m to the point of intersection of the centre line of both the railway and the road or **street**. All **buildings** and **structures** in any zone of the **Municipality** shall be **setback** from the railway lines in accordance with the minimum distances as set forth below:

| Track Classification | Setback Required |
|------------------------------------|------------------|
| Main Line (Principal or Secondary) | 30 m |
| All Other Lines | 20 m |

3.29 Seasonal Residence Conversions

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, if required.

3.30 Secondary Dwelling Units and Coach Houses

Where permitted, the following requirements are to be met for **Second Units**:

- 3.30.1 A maximum of 1 **Second Unit** shall be permitted per **lot**.
- 3.30.2 **Second Units** shall be permitted in **single detached**, **semi-detached**, or **townhouse style dwellings**.
- 3.30.3 A **Second Unit** shall not be permitted on a **lot** with waterfront frontage on Lake Nosbonsing or Trout Lake.
- 3.30.4 A **Second Unit** shall have a dedicated entrance to the unit, separate from the entrance to the primary **dwelling**.
- 3.30.5 Sufficient water supply and sewage disposal facilities must be available for both the **dwelling**, and **Second Unit**. These facilities may be shared.
- 3.30.6 A **Second Unit** must comply with all aspects of the Ontario Building Code, Ontario Fire Code, or any other applicable legislation regarding means of access, and fire separations with appropriate fire resistance ratings. Inspections must be carried out prior to tenancy of the **Second Unit**.
- 3.30.7 Where a **Second Unit** is established on a **lot**, neither a **Coach House**, **Bed and Breakfast Establishment**, Group Home, nor any other rooming units are permitted on that **lot**.

- 3.30.8** One additional ***parking space*** must be provided for a ***Second Unit***, as per Section 4 – Parking and Loading Provisions. Furthermore, the ***parking space*** for the ***Second Unit*** must have its own unimpeded access to the ***parking space***, and not be stacked parking.

Where permitted, the following requirements are to be met for a ***Coach House***:

- 3.30.9** A maximum of 1 ***Coach House*** permitted per ***lot***.
- 3.30.10** Sufficient water supply and sewage disposal facilities must be available for both the ***dwelling***, and ***Coach House***.
- 3.30.11** The ***Coach House*** must adhere to all ***yard setback*** and ***lot coverage*** requirements for the ***lot*** in which it is situated.
- 3.30.12** A ***setback*** of 8 m must be provided between the ***Coach House*** and the primary ***dwelling*** on the ***lot***.
- 3.30.13** A ***Coach House*** must comply with all aspects of the Ontario Building Code, Ontario Fire Code, or any other applicable legislation regarding means of access, and fire separations with appropriate fire resistance ratings. Inspections must be carried out prior to tenancy of the ***Second Unit***.
- 3.30.14** Where a ***Coach House*** is established on a ***lot***, neither a ***Second Unit***, ***Bed and Breakfast Establishment***, Group Home, nor any other rooming units are permitted on that ***lot***.
- 3.30.15** One additional ***parking space*** must be provided for a ***Coach House***, as per Section 4 – Parking and Loading Provisions. Furthermore, the ***parking space*** for the ***Second Unit*** must have its own unimpeded access to the ***parking space***, and not be stacked parking.
- 3.30.16** A ***Coach House*** may be no larger in floor area than 75% of the main floor area of the ***main building*** on the property.
- 3.30.17** A ***Coach House*** may only be one ***storey*** in ***height*** with a maximum ***height*** equal to the ***accessory building*** provisions for the zone in which it is located.

3.31 Signs

Any sign **erected**, altered, or **used** shall be in conformity with the Sign By-Law of the **Municipality**, or and successor By-Law.

3.32 Swimming Pools

3.32.1 Permitted in **Side Yard**:

A **swimming pool erected** in any Rural or Residential Zone shall be permitted in the **side yard** of any **lot** provided that:

3.32.1.1 No part of such pool shall be located closer to any **lot line** than the minimum distance required for the principal **building** located on such **lot**.

3.32.1.2 The maximum **height** of such pool shall be 1.2 m above the finished grade, or the ground level within 5 m of such pool; and,

3.32.1.2 Any **building, structure**, or part thereof, other than the **main building** required for changing clothing or for pumping or filtering facilities, or other similar **accessory uses**, shall be in accordance with the provisions applicable to **accessory buildings** on such **lot**.

3.32.2 Permitted in **Rear Yard**:

A **swimming pool** shall be permitted in the **rear yard** of any **lot** provided that no part of such pool shall be located closer to any **lot line** than the minimum distance required for an **accessory building** located on such **lot**.

3.32.3 **Swimming Pool** Fence:

A **swimming pool erected** in any zone shall be properly fenced when appropriate, and comply with the provisions of the Municipal By-Law governing **swimming pool** fences, and any successor By-Law thereto.

3.32.4 **Swimming Pools** shall not be permitted in the **front yard**.

3.33 Temporary Buildings and Structures

The following **uses** are permitted in all Zones within the **Municipality**:

3.33.1 Temporary **structure uses** in the construction of public works, but only for so long as it is necessary for such works to be completed or abandoned. A temporary **structure** associated with a construction project may be permitted for a period of one year, maximum.

