



Municipality of Shuniah Zoning By-law

**Second Draft
June 2026**



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1 How to Use this By-law

This section explains the purpose of this Zoning By-law and how it should be used. This guidance does not form part of the Zoning By-law passed by Council and is intended only to make the Zoning By-law more understandable and easier to reference.

Purpose of this Zoning By-law

The purpose of this Zoning By-law is to implement the policies of the Municipality of Shiniash Official Plan. The Official Plan contains policies that affect the use of land throughout the Municipality, which specify where certain land uses are permitted, general built form, and implementing regulations that should apply to the development of lands. The provisions in this by-law are intended to establish and implement minimum standards of health, safety, and general welfare in the community and to facilitate sound municipal financial management as it relates to land use.

How to Use this By-law

Step 1 – Locate Your Property and Determine the Zone

Use the zoning schedules (maps) at the end of this document to identify the zone symbol that applies to the property in question. The zone category will be indicated on the schedules by a symbol or abbreviation.

Step 2 – Determine What Uses are Permitted in the Zone

Refer to the Permitted Uses section of the applicable Zone to determine what uses are permitted. If the desired use is included on the list, it is permitted in the Zone. If a use is not included on the list, it is not permitted in that Zone, unless specified elsewhere in the by-law.

Step 3 – Determine What Zone Regulations Apply

Each zone contains performance standards that regulate the form of lots and buildings. These standards are requirements that must be achieved to obtain approval from the Municipality.

Step 4 – Determine if Any General Provisions Apply

The Zoning By-law contains provisions that apply in all circumstances, or to particular development types. Review the entire document to ensure all applicable provisions have been addressed.

Step 5 – Clarify the Meaning of a Use

Many terms in this Zoning By-law are defined in the Definitions section. If necessary, consult this section for clarification on the precise meaning of terms used in the provisions. Any term not included in the Definitions section is understood to have its common and ordinary meaning.

2 Administration

2.1 Title

1. This By-law shall be known as the Zoning By-law or **By-law No. _____** of the Corporation of the Municipality of Shuniah and shall consist of the text and schedules attached hereto.

2.2 Effective Date

1. This By-law shall take effect from the date of its passage by Council, subject to the provisions of the Planning Act.

2.3 Defined Area

1. The provisions of this By-law shall apply to all lands, including lands covered by water, within the municipal boundaries of the Municipality of Shuniah, as legally constituted now or hereafter.

2.4 Validity

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

2.5 Interpretation

1. The provisions of this By-law are the minimum requirements, except where a maximum requirement applies.
2. Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the Municipality of Shuniah or any other requirement of the Province of Ontario or Government of Canada that may affect the use of lands, buildings or structures in the Municipality.
3. Unless contrary to the intent of the provision, the terms “use” or “to use” in this By-law include anything done or permitted by the owner or occupant of any land or buildings, directly or indirectly or by or through any trustee, tenant, servant or agent, acting for, or with, the knowledge or consent of such owner or occupant, for the purpose of making use of the said land or building.
4. In this By-law, the word “shall” shall always be interpreted as mandatory.
5. In this By-law, unless the contrary intention is indicated, words used in the singular shall include the plural.
6. Despite the tense used in a provision:
 - a. Every provision of this By-law is to be applied in the circumstances as they exist at the time in question; and

- b. Every obligation imposed by this By-law is a continuing one so long as either the use, the circumstances, the reason for the obligation, or the events which caused, precipitated or gave rise to the obligation continue.

2.6 Conflict

1. In the event of a conflict between this By-law and any other by-law of the Municipality, the more restrictive provision shall prevail.
2. In the event of a conflict between this By-law and amendments thereto, and any general or special By-law, the more restrictive By-law shall prevail.

2.7 Metric and Imperial Terms

1. Where imperial measurements are included in this By-law, they are provided for convenience and do not form part of the By-law.
2. Metric measurements contained in this By-law are the only measurements to be used in determining compliance with the By-law.

2.8 Repeal of Existing By-laws

1. Upon this By-law coming into effect, any Zoning By-laws or amendments thereto passed under Section 34 of the Planning Act or a predecessor thereto are hereby repealed.
2. The adoption of this By-law shall not prevent any current, pending or future prosecution or action to abate any existing violation of previous By-laws.

2.9 Reference to Legislation

1. Where this Zoning By-law makes reference to legislation, the references shall be deemed to mean the statute currently in force and any amendments thereto and all applicable regulations thereunder.

2.10 Zone Classification

1. For the purposes of this By-law, the Municipality of Shuniah is divided into the following zones, as named and described in the following sections and shown on the attached Schedules:

Table 2-1: Zones

| Name of Zone | Zone Symbol |
|--|-------------|
| Rural (RU) Zone | RU |
| Residential (R) Zone | R |
| Shoreline Residential (SR) Zone | SR |
| Mobile Home Residential (MHR) | MR |
| Association Residential (RA) Zone | RA |
| Association Residential Reserve (ARR) Zone | ARR |
| Institutional (IN) Zone | IN |
| Community Commercial (CC) Zone | CC |
| Recreational Commercial (RC) Zone | RC |
| Highway Commercial (HC) Zone | HC |
| Light Industrial (LI) Zone | LI |
| Heavy Industrial (HI) Zone | HI |
| Aggregate Extraction (AG) Zone | AG |
| Mining (MI) Zone | MI |
| Waste Management (WM) Zone | WM |
| Open Space (OS) Zone | OS |
| Protected Area (PA) Zone | PA |

2.11 Exceptions, Suffixes, Schedules, or Overlays

2.11.1 General

1. Where an exception, suffix, schedule or overlay applies, the provisions imposed by that exception, suffix, schedule or overlay prevail over any other provision in this By-law.

2.11.2 Exception Zones

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

2. An exception zone may:
 - a. Allow a use that would not otherwise be permitted;
 - b. Prohibit a use that would otherwise be permitted; and/or
 - c. Make modifications to the regulations applicable to the property subject to the Exception Zone.
3. In the event of a conflict between a general provision or general zone standard and the site-specific exception, the regulations or uses contained in the exception shall prevail.

2.12 Holding Zone “h” Designation

1. Any zone classification may be placed in a Holding Zone by adding to the zone symbol the letter “-h.”
2. No development is permitted on lands where the “h” symbol appears until the applicable conditions have been met and the “h” is lifted by an amendment to this By-law under Section 36 of the Planning Act.

2.13 Temporary Use By-laws

1. Temporary use by-laws enacted by the Municipality under Section 39 of the Planning Act, R.S.O. 1990, c. P.13 are shown on the zoning schedules of this By-law as exceptions and details concerning the temporary use are included in the exception text within the applicable zoning category.

2.14 Multiple Zones Applying to One Lot

1. Where a lot is divided into more than one zone, each portion of the lot shall be used in accordance with the provisions of the applicable zone.
2. Notwithstanding provision (1), a zone boundary between multiple zones applying to a lot shall not be considered as a lot line for the purpose of interpreting setback requirements.

2.15 One Lot for Zoning Purposes

1. Where a group of occupancies located on separate but abutting lots are under common ownership and/or shared management, including but not limited to shared parking, infrastructure, or site access, the group of occupancies may be considered as one lot for the purposes of applying zone regulations.

2.16 Interpretation of Zone Boundaries

1. When determining the boundary of any zone as shown on any Schedule to this By-law, the following provisions shall apply:

- a. A boundary indicated as following a highway, street, private road or lane shall follow the centreline of such highway, street, private road or lane;
- b. A boundary indicated as following a waterbody or the right-of-way of a railway or an electrical, gas or oil transmission line shall follow the centreline of such waterbody or right-of-way;
- c. A boundary indicated as following the high-water mark shall follow such high-water mark, and in the event of a change in the high-water mark, the boundary shall be construed as moving with the actual high-water mark;
- d. A boundary indicated as approximately following lot lines shown on a Registered Plan of Subdivision, or Reference Plan, or Municipal lot lines shall follow such lot lines;
- e. Where a boundary is indicated as approximately parallel to a street line or other feature, indicated in clause (1), (2), or (3) above, and the distance from such street line or other feature is not indicated, and clause (4) above is not applicable, such boundary shall be construed as being parallel to such street line or other feature, and the distance shall be determined according to the scale shown on the appropriate Schedule;
- f. A boundary indicated as following the limits of the Municipality shall follow such limits;
- g. In the event a dedicated street, lane or right-of-way shown on any Schedule forming part of this By-law is closed, the property formerly in such street, lane or right-of-way shall be included within the zone of the adjoining property on either side of such closed street, lane or right-of-way;
- h. If a closed street, lane or right-of-way is the boundary between two or more different zones the new zone boundaries shall be the former centreline of the closed street, lane or right-of-way; and
- i. Where any zone boundary or a dimension is left uncertain after the application of the above provisions, then the boundary or dimension shall be determined from the zoning schedule using the scale bar thereon.

2.17 Editorial References

1. Appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, and references to former enactments or enabling legislation do not form part of this By-law and are editorially inserted for convenience of reference only.

2.18 Enforcement

1. This By-law shall be administered by the Clerk or such other persons as may from time to time be designated by Council, and no permit for the use of land or for the erection or use of any building or structure or approval of application for any municipal license within the jurisdiction of the Council shall be issued or given

where the proposed building, structure or use would be in violation of any provision of this By-law.

2. Compliance with this By-law shall be evaluated and enforced through all approvals by the Municipality under the following legislative processes:
 - a. The Planning Act, R.S.O. 1990, c. P.13;
 - b. The Building Code Act, 1992, S.O. 1992, c.23;
 - c. Municipal Act, 2001, S.O. 2001, c. 25; and
 - d. All other applicable legislation.

2.19 Permits, License and Permissions

1. The requirements of this By-law, and all applicable law, must be met before a Building Permit, Certificate of Occupancy, or approval of an application for a municipal license is issued for the use of land or the use, erection, addition to or alteration of any building or structure.