3.33.2 A construction trailer, scaffold or other **building** or **structure** incidental to ongoing construction on the premises where it is situated, and only for so long as it is necessary for the work to be completed or abandoned.

“Abandoned” in this section shall mean the failure to proceed expeditiously with the construction of a work, as determined by the Chief Building Official.

3.34 *Through Lot*

Where a **lot**, which is not a **corner lot**, has frontage on more than 1 **street**, the **setback** and **front yard** requirements contained herein shall apply on each **street** in accordance with the provisions of this By-Law.

3.35 *Recreational Vehicle Temporary Use*

No recreational vehicles, tent trailers, or **structures** of any kind other than a **dwelling unit** shall be **used** for human habitation within the **Municipality** of East Ferris for a period of more than 14 consecutive days or 28 days in a calendar year.

3.36 *Uses Prohibited*

Notwithstanding any other provisions contained in this By-Law, the following **uses** are prohibited in the **Municipality** of East Ferris.

3.36.1 No **use** shall be permitted which from its nature or the materials **used** therein is declared by the local Board of Health, or the **Council** of the **Municipality** to be a noxious trade, business, or manufacture under the *Public Health Act* or regulations thereunder, R.S.O. 2006 as amended, or any successor to this document.

3.36.2 The manufacture or bulk storage of fertilizers, combustibles, explosives, inflammable or dangerous liquids, gasses, or similar materials.

3.36.3 The rendering of fats or animal products, a tannery or abattoir or other similar manufacture.

3.36.4 The **use** of any land or **lot** in any zone for the purpose of a **tourist trailer park**, or the **use** of a **tourist trailer**, **mobile home**, cargo or shipping container for human habitation except as specifically provided by this By-Law, unless such accommodate is a recognized **Mobile Home Park** with the **Municipality**.

3.36.5 The **use** of any land or **lot** for the purposes of a track for the racing of animals, motor vehicles, motorcycles, all-terrain vehicles, go-carts or snowmobiles. This provisions is not intended to interfere with the lawful **use** of a public road, highway, or such property **used** as an organized trail as approved by the **Municipality**.

3.36.6 The outdoor storage of partially dismantled motor vehicles, trucks, or trailers, other than in a permitted **salvage yard**. For the purpose of this section, partially dismantled vehicles include any vehicle that is required to be registered under the Highway Traffic Act and does not have a current license plate.

3.36.7 The **use** of any land or **lot** for the purpose of a waste disposal area, landfill site, or dump except for the public landfill sites owned and/or operated by the **Municipality** of East Ferris.

3.37 Uses Restricted

Notwithstanding any other provisions contained in this By-Law, the following **uses** are prohibited within 600 m of any Residential Zone:

3.37.1 The manufacture or storage of fertilizers from human or animal wastes.

3.37.2 The slaughtering of animals, except when associated with the keeping of animals as an **accessory use** in accordance with the limits and policies set out in the **Municipality** of East Ferris Animal Control By-Law.

3.38 Vacant Lot – Storage

3.38.1 A vacant **lot** in any zone shall not be **used** for the storage or parking of a motor vehicle, boat, **tourist trailer**, or other similar vehicle.

3.38.2 A vacant **lot** in any zone shall not be **used** for the storage of building materials, equipment, or other similar items, unless expressly permitted elsewhere in this by-law.

3.39 **Wind Farms or Solar Farms**

In the Rural (R) Zone where a **wind farm** or **solar farm** is permitted, the **wind farm** or **solar farm** must adhere to any and all guidelines and legislation as set forth by the Government of Ontario, or any other governmental authority having jurisdiction, or legislation as amended from time to time.

3.39.1 **Wind Farm Setbacks** from property lines:

For facilities with a capacity of 50 kW or greater, a minimum **setback** distance of the **height** of the turbine. The **height** of a turbine is measured from ground to hub, excluding the blades. Distance is from the centre of the base to the nearest property lines.

3.39.2 **Wind Farm Setbacks** for Noise:

For facilities that generate ≥ 50 kW and using 1 or more turbines, where the sound power level is ≥ 102 dBa, or the **height** of any turbine is ≥ 70 m, a **setback** of at least 550 m from the nearest noise receptor. A noise receptor is defined as the centre of a **building** or **structure** that contains one or more **dwelling**s, health facilities, institutional / educational, **community centre**, or **place of religious assembly**.

3.40 **Yard Exception, Terrain Unsuitability**

In any zone where part of such **lot** is covered by water, marsh, swale, beyond the rim of a riverbank or **watercourse**, or located at a cliff or embankment, the required **yard** shall be measured from the nearest main wall of the **main building** or **structure** to the edge of the above mentioned area at a minimum. The provision does not supersede any more restrictive provision in this by-law.

3.41 **Yard and Setback Encroachments Permitted**

3.41.1 Ornamental **Structure**:

Notwithstanding the **yard** and **setback** provisions of this By-Law to the contrary, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or other ornamental or functional features may project into any required **yard**, or the area between the road and **lot line** and the required **setback** a maximum distance of 1.0 m.