2.20 Violation and Penalties

1. Any person, corporation or other legal entity who contravenes any of the provisions of this By-law, and who is an occupant of and/or owner of land, buildings or structures erected, altered, or used in contradiction of any of the provision of this By-law, is guilty of an offence and is liable, upon summary conviction to a fine as set out and provided for by the Planning Act, R.S.O. 1990, c. P.13, as may be amended from time to time, and such fine shall be recoverable under the Provincial Offences Act, R.S.O. 1990, c. P.33, all of the provisions of which apply hereto.
2. Those guilty of an offence under provision (1) shall be subject to the following fines:
 - a. For a person:
 - i. Upon first conviction to a fine not more than \$5,000.00; and
 - ii. Upon subsequent conviction to a fine not more than \$10,000.00 per day that the contravention continues.
 - b. For a corporation or other legal entity:
 - i. Upon first conviction to a fine not more than \$5,000.00; and
 - ii. Upon subsequent conviction to a fine not more than \$25,000.00 per day that the contravention continues.

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

3 Conformity Requirements

3.1 Compliance

1. No land, building or structure shall be used and no building or structure shall be erected or enlarged, altered or placed for any purpose within the area defined by this By-law, except as specifically, or by necessary implication, authorized by this By-law and in conformity with all the applicable provisions of this By-law.
2. No building or structure shall be moved within the Municipality or from outside the Municipality unless in compliance with this By-law.

3.2 Compliance of Lots

1. Subject to the granting of such minor variances as may be approved, no lands shall be severed from any existing lot if the effect of an approval for severance is to cause the original, adjoining, remaining or new building, structure, lot or use of land to be in contravention of any provision of this By-law.
2. No lot shall be reduced in lot area or lot width which would have the effect of causing a contravention with the regulations and provision and requirements of this By-law, except where explicitly provided for in this By-law.

3.3 Application to Building

1. Where a use does not take place within a building, but a regulation in this By-law imposes a requirement premised on the use being in a building, the requirement applies, with necessary modifications, as though the actual area occupied by the use was in a building.

3.4 Cumulative Standards

1. Notwithstanding anything contained in this By-law, where any land, building or structure is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with.

3.5 Lands Under Water

1. All lands under water of lakes and rivers within the Municipality are subject to this By-law in addition to the requirements of both federal and provincial legislation.
2. All lands under water shall be zoned Open Space, unless otherwise zoned on the Schedules to this by-law.

3.6 Islands

1. All islands not identified as being within a Zone on the Schedules to this by-law shall be zoned Open Space.

3.7 Land Without Buildings

1. Where land is used for, or in connection with, any use but without having erected any buildings or structures, all yards required by the applicable zone shall be provided and maintained as yards, except where the land or lot is used for:
 - a. Agriculture;
 - b. Gardening; or
 - c. Open space.

3.8 Tolerance Provision

1. Unless specifically stated elsewhere in this by-law, any provision of this by-law that is followed by the words “metres, square metres, or hectares” shall be deemed to have a tolerance of plus or minus:
 - a. 3 centimetres in the case of a linear measurement;
 - b. 0.1 square metre where an area measurement is expressed in square metres; or
 - c. 0.1 hectare where an area measurement is expressed in hectares.

3.9 Construction Methods

1. Unless otherwise required in this By-law, no provision of this By-law shall be interpreted to restrict the development of any building or structure on the basis of construction methods, provided the development meets the provisions of the Ontario Building Code.

3.10 Buildings to be Moved

1. No building or structure shall be moved within the limits of the Municipality or shall be moved from outside the Municipality into the Municipality unless the building or structure is a permitted use and satisfies all the regulations of the zone in which it is to be located.

3.11 Non-Conforming Uses

3.11.1 Continuance of Existing Uses

1. Nothing in this By-law shall apply to prevent the use of any land, building or structure for any purpose prohibited by the By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the By-law, provided it continues to be used for that purpose.
2. The non-conforming use of any land, building or structure shall not be changed or enlarged except to a use which is in conformity with the provisions of the zone in

which the land, building or structure is located, or upon obtaining permission from Council pursuant to the Planning Act.

3.11.2 Prior Building Permits

1. Nothing in this By-law shall prevent the erection or use of any building or structure for which a building permit has been issued under the Building Code Act prior to the passing of this By-law, provided the building or structure, when erected, is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under the Building Code Act.

3.11.3 Reconstruction of Existing Use

1. Nothing in this By-law shall prevent the reconstruction or strengthening to a safer condition of any non-complying building or structure which is destroyed or rendered uninhabitable by fire or other natural cause, provided the height and gross floor area are not increased and the new building or structure is erected on the same building footprint.
2. An existing non-complying building or structure may be renovated, provided the renovation does not further increase the extent of non-compliance.

3.11.4 Change of Use

1. A use, building or structure which is not permitted in the zone applicable to the lot accommodating the use, building or structure shall not be changed except to a use which is permitted in such zone or as otherwise authorized by the Committee of Adjustment under Section 45(2) of the Planning Act.

3.11.5 Addition to Existing Building or Structure

1. Nothing in this By-law shall prevent the extension or addition to a building or structure used for a purpose specifically permitted within the zone in which such building or structure is located and which building or structure existed at the date of passing of this By-law, but which building or structure does not comply with one or more of the zone regulations of this By-law, provided such extension or addition does not further increase the extent of non-compliance.

3.11.6 Existing Undersized Lots

1. Despite any other provision of this By-law, where a vacant lot having a lesser lot frontage and/or lot area than is required by this By-law is held under distinct and separate ownership from adjoining lots, according to the register for land in the Land Titles or Registry Office on the date of the passing of this By-law, it may be used for a purpose permitted in the zone in which the lot is located, provided that:
 - a. The development achieves all minimum side yard requirements within a tolerance of 10 percent of the requirement;
 - b. The development meets all other applicable zone regulations in this By-law;

- c. A minimum of 6.0 metres of lot boundary is abutting an open, travelled and publicly-maintained road;
 - d. Where the use requires private sewage disposal in accordance with the provisions of this by-law, the lot meets the requirements of the authority having jurisdiction for private sewage disposal; and
 - e. No part of any existing lot shall be reduced in area or frontage by the conveyance or alienation of any portion of the lot, so as to create a situation of non-conformity or increase the degree of non-compliance with this By-Law.
2. An undersized lot may be increased in size and where, notwithstanding such increase in size, the lot continues to be undersized, the status and rights bestowed by this section shall continue to apply.

3.11.7 Existing Building or Structure on Undersized Lots

1. Where an existing building is located on a lot having less than the minimum frontage or area required by this By-Law, the building may be enlarged, reconstructed, repaired or renovated, provided that the development or work does not further expand the degree of non-compliance.

3.11.8 Removal of Property by a Public Authority

1. Where any lot existing on the date of the passing of this By-Law is rendered non-complying due to expropriation or dedication for public use:
 - a. The lot shall be deemed to conform with this By-Law with respect to those provisions made non-complying by metric conversion, expropriation or dedication for public use; and
 - b. The non-complying provisions shall not prevent the use of such lot, or the erection, alteration or use of a permanent building or structure thereupon, provided that:
 - i. The use of land remains the same, in accordance with all other provisions of this By-Law; and
 - ii. The degree of non-conformity is not increased.

4 General Provisions

4.1 Uses Permitted in All Zones

1. The following uses shall be permitted in all zones:
 - a. Railway lines;
 - b. Gas pipelines;
 - c. Utility infrastructure and associated easements;
 - d. Compressor stations and other facilities supporting pipelines or other easements;
 - e. Communication antennas, towers, and related accessory uses;
 - f. Streets, roads, and lanes;
 - g. Walkways and bicycle paths;
 - h. Parks and open spaces;
 - i. Landscaping and natural vegetation;
 - j. Slope stability and remedial flood protection;
 - k. Protection of fish, wildlife, and/or waterfowl habitat;
 - l. Community gardens or market gardens; and
 - m. Driveways providing access to a permitted use.

4.2 Accessory Buildings, Structures and Uses

4.2.1 General

1. Accessory uses, building or structures, are permitted in any zone, and are subject to the provisions of this By-law in which said building, structure, or use is located.
2. An accessory building shall not be constructed on a lot prior to the construction of its associated principal use.
3. For the purposes of provision (2), construction is defined as the completion of an approved first inspection by the Chief Building Official or their designate of the foundation for the associated principal use.
4. Accessory uses, buildings or structures shall:
 - a. Not be used for human habitation, except where a residential use is a permitted accessory use;

- b. Not be considered as an accessory building or structure if attached to the main building in any way; and
 - c. Not be considered an accessory building or structure if located completely underground.
5. Accessory uses, buildings or structures shall be subject to the provisions in Table 4-1.

Table 4-1: Provisions for accessory uses, buildings and structures

| Mechanism | Provision |
|--|---|
| Maximum floor area | Accessory to residential use: No larger than the principal building, to a maximum of 140 square metres. Accessory to all other uses: 240 square metres |
| Maximum height | Accessory to a residential use: 6 metres Accessory to other uses: Same as principal use |
| Maximum number of storeys | 2 storeys |
| Minimum setback | 1.5 metres, unless otherwise specified in this by-law |
| Minimum setback for a garage | 3 metres from a garage door to a lot line abutting a street |
| Minimum separation distance from principal building | 3 metres |

6. An accessory use, building or structure to a residential use shall not be located:
- a. Between the principal building and the front lot line, where the front lot line abuts a waterbody; or
 - b. In a required front yard in all cases.

7. An accessory use, building or structure to a non-residential use shall not be located:
 - a. In a front yard; or
 - b. In an exterior side yard.
8. Unless otherwise specified by this by-law, an accessory use or building shall not include:
 - a. Gasoline, diesel or propane service or storage;
 - b. Salvage yard or open storage of more than three non-used vehicles;
 - c. Equipment for the purposes of operating a construction, snow removal, or forestry business; or
 - d. Crusher or asphalt plant.

4.2.2 Accessory Uses, Buildings and Structures in Associations Zones

1. In the following zones, the provisions in Section 4.2.2 shall apply in addition to the provisions of Section 4.2.1:
 - a. Association Residential (RA) Zone; and
 - b. Association Residential Reserve (ARR) Zone.
2. A maximum of one accessory building shall be permitted.
3. An accessory use, building or structure may only be constructed in an ARR Zone if accessory to a permitted or existing principal use in that zone.

4.2.3 Swimming Pools

1. Above-ground and in-ground private swimming pools, whether open or covered, shall be permitted accessory to any residential use, provided:
 - a. An open pool area is entirely enclosed by a fence or other enclosing buildings or structures measuring 1.5 metres in height; and
 - b. No swimming pool shall be located:
 - i. in a required front yard; or
 - ii. in a required side yard; or
 - iii. closer than 3 metres to any other lot line.
2. Notwithstanding provision (1), a swimming pool shall not be permitted in the following zones:
 - a. Association Residential (RA) Zone; and

- b. Association Residential Reserve (ARR) Zone.