3.41.2 *Accessory Structure:*

Notwithstanding the **yard** and **setback** provisions of this By-Law to the contrary, drop awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, signs, or similar **accessory uses erected** in accordance with the By-Laws of the **Municipality** shall be permitted in any required **yard**.

3.41.3 Unenclosed Porch, Balcony, Patio or Steps:

Notwithstanding the **yard** and **setback** provisions of this By-Law to the contrary, an unenclosed porch, balcony, patio, or steps may project into any required **yard** a maximum distance of 2.5 m, provided that in no case is the **setback** from the **lot line** less than 2 m.

3.41.4 Fire Escape:

Notwithstanding the **yard** and **setback** provisions of this By-Law to the contrary, an unenclosed fire escape and the structural members necessary to its support, may project into any required **yard** or **setback** a maximum distance of 1.5 m.

3.41.5 Eaves:

Notwithstanding the **yard** and **setback** provisions of this By-Law to the contrary, the eaves on an **accessory structure** or **main building** may project into any required **yard** or **setback** a maximum distance of 1.5 m, provided that in no case is the **setback** from the **lot line** less than 1 m

3.42 Forced Roads

Where a forced road exists on a **lot**, the **setback** required from the forced road shall be equal to the **front yard setback** required by the zoning on the **lot**.

3.43 Setback From Septic Systems

The **setback** required for sewage disposal beds from the shoreline of Trout Lake, Lake Nosbonsing, and the bank of any watercourse flowing into Trout Lake or Lake Nosbonsing shall be 60 m.

3.44 **Setback From Waterbodies and Wetlands**

No new ***building*** shall be erected in any zone within 30 m of any lake, river, stream or wetland. Specific regulations related to a zone or water feature may supersede this regulation.

3.44.1 Shoreline ***accessory structures*** are exempt from this regulation.

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Section 4 – Parking and Loading Provisions

4.1 Parking Space Requirements

Parking spaces and **parking areas** are required under this By-law in accordance with the following provisions. The owner of every **building** or **structure** erected or used for any of the purposes as set forth below shall provide and maintain for the sole **use** of the owner, occupant, or other **persons** entering upon or making **use** of the said premises from time to time. The **parking spaces** required are as follows:

| Building Type / Use | Parking Requirements |
|--|--|
| Automobile Service Station and Auto Body Shop | 1 parking space for every 30m ² of floor area . |
| Bed and Breakfast Establishment | 1 parking space for each lodging suite, in addition to the required parking for the dwelling . |
| Camp or Campground | 1 parking space for every site, plus 1 visitor parking space for every 4 sites. |
| Convenience or Grocery Store | 1 parking space for every 10m ² of floor area . |
| Dwelling: Detached, Semi-detached | 2 parking space, garage, or carport . |
| Dwelling: Secondary Unit, or Coach House | 1 parking space , in addition to the required parking for the dwelling . |
| Dwelling: Townhouse, Multiple Residential | 1 ½ parking spaces per dwelling unit. |
| Dwelling: Unit in Non-Residential building | 1 parking space per dwelling unit, in addition to the required parking for the primary non-residential use . |
| Dwelling: Water Access Only Lots | 0 parking spaces required |
| Dwelling: All Other Residential | 1 parking space per dwelling unit. |
| Hotel and Tourist Trailer Park | 1 parking space per guest room, plus 1 additional parking space for every 30m ² of floor area devoted to public use . |
| Marina | 1 parking space for every 20m ² of total retail floor area , plus 1 parking space for each boat slip. |
| Medical Office | 5 parking spaces for each practitioner. |
| Mobile Home Park | 1 parking space per dwelling unit. |
| Office | 1 parking space for every 10m ² of office floor area . |
| Other: Commercial Uses | 1 parking space for every 20m ² of floor area . |

| | |
|--|---|
| Other: Industrial Uses | 1 parking space for every 50m ² of floor area . |
| Other: All Other Uses | 1 parking space for every 30m ² of floor area . |
| Place of Religious Assembly , Funeral Home, Auditorium, Restaurant , Theatre, Arena, Hall, Club or Recreational Facility , or Community Centre . | Fixed Seats: 1 parking space for every 3 seats or 3 m of bench space. No Fixed Seats: 1 parking space for every 10m ² of floor area devoted to public use . |
| Retirement Home | 1 parking space for every 2 beds. |
| School | 1 ½ parking spaces for each teaching area. |

4.2 Parking Spaces and Accessible Parking Spaces

| Parking Space Classification | Minimum Width | Minimum Length |
|-------------------------------|---|----------------|
| Standard (90 degree to aisle) | 2.75 metres | 6.0 metres |
| Parallel | 3.0 metres | 7.0 metres |
| Accessible | 3.4 metres, plus a 1.5 metre hatched aisle strip that may be shared by 2 accessible spaces. | 6.0 metres |
| Accessible (Parallel) | 4.1 metres | 7.0 metres |

4.3 Requirements of a Parking Area

A **parking area** shall conform to the following requirements:

- 4.3.1 The **parking area** shall be located on the same **lot** as the **use** it is intended to serve.
- 4.3.2 Each **parking space** shall be provided with unobstructed access to a **street** by a driveway, aisle, **lane**, or private road.
- 4.3.3 For any **parking area** in a Commercial or Industrial Zone which is to be used in winter, an additional area equal to 20% of the required area shall be provided for snow storage.
- 4.3.4 Any off-**street** parking facility must have the minimum number of accessible **parking spaces** in accordance with the requirements as

set forth below. Accessible ***parking spaces*** must also be distinctly marked by an accessible permit parking sign.