4.3 Use Limitation Overlay

1. Despite the provisions of the underlying zone or other zoning provisions of this By-law, all development on lands that are subject to the Use Limitation Overlay is prohibited unless a permit or other form of authorization from the Lakehead Region Conservation Authority is issued.
2. For the purposes of (1), development that may require a permit shall include:
 - a. The construction, reconstruction, erection or placing of a building or structure of any kind;
 - b. Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure, or increasing the number of dwelling units in the building or structure;
 - c. Site grading;
 - d. The temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere; or
 - e. The straightening, changing, diverting or interfering of an existing channel of a river, creek, stream, or watercourse, or for changing or interfering in any way with a wetland.
3. Subject to provision (1), the following uses are permitted within a floodplain:
 - a. Buildings or structures intended for flood or erosion control or slope stabilization;
 - b. Conservation use, excluding any buildings;
 - c. Forestry operation excluding any buildings;
 - d. Parks excluding any buildings or structures;
 - e. Hydro-electric generating facilities;
 - f. Docks;
 - g. Marine Facility;
 - h. Marina; and
 - i. Infrastructure incidental to a water supply or wastewater treatment facility such as a water intake or sewer outfall but not including the main building of a water filtration plant or wastewater treatment facility.

4.4 Frontage on a Street

1. No person shall erect any building or structure or use any land in any zone unless the lot upon which such building or structure is to be erected, or the land to be used, has access to a street that is open, travelled, and maintained by a public authority, with a minimum frontage of 6.0 metres.
2. Despite provision (1), access to a lot shall be permitted for the following uses, where all other applicable zone regulations are met:
 - a. For a permitted use on a lot served by an existing private road;
 - b. A private road within an approved plan of condominium;
 - c. For lands in the Association Residential (RA) Zone;
 - d. For a resource-related use on Crown Land;
 - e. For a permitted agricultural, forestry, mining, mineral extraction or conservation activity or use;
 - f. For a permitted remote cottage;
 - g. For a communications facility;
 - h. For a public use;
 - i. For a wayside pit or wayside quarry;
 - j. For a water access lot or island; and
 - k. For any passive outdoor recreational use or activity such as skiing, snowmobiling, hiking, mountain biking or similar activities.
3. Despite provision (1), where a development agreement or subdivision agreement between the Municipality and a landowner is registered on title, access to an unassumed, unopened or unmaintained public right-of-way shall be deemed to comply to the provisions of this section, provided that the development is in conformity with the zone regulations set out in the corresponding zone or any exception thereto.
4. Despite provision (1), where a legal right-of-way is registered on title and provides for a right-of-way to an existing lot which is developed for a single-detached dwelling as of the date of approval of this By-law, such uses shall be deemed to comply with the provisions for access of this By-law.

4.5 Land Suitability For Use

1. Despite any other provision of this By-law, no habitable building or structure shall be erected, altered or used on land which is unsafe for development by reason of unstable bedrock, unstable soils, steep slopes, low-lying or marshy conditions, or unstable character.

4.6 Landscaping Requirements

1. In the following zones, a minimum of 10 percent of the total lot area shall be provided and maintained as landscaped area:
 - a. Institutional (IN) Zone;
 - b. Community Commercial (CC) Zone;
 - c. Recreational Commercial (RC) Zone;
 - d. Highway Commercial (HC) Zone;
 - e. Light Industrial (LI) Zone; and
 - f. Heavy Industrial (HI) Zone.

4.7 Occupancy Restrictions

1. Human habitation shall not be permitted in any of the following buildings, structures, or parts thereof:
 - a. Any private garage or other building or structure which is accessory to a residential use, except in accordance with the provisions of this by-law;
 - b. Any truck, bus, coach or streetcar body, whether or not the same is mounted on wheels;
 - c. Except as explicitly provided for in this By-law, any recreational vehicle located outside of a tent and trailer park or a camping area; and
 - d. A mobile home except in a permitted mobile home park.
2. No dwelling shall be used for human habitation before:
 - a. The main side walls and roof have been erected;
 - b. Windows, external siding and roofing have been completed; and
 - c. Kitchen, heating and sanitary facilities have been installed and rendered usable.
3. For the purpose of provision (2), any dwelling unit in a multiple-unit residential building may be occupied provided that all of the conditions are satisfied for each

unit, notwithstanding that one or more of the dwelling units have not been completed.

4.8 Open Storage and Outdoor Display

4.8.1 Provisions for Open Storage

1. No person shall use any lot or part thereof for open storage or outdoor display, except as permitted by this By-law.
2. Areas used for open storage or outdoor display shall be specifically designed and set aside for such purpose and shall be fully integrated with the principal use of the lot.
3. Open storage shall not be permitted within any required front yard or exterior side yard.
4. Open storage shall not be permitted closer than 5 metres to any interior side lot line or rear lot line.
5. Despite provision (4), where open storage areas abut a Residential Zone:
 - a. The required setback of the open storage area to a lot line in a Residential Zone shall be 10 metres; and
 - b. Visual screening from any residential use shall be provided in the form of landscaping or fencing a minimum of 2 metres in height.

4.8.2 Provisions for Outdoor Display Areas

1. An outdoor display area shall be permitted as an accessory use to any permitted commercial use or industrial use, provided that the outdoor display area does not reduce any required parking area or loading space required by this By-law.
2. All outdoor display areas shall be set back a minimum of 3 metres from any front lot line, exterior side lot line or interior side lot line.
3. Despite the provisions of this section, the following temporary uses shall be permitted to occupy a designated parking area:
 - a. Seasonal sales of trees, shrubs, vegetation, or other landscaping elements, including Christmas trees; or
 - b. A temporary yard sale of a maximum of five days' duration.

4.9 Permitted Projections Into Required Yards

1. Every part of any yard required by this By-law shall be left open and unobstructed by any structure from the ground to the sky, unless explicitly permitted by this by-law.
2. Despite provision (1), structures listed in Table 4-2 shall be permitted to project into the minimum required yards required by this By-law for the specified distances:

Table 4-2: Permitted Projections

| Permitted Projections | |
|---|---|
| Structure | Maximum Projection into Required Yard |
| Chimney breasts, cornices, sills, bay windows, pilasters, eaves or gutters, solar collectors where attached to a building, shutters cornices, parapets or other ornamental structures | 0.6 metres into any required front yard, rear yard or interior side yard |
| Canopies which are at least 2.13 metres in vertical clearance above the established grade, with or without supporting posts | 2 metres into any required yard |
| Canopies for entrances to apartment buildings and commercial buildings | A distance equal to 50 percent of the setback of the building from the street line |
| Window awnings | 1.2 metres into any required yard |
| Steps, ramps and walkways | No maximum into any required yard |
| Porch, uncovered platform landing, patio or deck, balconies or steps | 3 metres into any required yard |
| Air conditioner | 0.5 metres into any yard |
| Fire escapes, exterior staircases | Front yard or rear yard: 1.5 metres Interior side yard: No closer than 0.6 metres |
| Heat pump | 1.5 metres into an interior side yard or rear yard |
| Fences, hedges, shrubs, trees, freestanding walls, flagpoles, light standards, garden trellises, clothes lines, bicycle racks and similar structures or features | Waterfront lots: No fence or freestanding wall shall be permitted in a required front yard All other cases: No limitations |

3. Despite the provisions of Table 4-2, a permitted landing shall not:
 - a. Exceed 2.4 square metres in area; and
 - b. Extend horizontally more than 1.25 metres from the wall of a building.

4.10 Exceptions to Height Provisions

1. The height regulations in this By-law shall not apply to any of the following:
 - a. Air conditioning system;
 - b. Antennae;
 - c. Chimney;
 - d. Communications facility;
 - e. Drying tower;
 - f. Elevator or stairway enclosure;
 - g. Enclosed mechanical and electrical equipment;
 - h. Farm buildings and structures including but not limited to a barn, silo or windmill;
 - i. Flag pole;
 - j. Hydroelectric transmission tower or pole;
 - k. Lighting standards;
 - l. Lightning rod;
 - m. Ornamental dome or clock tower;
 - n. Receiving stations;
 - o. Satellite dish/receiver;
 - p. Skylight;
 - q. Solar collector/commercial solar collector;
 - r. Spire, steeple, belfry or turret;
 - s. Ventilating fan;
 - t. Water tower;
 - u. Water tanks; and

- v. Wind Turbine/commercial wind turbine.

4.11 Sight Triangle

1. Notwithstanding any provision of this by-law to the contrary, within any area defined as a sight triangle, the following uses shall be prohibited:
 - a. A building, structure, or use which would obstruct the vision of drivers of motor vehicles;
 - b. A fence, tree, hedge, bush or other vegetation, other than agricultural crops;
 - c. Any portion of a delivery space, loading space, driveway or parking space; and
 - d. A berm or other ground surface which exceeds the elevation of the street by more than 0.6 metres.
2. For the purposes of this By-law, a sight triangle distance of 5 metres shall apply, unless otherwise determined through a Site Plan Control, Consent, or Plan of Subdivision process.
3. Despite provision (2), in any zone where a street crosses an active railway at the same grade elevation, a sight triangle of 45 metres shall be required, measured from the point of intersection of the centreline of the railway right-of-way and the street line abutting the lot.

4.12 Signs

1. Unless otherwise stated in this By-law, signs shall be permitted only in accordance with the Signs By-law(s) of the Municipality.

4.13 Temporary Buildings or Structures During Construction

1. Nothing in this By-law shall prevent the use of land or the use or erection of a temporary building or structure, scaffold or other equipment essential to construction works for which a Building Permit has been granted, provided:
 - a. The temporary building or structure is removed upon completion or abandonment of the work, or when such equipment is no longer required; and
 - b. Temporary buildings or structures are removed within a maximum of two years from the date that the facilities are installed on the site of construction.
2. Temporary accommodation for a business which is intended to occupy a building or structure which is under construction may be permitted on the same lot in the form of a mobile, relocatable, portable or transportable building or structure provided:
 - a. A Building Permit is obtained from the Municipality; and

- b. Such temporary accommodation is removed from the lot immediately upon completion of construction or abandonment of construction.
3. A recreational vehicle may be used for temporary accommodation during the construction of a dwelling for a period of not more than one year from the date of issuance of a Building Permit for the dwelling.

4.14 Right-of-Way Setback

1. Notwithstanding any other provision in this by-law, where a public road allowance is less than 20 metres in total width, a setback of 10 metres from the centreline of the existing road allowance or travelled road shall be added to the relevant minimum required yard provision.

4.15 Setbacks from Railway Line

1. A sensitive land use shall be set back a minimum of 30 metres from a railway line.
2. A non-sensitive land use shall be set back from a railway line in accordance with the following requirements:
 - a. Where an earth berm measuring 1.5 metres in height is provided: 30 metres; and
 - b. Where an earth berm measuring 1.5 metres in height is not provided: 120 metres.
3. Notwithstanding provision (2), a light industrial use shall be set back from a railway line in accordance with the following requirements:
 - a. Where an earth berm measuring 1.5 metres in height is provided: 15 metres; and
 - b. Where an earth berm measuring 1.5 metres in height is not provided: 60 metres.

4.16 Water and Sewage Disposal Systems

4.16.1 General

1. No land can be used or the intensity of any use of land expanded or any building placed, erected, altered, enlarged or used unless the land is serviced by water and sanitary systems approved by the Thunder Bay District Health Unit under the Ontario Water Resources Act or the Building Code Act, as applicable.
2. Uses exempted under the Building Code Act, 1992, S.O. 1992, c. 23 or prohibited or regulated by this By-law shall not be subject to provision 1.

4.16.2 Septic Systems and Holding Tanks

1. All septic systems and holding tanks shall be set back 30 metres from the high-water mark of a waterbody.
2. Where a septic system services one or more buildings on an individual lot, the septic system shall be located wholly within the boundaries of the lot on which the building or buildings are located.
3. Legally existing septic systems shall be permitted to be replaced and/or expanded, provided the replacement or expansion does not encroach further into a required front yard setback, required side yard setback or required rear yard setback.
4. Notwithstanding (3), where development increases the number of bedrooms, fixtures or floor area and results in the expansion of an existing septic system, the system expansion must comply to the requirements of the Zoning By-law.

4.17 Water Lots

1. No portion of a lot located below the high-water mark shall be used for any building or structure, except:
 - a. Dock or mooring facility;
 - b. Wharf;
 - c. Dam;
 - d. Water piping or hose relating to a lake water supply, but not including a pump house;
 - e. Boat launch;
 - f. Groins, break walls or other shoreline protection, and other such erosion or floor control features.

4.18 Intake Protection Zone Overlay

1. In addition to those regulations set forth in the underlying Zone, the following regulations apply to the Intake Protection Zone Overlay Zones (IPZ-1 and IPZ-2) as identified on the Zoning Map:
 - a. Within the IPZ-1 Overlay Zone, any of the following non-residential uses are prohibited:
 - i. Waste disposal sites within the meaning of Part V of the Environmental Protection Act, excluding:
 - (1) storage of wastes described in clauses (p), (q), (r), (s), (t), or (u) of the definition of hazardous waste in O. Reg 347; and
 - (2) storage of hazardous or liquid industrial waste;

- ii. Large (more than 10,000 litres) on-site sewage systems;
 - iii. Storage facilities for agricultural source material;
 - iv. Storage facilities for non-agricultural source material;
 - v. Storage facilities for commercial fertilizer;
 - vi. Storage facilities for pesticides;
 - vii. Storage facilities for road salt;
 - viii. Storage facilities for snow;
 - ix. Storage facilities for fuel;
 - x. Storage facilities for organic solvents;
 - xi. Outdoor confinement area of farm animal yard;
- b. Within the IPZ-1 or IPZ-2 Overlay Zones, any non-residential use that is proposed to use or store any dense non-aqueous phase liquids (DNAPLS) with a vulnerability score of 8 or greater, shall be prohibited.

5 Provisions for Specific Uses

5.1 Shipping Containers

1. Shipping containers may be permitted within the following zones:
 - a. Rural (RU);
 - b. Highway Commercial (HC);
 - c. Light Industrial (LI);
 - d. Heavy Industrial (HI);
 - e. Aggregate Extraction (AG);
 - f. Mining (MI); and
 - g. Institutional (IN).
2. Shipping containers shall be considered as accessory structures and shall be subject to the provisions of Section 4.2 of this by-law.
3. A shipping container shall not be permitted accessory to a residential use in any zone.
4. A permitted shipping container shall be used exclusively for the storage of goods and materials and may not be used for human habitation, work areas, shops, office uses or retail sales.
5. Shipping containers shall not be located within a required or provided front yard.

5.2 Automotive Service Stations, Gas Bars and Car Washes

1. Notwithstanding any other provisions of this By-law, where a lot is used for an automobile service station or gas bar:
 - a. No portion of any pump island shall be located closer than 6 metres from a lot line abutting a road;
 - b. The minimum distance from the intersection of two road lines to the nearest driveway serving an automobile service station or gas bar shall be 9 metres;
 - c. A driveway serving an automobile service station or gas bar shall be a maximum of 9 metres in width;
 - d. The minimum distance between driveways serving an automobile service station or gas bar shall be 9 metres.
2. Despite any other provisions contained in this By-law, the zone regulations in Table 5-1 shall apply to a permitted automotive service station, gas bar or car wash:

Table 5-1: Provisions for Automotive Service Station, Gas Bar or Car Wash

| Mechanism | Requirement | |
|---|--|-------------|
| Minimum Lot Frontage | 50 metres | |
| Minimum Front Yard Setback | 15 metres | |
| Minimum Exterior Side Yard Setback | 15 metres | |
| Minimum Interior Side Yard Setback | 6 metres | |
| Minimum Rear Yard Setback | 10 metres | |
| Minimum Setback from a Canopy to a Lot Line | 10 metres | |
| Minimum Setback of A Pump Island to a Lot Line | 10 metres | |
| Minimum Width of a Vehicular Driveway Entrance | One-Way Driveway | 6 metres |
| | Two-Way Driveway | 9 metres |
| Maximum Vehicular Driveway Entrance Width | 12 metres | |
| Minimum Separation Distance For A Driveway | From Another Driveway | 22.5 metres |
| | From Intersecting Centrelines of Two Streets | 12 metres |
| Minimum Number of Entrances | 2 | |

3. All fuel storage tanks above or below ground for any fuels or propane shall comply with the Technical Standards and Safety Act, 2000 and no Building Permit shall be issued without the prior approval of any equipment or fuel storage facilities by the Technical Standards & Safety Authority.

5.3 Commercial Harvesting of Timber

1. Where lands are to be commercially harvested for timber, a natural vegetative buffer shall be established and maintained if the lands to be harvested:
 - a. Abut a street; or
 - b. Contain a commercial, institutional, or residential building.
2. A natural vegetative buffer required under provision (1) shall:
 - a. Have a width of 20 metres along all abutting streets;
 - b. In a Rural Zone, have a width of 50 metres from an interior side lot line or rear lot line, unless the abutting lot is in a(n):
 - i. Aggregate Zone;
 - ii. Mining Zone; or
 - iii. Industrial Zone.
 - c. In a Rural Zone, have a width of 150 metres from a shoreline of:
 - i. Bass Lake;
 - ii. Loon Lake;
 - iii. Sparks Lake; or
 - iv. Lake Superior.
3. Notwithstanding the provisions of this section, a permitted driveway or access may cross a natural vegetative buffer.

5.4 Kennel

1. The provisions in Table 5-2 shall apply to a kennel use.

Table 5-2: Provisions for Kennels

| Mechanism | Provision |
|---|---|
| Setbacks for buildings associated with a kennel use | 12 metres to any lot line |
| Location of dog run | Not permitted in a front yard or exterior side yard |
| Maximum height of a kennel | As per the provisions of Section 4.2 of this by-law |
| Separation distance to a residential building on another lot | 100 metres |

5.5 Minimum Distance Separation and Special Setbacks

5.5.1 Waste Management Facility

1. No development or land use shall be permitted within 30 metres of the licensed fill area of an active waste management facility.
2. No waste management facility shall be permitted within 30 metres from the high-water mark of any waterbody or wetland.
3. No waste management facility shall be permitted on land covered by water or in any area subject to flooding.

5.5.2 Pits and Quarries

1. No sensitive land use shall be permitted within 70 metres of the zone boundary of a pit measured as the shortest horizontal distance between the lot line of the sensitive land use and the zone boundary of the pit or the nearest face of the excavation, whichever is the closest.
2. No sensitive land use shall be permitted within 300 metres of a quarry measured as the shortest horizontal distance between the lot line of the sensitive land use and the zone boundary of the quarry or the nearest face of the excavation, whichever is the closest.

5.5.3 Industrial Uses

1. Development of sensitive land uses in proximity to industrial uses shall be subject to the following provisions:
 - a. The minimum separation distance between a sensitive land use and a Class I Industrial (Light Industrial) use shall be 20 metres and shall be measured as the shortest horizontal distance between the limits of the sensitive land use to the lot line of the Class I Industrial Use.
 - b. The minimum separation distance between a sensitive land use and a Class II Industrial (Medium Industrial) use shall be 70 metres and shall be measured as the shortest horizontal distance between the limits of the sensitive land use to the lot line of the Class II Industrial Use.
 - c. The minimum separation distance between a sensitive land use and a Class III Industrial (Heavy Industrial) use shall be 300 metres and shall be measured as the shortest horizontal distance between the limits of the sensitive land use to the lot line of the Class III Industrial Use.
2. Provision (1) above applies to:
 - a. An expansion of a sensitive land use in proximity to a Class I, Class II, or Class III Industrial use; and
 - b. An expansion of a Class I, Class II, or Class III Industrial use in proximity to a sensitive land use.