4.3.4.1 For ***lots*** of 12 ***parking spaces*** or fewer, at least one accessible ***parking space***.

4.3.4.2 For ***lots*** of 13 to 100 ***parking spaces***, one accessible ***parking space***, plus at least 4% of the total number of ***parking spaces*** must be accessible spaces, while rounding up to the nearest whole number.

4.4 Parking Area Surface

In a Commercial or Industrial Zone a ***parking area*** and driveway connecting the ***parking area*** with a ***street*** shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

4.5 Parking of Commercial Vehicles

A commercial vehicle may be parked in a residential zone, provided that it does not exceed a weight of 15,000 pounds and is owned or operated by the resident of the residential unit on the ***lot***.

4.6 Ingress and Egress

4.6.1 No part of any ingress or egress in any zone, other than residential, shall be located within 15 m of the intersection of any two adjacent ***streets***.

4.6.2 The width of any ingress or egress ramp along any ***street*** shall be a minimum of 4.5 m and a maximum of 7 m for a one way ramp, and a minimum of 7 m and a maximum of 12 m for a two way ramp

4.7 Illumination

Where ***parking areas*** are illuminated, lighting fixtures shall be so arranged that no part of any fixture shall be more than 10 m above the finished grade of the ***parking area***. Fixtures shall be so designed and installed that the light is directed downward and deflected away from adjacent ***lots***, roads, or ***streets***.

4.8 Addition to Building or Structure

When a **building** or **structure** has insufficient **parking area** at the date of passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built however, and no change of **use** may occur, should the effect of which mean an increase in that deficiency.

4.9 Use of Parking Spaces and Areas

Any area where off-**street** parking is permitted under this By-law shall be used for no other parking purpose than for the parking of operative passenger vehicles and commercial vehicles used in operations incidental to the permitted **uses** on the **lot**, all bearing currently valid license plates.

For the purposes of this subsection, “commercial motor vehicle” shall mean any commercial vehicles as defined in The Highway Traffic Act, or any successor to this Act.

No **person** shall within any Residential Zone **use** any part of a **front yard**, except the driveway, for the parking or temporary storage of tent trailers, motor homes, land cruisers, truck campers, boats, motorized snow vehicles, or similar types of recreational vehicles.

No **person** shall, in any Residential Zone, **use** any **tourist or travel trailer** for the purpose of providing temporary or permanent living or eating accommodation, unless in accordance with another section of this by-law.

4.10 More than One Use on a Lot

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

4.11 Buffer Area

Where a **parking area** is situated on the boundary between a Commercial Zone and a Residential Zone or an Open Space Zone, a strip of land, not less than 3 m wide shall not be used for any purpose other than landscaping.

Where a **parking area** is situated in a Residential Zone and it designed to accommodate more than 6 automobiles, a strip of land not less than 3 m

wide around the periphery of the said **parking area** shall not be used for any purpose other than landscaping, but this shall not prevent the provision of entrances for exits to said **parking area** across the strip.

4.12 Loading Space Regulations

The owner or occupant of any **lot**, **building** or **structure** used for any purpose involving the receiving, shipping, loading or unloading of **persons**, animals, goods, wares, merchandise, and raw materials, shall provide and maintain a **loading space** at the premises on the **lot** occupied by the **building** or **structure** in accordance with the policies in this section:

- 4.12.1 A **loading space** shall not form part of a **street** or **lane** within **lot** to which the **use** is located.
- 4.12.2 The **loading space** shall be 9 m in length by 3.5 m in width and shall have a vertical clearance of at least 4 m.
- 4.12.3 One **loading space** shall be provided for each 500 m² of **floor area** of the **building** or **structure** provided

4.13 Loading Space Surface

The driveways, **loading spaces** shall be constructed and maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles, and with provisions for drainage facilities.

4.14 Loading Space Location

The **loading spaces** shall be located in the **interior side yard** or **rear yard**, unless set back from the **street line** a minimum distance of 25 m, then the **loading space** may be permitted in the **exterior side yard** or **front yard**.

When a **building** or **structure** has insufficient **loading space** at the date of the passing of this By-law to comply with the requirements herein, this By-law shall not be construed to require that the deficiency be made up prior to the construction of any addition. No addition may be built however, and no change of **use** may occur, the effect of which would be an increase in that deficiency

Section 5 – Rural and Residential Zones

5.1 Permitted Uses

No **person** shall, within any Rural and Residential Zone, **use** any **lot**, or **erect**, alter, or **use** any **building** or **structure** for any purpose other than as permitted in Table 5A of this section.