5.5.4 Minimum Distance Separation Formulae I and II

1. The Minimum Distance Separation Formulae I and II of the Ministry of Agriculture, Food and Agribusiness shall apply to new or expanding livestock facilities and the establishment of residential uses, or vice-versa, on properties adjacent or in proximity to livestock operations, but shall not apply between a dwelling and a livestock facility on the same lot.
2. Any new sensitive land use located on a lot greater than 1 hectare created after the date of passing of this By-law shall comply with the Minimum Distance Separation Formulae I, as amended by the Province from time to time, where applicable. The Minimum Distance Separation Formulae I shall not apply to existing lots of record with an area of 1 hectare or less.
3. Despite anything in this By-law to the contrary, where an existing sensitive land use that does not comply with the Minimum Distance Separation Formulae I is destroyed or rendered uninhabitable by fire or other natural cause, the building or structure may be reconstructed where the new building or structure is located no closer to a livestock facility than the original building or structure and the gross floor area and height are not increased.
4. The Minimum Distance Separation Formulae I shall not apply to the construction of accessory buildings and structures to a permitted existing dwelling on the property.

5. The Minimum Distance Separation Formulae I shall not apply to proposed non-agricultural uses within an approved settlement area.

5.5.5 Waterbodies

1. Unless otherwise specified in this By-law, the minimum setback from the high-water mark of a waterbody for a dwelling, a non-residential or accessory building or structure, or an individual on-site sewage service shall be 30 metres, except for a marine facility.
2. For the purposes of provision (1), a setback shall be measured as the shortest horizontal distance from the nearest main wall of the building or the edge of the filter bed/tile bed to the high-water mark.

5.5.6 Wetlands

1. No dwelling, non-residential or accessory building or structure or an individual on-site sewage service shall be permitted within 30 metres of the boundary of a significant wetland, coastal wetland or fish habitat.

5.5.7 Helipads

1. No development or land use shall be permitted within 60 metres of a helipad.

5.5.8 Wind Turbines

1. No residential use may be constructed within 200 metres of a wind turbine, as measured from the nearest surface of the wind turbine support tower at grade.

5.6 Use by Public Authority

1. The provisions of this By-law shall not apply to limit the use of any land or to the erection or use of any building or structure for a utility installation or municipal infrastructure for the purpose of a public service by:
 - a. The Municipality, including any departments, agencies, or utilities;
 - b. The Province of Ontario, including any Ministries, agencies, boards, utilities, corporations, or other bodies;
 - c. The Government of Canada, including any Departments, agencies, boards, utilities, corporations, or other bodies; or
 - d. Contractors performing works for any public authority.
2. Where land to be developed by a public authority listed in provision 1 is located in a Residential Zone or on a lot adjacent to a Residential Zone, open storage shall not be permitted within 20 metres of the Residential Zone.

3. Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted in all zones, except:
 - a. The Protected Area Zone; and
 - b. Within the Use Limitation Overlay.

5.7 Development in Proximity to TransCanada Pipeline

1. Despite any other provision to the contrary, buildings and structures must be set back from a lot line abutting a corridor accommodating the TransCanada Pipeline a minimum distance of:
 - a. 7 metres for a primary building or structure; and
 - b. 3 metres for an accessory building or structure.

5.8 Communications Facilities

1. The minimum setbacks in all directions for a communications facility shall be the equivalent of the height of the tower, except where such facility is authorized and/or approved by Industry Canada.

5.9 Renewable Energy Facilities

5.9.1 Wind Energy Resources

1. A wind turbine or wind farms with a generation capacity of 3 kilowatts or less shall be permitted in all zones except the following zones:
 - a. Protected Area Zone; and
 - b. Association Residential (RA) Zone; and
Association Residential Reserve (ARR) Zone.
2. Notwithstanding anything in this by-law to the contrary, maximum height provisions shall not apply to wind turbines or wind farms.
3. All wind turbines shall be set back a minimum distance, measured from the wind turbine support tower to the property line, equal to the distance of the rotor radius plus 10 metres.
4. No wind turbine shall be placed at a distance of less than 200 metres from a residential dwelling.

5.9.2 Solar Collectors

1. Notwithstanding the provisions of this by-law to the contrary, ground-mounted solar collectors with a maximum name plate capacity of 10 kilowatts may be permitted accessory to a permitted use in any zone except the following zones:

- a. Protected Area Zone;
 - b. Association Residential (RA) Zone; and
 - c. Association Residential Reserve (ARR) Zone.
2. Free-standing solar collectors, or solar collectors mounted on a wall, roof or staircase, may be permitted in accordance with provision (1), provided that total solar collector installations on a lot do not exceed the lesser of:
 - a. A total rated capacity of 1 kilowatt; or
 - b. 4 panels.
 3. Ground-mounted and free-standing solar collectors shall be set back a minimum of 3 metres from any lot line.
 4. Solar collectors may be mounted on a wall, roof or staircase associated with a shoreline structure permitted under Section 6.2.2 of this by-law.

5.10 Office / Mining Equipment Storage Buildings and Compounds

1. Where an office / mining equipment storage building or compound is permitted, the storage of any of the following is prohibited anywhere on the property:
 - a. Materials or substances that explode;
 - b. Materials or substances that may cause explosion; or
 - c. Any other hazardous material.

5.11 Shopping Centre

1. A shopping centre shall not exceed 2,000 square metres of gross floor area.
2. For the purposes of provision (1), a permitted accessory dwelling unit shall not be included in gross floor area calculations.

5.12 Ski Club or Ski Facilities

1. Where a ski club or ski facility is permitted, buildings shall be limited to a main gathering area, which may also include:
 - a. Accessory areas for ski storage;
 - b. Sale of skis and/or ski equipment;
 - c. Food/beverage and confectionary sales;
 - d. Mechanical and/or equipment storage.

5.13 Retreat Centres

1. A permitted retreat centre may include lodging facilities for a maximum of:
 - a. 12 guests; and
 - b. 2 staff.
2. A maximum of one non-residential building accessory to a permitted retreat centre may be permitted to a maximum gross floor area of 85 square metres.

6 General Residential Provisions

6.1 Additional and Accessory Dwelling Units

1. A maximum of one additional dwelling unit shall be permitted on a lot in a Zone that permits a single-detached dwelling.
2. Notwithstanding provision (1), an additional dwelling unit shall not be permitted in the following zones:
 - a. Association Residential (RA) Zone;
 - b. Association Residential Reserve (ARR) Zone;
 - c. Shoreline Residential Black Bay (SR-BB) Subzone;
 - d. Shoreline Residential Bass Lake (SR-BA) Subzone;
 - e. Shoreline Residential Lambert Island (SR-LB); and
 - f. Shoreline Residential Moonlight Bay (SR-MB).
3. An additional dwelling shall not be erected on a lot that is occupied by a bed and breakfast establishment, a group home, or a boarding house.
4. A permitted additional dwelling unit may be located within a primary single-detached dwelling or ancillary to a primary single detached dwelling.
5. An additional dwelling unit must comply with the applicable provisions of the Ontario Building Code.

6.1.1 Accessory Dwelling Units to Commercial and Institutional Uses

1. A maximum of one dwelling unit accessory to a commercial use is permitted.
2. A maximum of one dwelling unit accessory to a place of worship is permitted.
3. No dwelling unit is permitted to be accessory to a commercial use wherein gasoline, petroleum products or any other highly flammable, toxic, or explosive products are handled in quantity.
4. Where a dwelling unit accessory to a commercial use already exists and the use of the commercial establishment changes to a use involving the products listed in provision (3), the dwelling unit shall cease to be occupied as dwelling unit.
5. Subject to provision (4), where an accessory dwelling unit is associated with a primary commercial use that is terminated, the accessory dwelling unit may continue to be used legally as a permitted use following the termination of the commercial use.
6. No accessory dwelling unit shall be permitted in the LI, HI, AG, MI, WM, or OS zones.

6.1.2 Bunk Houses

1. A bunk house shall be permitted only in the following zones:
 - a. Shoreline Residential (SR).
2. A permitted bunk house may only be permitted subject to the following provisions:
 - a. The bunk house shall not be classified as an additional dwelling unit for the purposes of Section 6.1;
 - b. The bunk house shall not exceed 35 square metres in gross floor area;
 - c. No bunk house shall be permitted on a lot with an area of less than 0.3 hectares;
 - d. A maximum of one bunk house shall be permitted on a lot with an area of between 0.3 hectares and 1.0 hectare;
 - e. A maximum of two bunk houses may be permitted on a lot with an area greater than 1.0 hectare;
 - f. A bunk house shall not include cooking or sanitary facilities;
 - g. A bunk house shall not be established in association with a boat house, garage or other building in which fuel, oil or other hazardous products are stored.
 - h. A permitted bunk house shall be subject to:
 - i. the front yard setback requirement for the principal residential use; and
 - ii. for all other yards, the setback requirements for accessory buildings and structures in Section 4.2 of this by-law, unless otherwise specified;
 - i. The maximum height of a bunk house is:
 - i. 4.5 metres; and
 - ii. One storey; and
 - j. A bunk house shall not have a loft, basement, or cellar.

6.2 Shoreline Buffers and Structures

6.2.1 General Provisions

1. No person shall erect, alter or use any structure located in navigable water, except in compliance with the Lakes and Rivers Improvement Act and the Canadian Navigable Waters Act, as revised or amended from time to time.

2. A lot used for residential purposes shall maintain a natural vegetated buffer along an abutting shoreline with the following dimensions:
 - a. A minimum depth of 30 metres; and
 - b. A minimum of 75 percent of the width of the lot along the shoreline.
3. Notwithstanding provision (2), a pedestrian pathway with a maximum width of 2 metres may be included in a shoreline buffer.
4. The provisions of Section 6.2 shall not apply to lots in the following zones:
 - a. Association Residential (RA) Zone; and
 - b. Association Residential Reserve (ARR) Zone.

6.2.2 Shoreline Structures

1. For the purposes of this section, shoreline structures include:
 - a. Boat house;
 - b. Boat port;
 - c. Dock;
 - d. Pump house; and
 - e. Stairs and ramps.
2. The provisions of this section apply despite the provisions of Section 5.5.5 of this by-law.
3. A lot used for residential purposes may be developed with a maximum of three shoreline structures including:
 - a. A maximum of one of each category of shoreline structure listed in provision (1); or
 - b. Two docks and one other shoreline structure.
4. The maximum cumulative width of all shoreline structures and amenity areas shall not exceed 25 percent of the width of the lot along the shoreline, to a maximum of 15 metres.
5. Shoreline structures shall comply with the provisions established in Table 6-1.
6. Side yard setback requirements in Table 6-1 shall be measured from an interior side lot line or, where the structure is permitted to project over the water, from an imaginary line extending the interior side lot line indefinitely over the water.
7. A dock may project beyond a property line over the water to a maximum of:

- a. 20 metres; or
 - b. 26 metres, including an associated ramp.
8. For the purposes of Table 6-1, any component of a dock located above the high-water mark and designed to anchor the dock to the land shall be:
- a. excluded from the calculation of the maximum dock area; or
 - b. included in the maximum dock area calculation where the entire dock is constructed parallel to the shoreline.