5.2 Rural and Residential Zones Table

Table 5A outlines **uses** that are permitted within each Rural and Residential Zone. The permitted **uses** are denoted by the symbol '**X**'. These permitted **uses** will correspond to the column applicable to that zone; with the row identifying the specific **use**. All **uses** in any of the following Rural and Residential Zones must also follow any applicable subsection of Section 3 – General Provisions. A number in brackets following any provision indicates that additional regulations may apply and can be found listed below the table.

The Rural and Residential Zones are as follows:

| | |
|-----------------------|------------|
| Rural | R |
| Estate Residential | RE |
| Resort Residential | RS |
| Lakefront Residential | RL |
| Hamlet Residential | RH |
| Urban Residential | RU |
| Mobile Home Park | RMH |

Table 5A – Permitted Rural and Residential Uses

| USE | R | RE | RS | RL | RH | RU | RMH |
|---|----------|-----------|-----------|-----------|-----------|-----------|------------|
| <i>Bed and Breakfast Establishment</i> | X | X | | | X | X | |
| <i>Community Centre</i> | | | | | | | X |
| <i>Convenience Store</i> | | | | | | | X |
| <i>Dwelling: Multiple Residential</i> | | | | | X(1) | X(1) | |
| <i>Dwelling: Seasonal</i> | | | X | | | | |
| <i>Dwelling: Semi-detached</i> | | | | | X | X | |
| <i>Dwelling: Single Detached</i> | X | X | | X | X | X | |
| <i>Dwelling: Townhouse</i> | | | | | X(1) | X(1) | |
| <i>Farms and Hobby Farms</i> | X | | | | | | |
| <i>Group Home</i> | X | | | | X | X | |
| <i>Home Industry</i> | X | | | | | | |
| <i>Home Occupation</i> | X | X | X | X | X | X | |
| <i>Mobile Home</i> | | | | | | | X |
| <i>Parks and Playgrounds</i> | X | X | | X | X | X | X |
| <i>Personal Service Establishment</i> | | | | | | | X |
| <i>Place of Religious Assembly</i> | X | | | | X | X | |
| <i>Retirement Home</i> | | | | | X | | |
| <i>School</i> | X | | | | X | | |
| <i>Second Unit and/or Coach House</i> | X | X(2) | | | X | X | |
| <i>Short Term Rental (3)</i> | | | | | | | |
| <i>Solar or Wind Farm</i> | X | | | | | | |

Special Provisions for Table 5A – Permitted Rural and Residential Uses

- (1)** – Requires a minimum lot area of 0.8 ha and must not exceed 4 total dwelling units.
- (2)** – In the RE Zone, a Second Unit will be permitted, but not a Coach House.
- (3)** – Short Term Rentals shall only be permitted by way of specific amendment to this by-law.

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Table 5B – Zoning Requirements Table

| Zone | Use | Minimum Lot Frontage (m) | Minimum Lot Area (ha) | Maximum Lot Coverage (%) | Front Yard Setback (m) | Interior Side Yard Setback (m) | Exterior Side Yard Setback (m) | Rear Yard Setback (m) | Maximum Building Height (m) |
|-------------|------------------------------------|---------------------------------|------------------------------|---------------------------------|-------------------------------|---------------------------------------|---------------------------------------|------------------------------|------------------------------------|
| R | Dwelling: Single Detached | 60 | 0.8 | 10 | 15 | 8 | 15 | 15 | 10.5 |
| R | Farms and Hobby Farms | 90 | 2.02 | - | 15 | 15 | 15 | 30 | 10.5 |
| R | Group Home | 60 | 0.8 | 10 | 15 | 8 | 15 | 15 | 10.5 |
| R | Place of Religious Assembly | 60 | 0.8 | 10 | 15 | 8 | 15 | 15 | 10.5 |
| R | School | 60 | 0.8 | 10 | 15 | 8 | 15 | 15 | 10.5 |
| RE | Dwelling: Single Detached | 60 | 0.8 | 5 | 15 | 8 | 15 | 30 | 10.5 |
| RS | Dwelling: Seasonal | 60 | 0.8 | 10 | 8(A) | 3 | 8 | 8 | 10.5 |
| RL | Dwelling: Single Detached | 60 | 0.8 | 10 | 8 | 3 | 8 | 8 | 10.5 |

| Zone | Use | Minimum Lot Frontage (m) | Minimum Lot Area (ha) | Maximum Lot Coverage (%) | Front Yard Setback (m) | Interior Side Yard Setback (m) | Exterior Side Yard Setback (m) | Rear Yard Setback (m) | Maximum Building Height (m) |
|-------------|---------------------------------------|---------------------------------|------------------------------|---------------------------------|-------------------------------|---------------------------------------|---------------------------------------|------------------------------|------------------------------------|
| RH | Dwelling: Multiple Residential | 60 | 0.8 | 10 | 8 | 3 | 8 | 8 | 10.5 |
| RH | Dwelling: Single Detached | 60 | 0.8 | 10 | 8 | 3 | 8 | 8 | 10.5 |
| RH | Dwelling: Semi Detached | 60 | 0.8 | 10 | 8 | 3 | 8 | 8 | 10.5 |
| RH | Group Home | 60 | 0.8 | 10 | 8 | 3 | 8 | 8 | 10.5 |
| RH | Place of Religious Assembly | 60 | 0.8 | 10 | 8 | 3 | 8 | 8 | 10.5 |
| RH | Retirement Home | 60 | 0.8 | 10 | 8 | 3 | 8 | 8 | 10.5 |
| RH | School | 60 | 0.8 | 10 | 8 | 3 | 8 | 8 | 10.5 |
| RU | Dwelling: Single Detached | 60 | 0.8 | 25 | 8 | 3 | 8 | 8 | 10.5 |
| RU | Dwelling: Semi-Detached | 60 | 0.8 | 25 | 8 | 3 | 8 | 8 | 10.5 |