Table 6-1: Special Provisions for Shoreline Structures

| Structure | Maximum Height | Maximum Width/Area | Side Yard Setback Requirements | Shoreline Setbacks or Projections |
|-------------------------|---|---|--|---------------------------------------|
| Boat House | 4 m, measured from the normal or controlled high water mark | 10 m in width, including porches and projections 100 m ² in area | Minimum side yard setback requirement in the applicable zone | As per provision (6) of Section 6.2.2 |
| Dock / Boat Port | 2 m | Area: 33 m ² Width: For properties with shoreline frontage on Lake Superior: 4 m For all other cases: 3.1 m | 5 m | As per provision (7) of Section 6.2.2 |
| Pump House | 2 m | 9 m ² | Minimum side yard setback requirement in the applicable zone | Not permitted on water |
| Stairs and Ramps | 4 m | As per accessory structure provisions | 2 m | Not permitted on water |

6.2.3 Additional Provisions for Boat Houses

1. A boat house shall not be used for sleeping accommodation or human habitation.
2. A maximum of one single-storey one-bay boat house shall be permitted as an accessory use to a permitted dwelling on a lot with waterfront access.
3. The provisions for boat houses in this section do not apply to a marina.

6.2.4 Additional Provisions for Docks, Ramps and Boat Lifts

1. Docks, ramps and boat lifts are only permitted as an accessory use, unless specifically permitted as a principal use.
2. Docks shall be limited to floating or cantilevered forms.
3. No dock shall be permitted which constitutes a navigation or safety hazard.
4. No dock with a crib area of greater than 15 square metres shall be constructed without a valid permit issued by the Ministry of Natural Resources.

6.2.5 Gazebos, Saunas, Hot Tubs and Whirlpools

1. A maximum of one gazebo may be permitted on a lot accessory to a residential use subject to the following provisions:
 - a. The gazebo shall not exceed 15 square metres of gross floor area;
 - b. The gazebo shall be a maximum height of 3.5 metres; and
 - c. The gazebo shall be set back a minimum of 1 metre from any lot line.
2. Where a gazebo is permitted in accordance with provision (1), the gazebo shall be set back a minimum of 5 metres from the high-water mark of a waterbody.
3. A sauna, hot tub, or whirlpool shall be permitted, provided:
 - a. The sauna, hot tub, or whirlpool satisfies the performance standards established in provision (1); and
 - b. The sauna, hot tub or whirlpool is not located within 30 metres of a waterbody in any zone.
4. Gazebos, hot tubs or whirlpools, pergolas, tents or other like or similar structures shall not be permitted on a dock.

6.3 Bed and Breakfast Establishments & Short-Term Accommodations

6.3.1 Bed and Breakfast Establishments

1. A bed and breakfast establishment shall be permitted as an accessory use to any permitted single-detached dwelling or semi-detached dwelling.
2. Notwithstanding provision (1), a bed and breakfast establishment shall not be permitted in the following zones:
 - a. Association Residential (RA) Zone; and
 - b. Association Residential Reserve (ARR) Zone.
3. The operation of a bed and breakfast shall be incidental and secondary to the main use as a detached dwelling.
4. A bed and breakfast shall not be located within a:
 - a. mobile home dwelling; or
 - b. recreational vehicle.
5. A maximum of four guest rooms shall be permitted for any one bed and breakfast establishment.
6. The use of the dwelling as a bed and breakfast establishment shall not change the residential character of the dwelling.
7. Operation of a permitted bed and breakfast establishment shall be performed by:
 - a. the owner of the dwelling; and
 - b. up to one additional non-resident staff member.
8. Bed and breakfast establishments shall not be subject to the home occupations regulations of this By-law.
9. The lot on which the bed and breakfast is located shall have frontage on a public road maintained by the Municipality, the Province of Ontario or another road authority.
10. Required parking spaces shall be located on the same lot as the bed and breakfast and must be provided as identified by Section 7.6 of this By-law.
11. A maximum of one illuminated sign not exceeding 1 square metre in area shall be permitted in association with a bed and breakfast establishment for the purposes of advertising.
12. Meal services offered in a permitted bed and breakfast establishment may include a maximum of one meal per day.

6.3.2 Short-Term Accommodations

1. Short-term accommodations are permitted to be provided in a permitted dwelling, provided the dwelling is compliant with all applicable Municipal, District, and Provincial requirements.
2. A short-term accommodation may only be established in an owner-occupied dwelling and shall not be the primary use of a building.

6.4 Home Occupations

6.4.1 Scope of Permitted Home Occupations

1. The following home occupations shall be permitted in any dwelling unit in any zone that permits residential uses:
 - a. Instructional services including but not limited to music lessons, dance, art, academic tutoring;
 - b. Professional and consulting services including but not limited to an architect, engineer, financial advisor, accountant, consultant, legal services, physician, or teleworker;
 - c. Home craft artisan businesses including but not limited to quilter, potter, jeweler, painter/visual artist, small scale assembler;
 - d. A day nursery or private home daycare;
 - e. Distribution sales office or mail order sales including but not limited to cosmetics, clothing or small household appliances;
 - f. An office for a contractor and trades plumber, or electrician;
 - g. Repair services including but not limited to small appliances, computers and not including auto repair and similar services;
 - h. High technology uses including but not limited to internet services, office call center services, desktop publishing, computer hardware and software development;
 - i. Personal care services including but not limited to a hairdresser, barber, massage therapist, aesthetician;
 - j. Sale of bait for recreational fishing purposes;
 - k. Pet grooming, but not including overnight keeping of animals;
 - l. A catering establishment;
 - m. A studio;
 - n. Seed sales;

- o. An agri-tourism use to a permitted agricultural use;
 - p. Uses that produce value-added agricultural products from the farm operation on the property;
 - q. A farm produce outlet;
 - r. A welding or repair shop;
 - s. A commercial school bus or commuter transportation service;
 - t. A retail outlet for farm supplies and machinery;
 - u. The sale of firewood;
 - v. An appliance repair shop; and
 - w. An auto body and auto repair shop.
2. Notwithstanding provision (1), a home occupation shall not be permitted:
- a. in the Association Residential (RA) Zone;
 - b. in the Association Residential Reserve (ARR) Zone;
 - c. in the Shoreline Residential (SR) Zone and associated subzones;
 - d. in a mobile home dwelling; or
 - e. in a seasonal dwelling.

6.4.2 Zone Regulations for Home Occupations

1. A permitted home occupation shall be accessory to a principal residential use.
2. A maximum of one home occupation shall be permitted in a dwelling.
3. A home occupation shall be conducted entirely within a principal dwelling.
4. A permitted home occupation shall be operated exclusively by the owner or occupant of the principal dwelling on the lot.
5. A permitted home occupation shall not create a public nuisance in regard to noise, traffic, parking or health safety.
6. A permitted home occupation shall be legal and must have obtained the necessary permits or licenses from the Municipality and any other applicable government body having jurisdiction.
7. A permitted home occupation shall cumulatively not occupy more than 25 percent of the net floor area of the primary dwelling.

8. Despite the provisions of this by-law, no outdoor storage shall be permitted in association with a home occupation.
9. The sale of goods is:
 - a. permitted in association with an artisan shop or studio; and
 - b. prohibited for all other home occupations.
10. The following provisions apply to signage for a home occupation:
 - a. A maximum of one sign shall be permitted to advertise the home occupation;
 - b. A permitted sign shall not exceed 1 square metre in area;
 - c. A permitted sign may be located in a front or exterior side yard or may be attached to the wall of a permitted building or structure; and
 - d. A permitted sign may be illuminated where the illumination is directed onto the sign and complies with the provisions of this By-law.

6.5 Mobile Homes

1. The use of a mobile home dwelling for residential purposes shall be prohibited in all zones except the Mobile Home Residential Zone.

6.6 Recreational Vehicles

1. A recreational vehicle shall not be used for permanent year-round habitation.
2. A maximum of one stored recreational vehicle may be permitted on a lot containing one or more residential dwelling units.
3. Despite provision (2), a maximum of one stored recreational vehicle may be permitted accessory to each permitted dwelling in the Association Residential (RA) Zone, provided the dwelling is equipped with a Class 4 sewage system under the Ontario Building Code.
4. A stored recreational vehicle shall not be connected to hydro, water or sewage systems and stabilizers shall not be used, unless in accordance with the recommendations of the manufacturer of the recreational vehicle.
5. A stored recreational vehicle shall not be permitted unless:
 - a. the owner or operator of the stored recreational vehicle resides on the lot on a full-time basis; and
 - b. the stored recreational vehicle is not placed on the property before May 15th or after September 15th of the calendar year.

6. The placement of a stored recreational vehicle shall satisfy the required setbacks from property lines and waterbodies applicable to a dwelling established in this by-law.
7. Unless specifically permitted by this By-law, a maximum of one recreational vehicle may be used for short-term accommodation on a lot accessory to a permitted dwelling provided that:
 - a. the recreational vehicle is not used before May 15th or after September 15th of the calendar year; and
 - b. the placement of the recreational vehicle satisfies the required setbacks from property lines and waterbodies in this by-law applicable to a dwelling.

6.7 Group Homes

1. A group home shall be permitted in all zones that permit residential uses.
2. A permitted group home shall be established within a dwelling type permitted in the applicable zone.

6.8 Seasonal Dwellings

1. A seasonal dwelling is not permitted in any zone.
2. Notwithstanding provision (1), a seasonal dwelling existing as of the date of passing of this by-law shall be permitted to continue in accordance with the provisions of Section 3.11 of this by-law.

7 Parking and Vehicle Provisions

7.1 General

1. Except as provided herein, no motor vehicles shall be parked or stored in any zone unless the motor vehicle is located within a garage, carport, driveway, or parking area.
2. No parking space accessory to a residential use shall be used for the outdoor parking or storage of a motor vehicle unless such motor vehicle is used in operations incidental to the residential use of the lot on which it is parked or stored and bears a motor vehicle license plate which is currently valid.