| Zone | Use | Minimum Lot Frontage (m) | Minimum Lot Area (ha) | Maximum Lot Coverage (%) | Front Yard Setback (m) | Interior Side Yard Setback (m) | Exterior Side Yard Setback (m) | Rear Yard Setback (m) | Maximum Building Height (m) |
|------|------------------|--------------------------|-----------------------|--------------------------|------------------------|--------------------------------|--------------------------------|-----------------------|-----------------------------|
| RU | Group Home | 60 | 0.8 | 25 | 8 | 3 | 8 | 8 | 10.5 |
| RMH | Mobile Home Park | 200 | 10 | - | 15 | 8 | 15 | 8 | 10.5 |
| RMH | Mobile Home | 25 | 0.07 | 35 | 8 | 3 | 5 | 3 | 10.5 |

Special Provisions for Table 5B – Zoning Requirements for Rural and Residential

(1) – Applies to All Zones – Minimum setback from a navigable lake or watercourse is 30 metres from established high water mark.

Table 5C – Accessory Buildings Table

| Zone | Minimum Distance to Lot Lines (m) | Maximum Height (m) |
|-------------------------------|--|---------------------------|
| R (Rural Use) | 15 | 6 |
| R (Residential) | 2 | 6 |
| RE | 2 | 6 |
| RS | 2 | 6 |
| RL | 2 | 6 |
| RH | 2 | 6 |
| RU | 2 | 6 |
| RMH (Mobile Home Park) | 8 | 6 |
| RMH (Mobile Home) | 2 | 6 |

Special Provisions for Table 5C – Accessory Buildings Table

(1) – Applies to All Zones - Minimum setback from a navigable lake or watercourse is 30 metres from established high water mark for all buildings with the exception of the following, which do not require a front yard setback:

- a. Docks
- b. Boathouses
- c. Gazebo
- d. Storage Shed
- e. Decks and Patios

Section 6 – Commercial Zones

6.1 Permitted Uses

No **person** shall, within any Commercial Zone, **use** any **lot**, or **erect**, alter, or **use** any **building** or **structure** for any purpose other than as permitted in Table 6A of this section.

6.2 Commercial Zones Table

Table 6A outlines **uses** that are permitted within each Commercial Zone. The permitted **uses** are denoted by the symbol 'X'. These permitted **uses** will correspond to the column applicable to that zone; with the row identifying the specific **use**. All **uses** in any of the following commercial or institutional zones must also follow any applicable subsection of Section 3 – General Provisions. A number in brackets following and provision indicates that additional regulations may apply and can be found listed below the table.

The Commercial Zones are as follows:

| | |
|--------------------|-----------|
| General Commercial | C1 |
| Service Commercial | C2 |
| Resort Commercial | C3 |

Table 6A – Permitted Commercial Uses

| USE | C1 | C2 | C3 |
|--|-------------|-------------|-------------|
| <i>Animal Hospital</i> | X | X | |
| <i>Automobile Service Station</i> | | X | |
| <i>Automobile Sales and Leasing Establishment</i> | | X | |
| <i>Camp or Campground</i> | | | X |
| <i>Carwash</i> | | X | |
| <i>Convenience Store</i> | X | X | X |
| <i>Dwelling Unit(s)</i> | X(1) | X(1) | X(1) |
| <i>Gas Station</i> | | X | |
| <i>Hospital</i> | X | X | |
| <i>Hotel</i> | X | | X |
| <i>Light Manufacturing and Service Shop</i> | | X | |
| <i>Marina</i> | | | X |
| <i>Medical Office</i> | X | | |
| <i>Office</i> | X | | |
| <i>Personal Service Establishment</i> | X | | |
| <i>Pharmacy</i> | X | | |
| <i>Recreational Vehicle Sales and Leasing Establishment</i> | | X | |
| <i>Restaurant</i> | X | X | X |
| <i>Retail Store</i> | X | | |

Special Provisions for Table 6A – Permitted Commercial Uses

(1) – A dwelling unit(s) in any Commercial Zone must abide by Subsection 3.12 - Dwelling Unit in Non-Residential Building or Lot of Section 3 - General Provisions.