7.2 Parking Space Provisions

1. Each standard parking space or vehicle space in a stacking lane shall have the following dimensions:
 - a. Minimum width: 3 metres; and
 - b. Minimum length: 6 metres
2. Parking spaces serving dwellings in all Residential zones shall:
 - a. Be constructed of crushed stone, asphalt paving, concrete, paver stones or similar materials;
 - b. Not occupy more than 30 percent of the lot width; and
3. A parking area containing spaces for more than 4 motor vehicles shall be constructed of crushed stone, asphalt paving, concrete, paver stones, or similar materials.

7.3 Temporary Car Shelter

1. Temporary car shelters shall only be located on a parking space or driveway.
2. The following setback provisions shall apply to a temporary car shelter:
 - a. Minimum front yard or exterior side yard setback: 3 m; and
 - b. Minimum interior side yard setback: 1.5 m.

7.4 Aisle and Driveway Provisions

1. Ingress and egress directly to and from every parking space shall be by means of a driveway.
2. Where a parking area contains more than 4 parking spaces, such parking area shall be serviced by an aisle with dimensions in accordance with Table 7-1:

Table 7-1: Minimum Required Aisle Width

| Angle of Parking (degrees) | Minimum Aisle Width (metres) |
|--|------------------------------|
| Up to 45 degrees | 4.6 metres |
| Greater than 45 degrees and up to 70 degrees | 5.2 metres |
| Greater than 70 degrees and up to 80 degrees | 6.0 metres |
| Greater than 80 degrees and up to 90 degrees | 6.5 metres |

2. A driveway or lane which does not provide ingress and egress directly to a parking space shall have the following dimensions:
 - a. A minimum width of 3 metres, where designed for one-way vehicular circulation; or
 - b. A minimum width of 6 metres, where designed for two-way vehicular circulation.
3. A driveway shall have a maximum width of 12 metres.

7.5 Drive-through Facilities

1. Despite any other zone regulation in this By-law, where a use of land, building or structure incorporates a drive-through facility, the following zone regulations shall apply:
 - a. A drive-through facility shall be considered ancillary to a use permitted in the zone in which the drive-through facility is located.
 - b. A drive-through facility shall include a vehicle stacking lane with a minimum of 8 queuing spaces.
 - c. A vehicle queuing space in a stacking lane shall comply with the following dimensions:
 - i. Minimum width: 2.7 metres; and
 - ii. Minimum length: 6 metres.
 - d. No part of any order station shall be located closer than 10 metres from the boundary of any property occupied by or zoned for a residential use.

7.6 Minimum Parking Requirements

1. In any zone, off-street parking shall be provided for any building, structure, or use established, erected, enlarged or changed in accordance with the minimum number of parking spaces set out in Table 7-2.
2. Unless permitted elsewhere in this By-law, where two or more uses are permitted in the same building or structure, or on the same lot, then the off-street parking regulations for each use shall be calculated as if each use is a separate use, and the total number of off-street parking spaces so calculated shall be provided.
3. If an addition is made to a building or structure that has the effect of increasing the gross floor area of a building, or a change to the use of a building occurs, parking spaces shall be provided for the addition or the area of the building subject to the change in use, in accordance with the requirements of this by-law.
4. Where the calculation of the minimum number of parking spaces required results in a fraction, the minimum requirement shall be the next higher whole number.

Table 7-2: Parking Regulations

| Use | Minimum Number of Required Parking Spaces |
|--|---|
| Residential Uses | |
| Residential: Single-detached dwelling | 2 space per dwelling unit |
| Residential: Semi-detached dwelling Duplex dwelling Row dwelling Apartment dwelling Boarding house Group home | 1.5 spaces per dwelling unit |
| Residential: Accessory dwelling Additional dwelling Mobile home dwelling | 1 space per dwelling |
| Non-Residential Uses | |
| Auto body shop Automotive service station | 3 spaces per service bay |
| Auction Hall Place of assembly Place of worship | 1 space for every 4 seats, or 1 space for each 18.5 m ² of floor area devoted to public use |
| Bed and breakfast establishment | 1 space for each guest room available to the travelling public in addition to the required parking for the dwelling |
| Building supply store or depot | 1 space for each 22 m ² of gross floor area and |

| Use | Minimum Number of Required Parking Spaces |
|--|--|
| Bulk storage yard Equipment and vehicle storage yard | 1 space for each 35 m ² of open storage |
| Clinic | 3 spaces per medical practitioner |
| Commercial greenhouse, nursery or garden centre | 1 space per 30 m ² of gross floor area |
| Continuum-of-Care Facility | 1 space for every 6 patient beds plus 1 space for every 4 employees |
| Crisis Care Facility | 2 spaces, in addition to the required parking for a dwelling; or If not located in a dwelling, 1 space per 38 m ² of gross floor area |
| Day care | 1 space per employee and 1 space per 5 children |
| Equipment sales, service, rental and repair establishment | 1 space per 35 m ² of open storage or gross sales area plus 1 space per employee |
| Gas bar | None |
| Home occupation | No parking spaces beyond the required parking for the dwelling Maximum 2 parking spaces in addition to the required parking for the dwelling |
| Hotel Motel Tourist establishment | 1 space per guest unit, plus 1 space per 18.5 m ² of gross floor area dedicated to administrative, banquet and meeting facilities |
| Industrial use, excluding warehouse | 1 space for every 46.4 m ² up to 185.8 m ² of floor area thereafter |
| Marina | 1 space for each boat slip rented on a seasonal basis 2 spaces for each rental boat capable of providing overnight accommodation 1 space for every 27.8 m ² of floor area |
| Office | 1 space for each 18.5 m ² of floor area Minimum 3 spaces |
| Personal service establishment Pharmacy Retail store Service outlet or shop | 1 space per 28 m ² of gross floor area Minimum of 3 parking spaces |
| Restaurant Tavern | 1 parking space per 20 m ² |
| School - elementary | 1.5 spaces per classroom plus 6 spaces for visitors |
| School - secondary or private | 4 spaces per classroom plus 8 spaces for visitors |

| Use | Minimum Number of Required Parking Spaces |
|---------------------------------|--|
| Tent and trailer park camp site | 1 parking space per site |
| Warehouse | 1 space for every 350 m ² of floor area |
| Any other use not specified | 1 parking space for each 27.8 m ² of floor area |

7.7 Barrier-Free Parking

1. Barrier-free spaces shall be provided for the following uses in accordance with the provisions of this section:
 - a. Institutional uses;
 - b. Commercial uses; and
 - c. Residential buildings or developments which include greater than 20 dwelling units.
2. Barrier-free parking shall be provided at a rate of:
 - a. One barrier-free parking space for any use requiring 10 standard parking spaces or more; and
 - b. One barrier-free parking space for each 25 standard parking spaces.
3. Where barrier-free parking spaces are required or provided, each barrier-free parking space shall be included in the total number of parking spaces required under the provisions of this by-law.
4. Each barrier-free parking space shall have the following dimensions:
 - a. Minimum width: 3.5 metres; and
 - b. Minimum length: 6 metres.

7.8 Loading/Delivery Space Regulations

1. For every building with a gross floor area of 500 square metres or more erected for a commercial, institutional or industrial land use involving the receiving, shipping or unloading of merchandise or other goods, loading/delivery spaces shall be required at the following rates:
 - a. 0 spaces for net floor area less than 200 square metres;
 - b. 1 space for net floor area of 200 to 1,000 square metres; and
 - c. 1 space for each additional 1,000 square metres of net floor area.
2. Loading spaces shall comply with the following zoning regulations:
 - a. Minimum loading/delivery space height clearance: 4.3 metres;

- b. Minimum loading/delivery space width: 3.6 metres;
 - c. Minimum loading/delivery space length: 9 metres;
 - d. Minimum aisle or driveway width leading to a loading/delivery space: 6 metres; and
 - e. Minimum setback of any required loading/delivery space from any lot line: 3 metres.
3. All loading spaces shall be located on the same lot as the associated use.

8 Zones

| Name of Zone | Zone Symbol |
|--|-------------|
| Rural (RU) Zone | RU |
| Residential (R) Zone | R |
| Shoreline Residential (SR) Zone | SR |
| Mobile Home Residential (MHR) | MHR |
| Association Residential (RA) Zone | RA |
| Association Residential Reserve (ARR) Zone | ARR |
| Institutional (IN) Zone | IN |
| Community Commercial (CC) Zone | CC |
| Recreational Commercial (RC) Zone | RC |
| Highway Commercial (HC) Zone | HC |
| Light Industrial (LI) Zone | LI |
| Heavy Industrial (HI) Zone | HI |
| Aggregate Extraction (AG) Zone | AG |
| Mining (MI) Zone | MI |
| Waste Management (WM) Zone | WM |
| Open Space (OS) Zone | OS |
| Protected Area (PA) Zone | PA |

8.1 Rural (RU) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Rural (RU) Zone except in accordance with the following zone regulations:

8.1.1 Permitted Uses

1. Single-detached dwelling;
2. Agriculture use;
3. Agriculture-related use;
4. On-farm diversified use;
5. Cemetery;
6. Conservation use;
7. Forestry use;
8. Aggregate exploration;
9. Mineral exploration;
10. Self-storage facility; and
11. Forestry use.

8.1.2 Conditional uses

1. The following uses are permitted accessory to a permitted use:
 - a. Boarding stable; and
 - b. Equestrian establishment.
2. On properties that front onto Highway 527, up to three pulp trucks or similar large commercial vehicles shall be permitted to be maintained and operated in association with a permitted use.

8.1.3 Rural (RU) Zone Provisions

1. Development in the Rural (RU) Zone shall comply with the provisions of Table 8-1.

Table 8-1: Rural (RU) Zone Provisions

| Mechanism | Provisions |
|---|-------------------|
| Minimum Lot Area | 4 hectares |
| Minimum Lot Frontage | 120 metres |
| Minimum Front Yard | 15 metres |
| Minimum Rear Yard | 15 metres |
| Minimum Interior Side Yard | 7.5 metres |
| Minimum Exterior Side Yard | 7.5 metres |
| Maximum Height | |
| Agricultural use Equestrian establishment Boarding stable | No maximum |
| All other uses | 10 metres |
| Maximum Lot Coverage | 10% |
| Maximum Number of Principal Dwellings Per Lot | One |
| Minimum Separation Distance of Conditional Use from Principal Use | 3 metres |

8.1.4 Rural Zone Exceptions

The exception provisions apply to those lands that are zoned with an exception on the accompanying zoning maps to this By-law. Exception provisions to this Zone are set out in Table 8-2.