Table 6B – Zoning Requirements Table

| Zone | Use | Minimum Lot Frontage (m) | Minimum Lot Area (ha) | Maximum Lot Coverage (%) | Front Yard Setback (m) | Interior Side Yard Setback (m) | Exterior Side Yard Setback (m) | Rear Yard Setback (m) | Maximum Building Height (m) |
|-------------|-------------------------------|---------------------------------|------------------------------|---------------------------------|-------------------------------|---------------------------------------|---------------------------------------|------------------------------|------------------------------------|
| C1 | Commercial | 45 | 0.4 | 50 | 8 | 3 | 8 | 8 | 10.5 |
| C1 | Residential | - | - | 10 | 8 | 3 | 8 | 8 | 10.5 |
| C2 | Commercial | 45 | 0.4 | 50 | 8 | 5 | 8 | 10 | 10.5 |
| C2 | Residential | - | - | 10 | 8 | 3 | 8 | 8 | 10.5 |
| C3 | Commercial (road only) | 60 | 0.4 | 50 | 15 | 8 | 15 | 15 | 10.5 |
| C3 | Commercial (on lake) | 150 | 1.2 | 10 | 30(1) | 8 | 15 | 15 | 10.5 |
| C3 | Residential | - | - | 10 | 8 | 3 | 8 | 8 | 10.5 |

Special Provisions for Table 6B – Zoning Requirements for Rural and Residential

(1) – Except a marina

Table 6C – Accessory Buildings Table

| Zone | Minimum Distance to Lot Lines (m) | Maximum Height (m) |
|-------------|--|---------------------------|
| C1 | 2 | 6 |
| C2 | 2 | 6 |
| C3 | 2 | 6 |

Section 7 – Institutional Zone

6.1 Permitted Uses

No **person** shall, within any Institutional Zone, **use** any **lot**, or **erect**, alter, or **use** any **building** or **structure** for any purpose other than as permitted in Table 7A of this section.

6.2 Institutional Zones Table

Table 7A outlines **uses** that are permitted within each Commercial Zone. The permitted **uses** are denoted by the symbol 'X'. These permitted **uses** will correspond to the column applicable to that zone; with the row identifying the specific **use**. All **uses** in any of the following commercial or institutional zones must also follow any applicable subsection of Section 3 – General Provisions. A number in brackets following any provision indicates that additional regulations may apply and can be found listed below the table.

The Institutional Zones are as follows:

Institutional

I

Table 7A Permitted Institutional Uses

| Use | I |
|---|----------|
| <i>Art Gallery</i> | X |
| <i>Cemetery</i> | X |
| <i>Club or Recreational Facility</i> | X |
| <i>Day Care</i> | X |
| <i>Hospital</i> | X |
| <i>Medical Office</i> | X |
| <i>Museum</i> | X |
| <i>Place of Religious Assembly</i> | X |
| <i>Retirement Home</i> | X |
| <i>School</i> | X |

Table 7B – Zoning Requirements Table

| Zone | Use | Minimum Lot Frontage (m) | Minimum Lot Area (ha) | Maximum Lot Coverage (%) | Front Yard Setback (m) | Interior Side Yard Setback (m) | Exterior Side Yard Setback (m) | Rear Yard Setback (m) | Maximum Building Height (m) |
|------|---------------|--------------------------|-----------------------|--------------------------|------------------------|--------------------------------|--------------------------------|-----------------------|-----------------------------|
| I | Institutional | 60 | 0.8 | 25 | 8 | 3 | 8 | 8 | 15 |

Table 7C – Accessory Buildings Table

| Zone | Minimum Distance to Lot Lines (m) | Maximum Height (m) |
|------|-----------------------------------|--------------------|
| I | 2 | 6 |

Section 8 – Industrial Zones

7.1 Permitted Uses:

No **person** shall, within any Industrial Zone, **use** any **lot**, or **erect**, alter, or **use** any **building** or **structure** for any purpose other than as permitted in Table 8A of this section.

7.2 Industrial Zones Table

Table 8A outlines **uses** that are permitted within each Industrial Zone. The permitted **uses** are denoted by the symbol 'X'. These permitted **uses** will correspond to the column applicable to that zone; with the row identifying the specific **use**. All **uses** in any of the following commercial zones must also follow any applicable subsection of Section 3 – General Provisions. A number in brackets following any provision indicates that additional regulations may apply and can be found listed below the table.

The Industrial Zones are as follows:

| | |
|--------------------|-----------|
| Light Industrial | M1 |
| General Industrial | M2 |
| Heavy Industrial | M3 |

Table 8A – Permitted Industrial Uses

| USE | M1 | M2 | M3 |
|--|-------------|-------------|-------------|
| <i>Auto Body Shop</i> | | X | |
| <i>Automobile Service Station</i> | X | X | |
| <i>Carwash</i> | X | X | |
| <i>Dwelling Unit(s)</i> | X(1) | X(1) | X(1) |
| <i>Gas Station</i> | X | X | |
| <i>Heavy Manufacturing and Service Shop</i> | | | X |
| <i>Light Manufacturing and Service Shop</i> | X | X | |
| <i>Pit or Quarry Operation</i> | | | X |
| <i>Salvage Yard</i> | | | X |
| <i>Self-Storage Use</i> | X | X | |
| <i>Outdoor Storage</i> | X | X | X |

Special Provisions for Table 8A – Permitted Rural and Residential Uses

(1) – A dwelling unit(s) in any Industrial Zone must abide by Subsection 3.12 – Dwelling Unit in Non-Residential Building or Lot of Section 3 – General Provisions.

Table 8B – Zoning Requirements Table

| Zone | Use | Minimum Lot Frontage (m) | Minimum Lot Area (ha) | Maximum Lot Coverage (%) | Front Yard Setback (m) | Interior Side Yard Setback (m) | Exterior Side Yard Setback (m) | Rear Yard Setback (m) | Maximum Building Height (m) |
|-------------|--------------------|---------------------------------|------------------------------|---------------------------------|-------------------------------|---------------------------------------|---------------------------------------|------------------------------|------------------------------------|
| M1 | Industrial | 60 | 0.8 | 40 | 15 | 8 | 15 | 15 | 10.5 |
| M1 | Residential | - | - | - | 8 | 3 | 8 | 8 | 10.5 |
| M2 | Industrial | 60 | 2 | 20 | 15 | 8 | 15 | 15 | 15 |
| M2 | Residential | - | - | - | 8 | 3 | 8 | 8 | 10.5 |
| M3 | Industrial | 60 | 2 | 20 | 30 | 30 | 30 | 30 | 20 |
| M3 | Residential | - | - | - | 8 | 3 | 8 | 8 | 10.5 |

Table 8C – Accessory Buildings Table

| Zone | Minimum Distance to Lot Lines (m) | Maximum Height (m) |
|-------------|--|---------------------------|
| M1 | 5 | 8 |
| M2 | 5 | 8 |
| M3 | 5 | 8 |

DRAFT

Section 9 – Parks and Open Space Zones

9.1 Permitted Uses

No **person** shall, within any Parks or Open Space Zone, **use** any **lot**, or **erect**, alter, or **use** any **building** or **structure** for any purpose other than as permitted in Table 9A of this section.

9.2 Parks and Open Spaces Zones Table

Table 9A outlines uses that are permitted within each Parks and Open Space Zone. The permitted **uses** are denoted by the symbol '**X**'. These permitted **uses** will correspond to the column applicable to that zone; with the row identifying the specific **use**. All **uses** in any of the following Parks and Open Space Zones must also follow any applicable subsection of Section 3 – General Provisions. A number in brackets following any provision indicates that additional regulations may apply and can be found listed below the table.

The Parks and Open Space Zones are as follows:

Recreational
Conservation

01
02

Table 9A – Permitted Parks and Open Space Uses

| USE | O1 | O2 |
|---|------|----|
| <i>Club or Recreational Facility</i> | X | |
| <i>Community Centre</i> | X | |
| <i>Dwelling Unit(s)</i> | X(1) | |
| Environmentally Protected Lands | | X |
| <i>Municipal or Public Authority Facility</i> | X | X |
| <i>Place of Religious Assembly</i> | X | |
| <i>School</i> | X | |

Special Provisions for Table 9A – Permitted Parks and Open Space Uses

(1) – A dwelling unit(s) in any Parks and Open Space Zone must abide by Subsection 3.12 - Dwelling Unit in Non-Residential Building or Lot of Section 3 - General Provisions.

Table 9B – Zoning Requirements Table

| Zone | Use | Minimum Lot Frontage (m) | Minimum Lot Area (ha) | Maximum Lot Coverage (%) | Front Yard Setback (m) | Interior Side Yard Setback (m) | Exterior Side Yard Setback (m) | Rear Yard Setback (m) | Maximum Building Height (m) |
|-------------|---------------------|---------------------------------|------------------------------|---------------------------------|-------------------------------|---------------------------------------|---------------------------------------|------------------------------|------------------------------------|
| O1 | Recreational | - | - | 10 | 8 | 8 | 8 | 10 | 10.5 |
| O1 | Residential | - | - | - | 8 | 3 | 8 | 8 | 10.5 |
| O2 | Open Space | - | - | 10 | 8 | 8 | 8 | 10 | 10.5 |

Table 9C – Accessory Buildings Table

| Zone | Minimum Distance to Lot Lines (m) | Maximum Height (m) |
|-------------|--|---------------------------|
| O1 | 2 | 6 |
| O2 | 2 | 6 |

Section 10 – Special Zones

9.1 Permitted Uses

No **person** shall, within any Special Zone, **use** any **lot**, or **erect**, alter, or **use** any **building** or **structure** for any purpose other than as permitted by the provisions of the special zoning provisions, or as otherwise directed in this by-law.

9.2 Special Zoning Naming and Numbering

In many cases special zones were historically implemented based on a mix of Council By-law numbers and Resolution numbers. This by-law maintains the existing numbering for these zones for ease of reference to historical documents. Newly implemented special zones will be done in accordance with by-law numbers and implemented in a consistent numbering in this section.

DRAFT NOTE – SPECIAL ZONES ARE STILL BEING TRANSFERRED TO THIS DOCUMENT FROM VARIOUS PAST BY-LAWS – NO CHANGES ARE PROPOSED TO EXISTING REQUIRED SPECIAL ZONES THROUGH THIS ZONING BY-LAW IMPLEMENTATION.