- / Column 1 sets out the exception number of each zone exception.
- / Column 2 sets out the additional uses permitted in the zone exception, if applicable.
- / Column 3 sets out the prohibited uses in the zone exception, if applicable.
- / Column 4 sets out the zone requirements for the zone exception, if applicable.
- / Column 5 sets out the legal description of the lands subject to the zone exception.

Table 8-2: RU Exceptions

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|--------------------|---|-----------------|--|--|
| RU-1 BL-2084-02 | <ul style="list-style-type: none"> / One permanent dwelling / Conservation Use / buildings, structures, and/or uses accessory to a listed permitted use / Home occupation / Private road | | Notwithstanding that the lands zoned Rural within Mining Location 13Z are not directly provided for as a private road within an approved condominium plan, where a legal easement has been issued to such lands to utilize an abutting condominium private road, such lands shall be deemed to be in compliance with Section 4.4 and shall be a buildable lot. | Mining Location 13Z Savigny's Survey less Part 1 of RP 55R-11620 and a Portion of Mining Location 11Z Savigny's Survey being Part 1 of RP 55R-10753 MacGregor geographical township, Municipality of Shuniah |
| RU-2 BL 2408-09 | <ul style="list-style-type: none"> / Private Personal Recreation Use | | <p>Notwithstanding 4.2.1(2), the following accessory buildings may be constructed in the absence of a principal building:</p> <ul style="list-style-type: none"> / A ski chalet / utility building; and / A multi-use storage structure, which includes a shooting range | A portion of Mining Location 8 Herrick's Survey, described as Part 1 of Reference Plan 55R-11373 and Part 1 of Reference Plan 55R-11829, Township of MacGregor, Municipality of Shuniah in the District of Thunder Bay |
| RU-3 BL-3302-23 | <ul style="list-style-type: none"> / One additional residential dwelling unit in and subordinate to the main dwelling. | | | <p>Concession A, Part SW1/4 Section 9, 55R9190 Parts 1 & 2, Township of MacGregor</p> <p>411 Otte Road</p> |

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|--------------------|---------------------------|-----------------|--|---|
| RU-4 BL-2525-11 | | | / Minimum lot area: 2.7 hectares | PIN 62495~0134 being located within a portion of Mining Location 1B McNab's Survey, Township of MacGregor, Municipality of Shuniah in the District of Thunder Bay |
| RU-5 BL-3354-24 | | | / Minimum lot area: 2.03 hectares | Part 5, Plan 55R1378, Part of Mining Location 14, Township of MacGregor, Municipality of Shuniah |
| RU-6 BL-3385-24 | / Retreat centre | | <ul style="list-style-type: none"> / A retreat centre is permitted accessory to a principal dwelling / An accessory building accommodating a retreat centre may have two storeys / Minimum lot width: 107 metres / Minimum lot area: 2.35 hectares / No new buildings shall be constructed within a 30-metre buffer from the edge of a wetland or high water mark of a stream | <p>2230 Amethyst Avenue</p> <p>Part Mining Location AB Scott's Survey, Township of MacGregor, Municipality of Shuniah</p> |
| RU-6 BL-3385-24 | / Retreat centre | | <ul style="list-style-type: none"> / A retreat centre is permitted accessory to a principal dwelling / An accessory building accommodating a retreat centre may have two storeys / Minimum lot width: 61 metres / Minimum lot area: 2.35 hectares / No new buildings shall be constructed within a 30-metre buffer from the edge of a wetland or high water mark of a stream | <p>2230 Amethyst Avenue</p> <p>Part Mining Location AB Scott's Survey, Township of MacGregor, Municipality of Shuniah</p> |
| RU-7 BL-2766-14 | | | / Notwithstanding 4.2.1(2) of this by-law, an accessory garage may be constructed in the absence of a principal building | ML 3A Hart's Plan 55R 2242 Part 3 and 6 |

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|---------------------|---------------------------|-----------------|---|--|
| RU-8 BL-3177-21 | | | <ul style="list-style-type: none"> / Notwithstanding Table 4-1, the floor area of an accessory garage building may exceed the floor area of the principal building, to a maximum of 148 square metres / Despite Table 4-2, eaves on a principal building may project up to 1.22 metres into a required yard | <p>2673 Birch Beach Road</p> <p>Lots 22 and 23 of Registered Plan 694, Part 2 of Reference Plan 55R-8654, Township of MacGregor, Municipality of Shuniah</p> |
| RU-9 BL-3199-21 | | | <ul style="list-style-type: none"> / Notwithstanding Table 4-1, an accessory garage may include two storeys to a maximum height of 7.2 metres | <p>2819 Birch Beach Road</p> <p>Lot 18 of Registered Plan 834, Township of MacGregor, Municipality of Shuniah</p> |
| RU-10 BL-3302-23 | | | <ul style="list-style-type: none"> / Notwithstanding Table 4-1, an accessory garage may include two storeys / Notwithstanding provision 4.2.1(4), a permitted accessory garage may contain bathroom facilities limited to one sink and one toilet | <p>411 Otte Road</p> <p>Concession A, Part SW1/4 Section 9, 55R9190 Parts 1 & 2, Township of MacGregor, Municipality of Shuniah</p> |

8.2 Residential (R) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Residential (R) Zone except in accordance with the following zone regulations:

8.2.1 Permitted Uses

1. Single-detached dwelling;
2. Place of worship; and
3. School.

8.2.2 R Zone Provisions

1. Development in the R Zone shall comply with the provisions of Table 8-3.

Table 8-3: R Zone Provisions

| Mechanism | Provisions |
|---|-------------------|
| Minimum Lot Area | 1 hectare |
| Minimum Lot Frontage | 60 metres |
| Minimum Front Yard | 15 metres |
| Minimum Rear Yard | 15 metres |
| Minimum Interior Side Yard | 7.5 metres |
| Minimum Exterior Side Yard | 7.5 metres |
| Maximum Height | 10 metres |
| Maximum Lot Coverage (Principal Dwelling) | 35% |
| Maximum Lot Coverage (Accessory Building) | 140 square metres |
| Maximum Number of Principal Dwellings Per Lot | One |

8.2.3 Subzones

8.2.3.1 Eldorado Back Lot Residential Subzone (R-EB)

1. In the R-EB Subzone, the provisions in Table 8-4 shall take precedence over the corresponding provisions of Table 8-3.

Table 8-4: R-EB Subzone Provisions

| Mechanism | Provisions |
|---|------------|
| Minimum Lot Frontage | 30 metres |
| Minimum Rear Yard | 10 metres |
| Minimum Interior Side Yard | 3 metres |
| Minimum Exterior Side Yard | 3 metres |
| Maximum Lot Coverage (Accessory Building) | 10% |

8.2.3.2 Loon Lake Back Lot Residential Subzone (R-LB)

1. In the R-LB Subzone, the provisions in Table 8-5 shall take precedence over the corresponding provisions of Table 8-3.

Table 8-5: R-LB Subzone Provisions

| Mechanism | Provisions |
|---|------------|
| Minimum Lot Frontage | 30 metres |
| Minimum Front Yard | 10 metres |
| Minimum Rear Yard | 5 metres |
| Minimum Interior Side Yard | 3 metres |
| Minimum Exterior Side Yard | 3 metres |
| Maximum Lot Coverage (Principal Dwelling) | 35 % |
| Maximum Lot Coverage (Accessory Building) | 10% |

8.2.4 Residential Zone Exceptions

The exception provisions apply to those lands that are zoned with an exception on the accompanying zoning maps to this By-law. Exception provisions to this Zone are set out in Table 8-6.

- / Column 1 sets out the exception number of each zone exception.
- / Column 2 sets out the additional uses permitted in the zone exception, if applicable.
- / Column 3 sets out the prohibited uses in the zone exception, if applicable.
- / Column 4 sets out the zone requirements for the zone exception, if applicable.
- / Column 5 sets out the legal description of the lands subject to the zone exception.

Table 8-6: R Exceptions

| Column 1 Exception Number | Column 2 Additional Permitted Uses | Column 3 Uses Prohibited | Column 4 Zone Provisions | Column 5 Description of Lands |
|------------------------------|---|-----------------------------|-----------------------------|---|
| R-1 BL-2514-11 | / Forestry Operation | | | A portion of Mining Location 3A, Harts Survey being more particularly described as Parts 1, 3, and 4 of Reference Plan 55R-2242, in the geographical Township of MacGregor, Municipality of Shuniah; in the District of Thunder Bay |
| R-2 BL-2893-16 | / Garden Suite, not to exceed a period of twenty years from the date of passing | | | All AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Municipality of Shuniah, Township of MacGregor in the District of Thunder Bay and more particularly described as Mining location 5E White's, E 825 CPR PCI; 8070 TBF in the Township of MacGregor, Municipality of Shuniah, Municipally known as 582 North Clover Road |
| R-3 BL-3013-18 | / Duplex dwelling | | | Mining Location 8 E PT N of Hwy S of CPR; PCL 10254 TBF, 652 Lakeshore Drive, Township of MacGregor, Municipality of Shuniah |

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|---------------------|--|-----------------|---|---|
| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
| R-4 OMB PL020379 | <ul style="list-style-type: none"> / Greenhouse, nursery stock outlet. / Fishing, hunting, sporting goods store, including the keeping and sale of baits | | <ul style="list-style-type: none"> / In addition to the permitted uses and zone provisions of Section 9, the existing 14.6 metre by 15.8 metre commercial building located on Lot 1, Registered Plan M-224 Registered Plan M-224, in the Township of MacGregor now the Municipality of Shuniah, District of Thunder Bay, known as 426 Clover Road is recognized and permitted to continue use for any one of the following purposes: <ul style="list-style-type: none"> / the current use by the present and/or future owner/occupant of the dwelling and/or family members, totalling not more than three persons, / for the care and/or servicing and repair of automobiles, watercraft, recreational trailers, and small- to mid-sized construction equipment, which activity may include body work and welding as a function of such care and/or repair, but not as an individual free standing activity. / All such activities shall be carried on inside of the building except for washing and occasional and | Lot 1, Registered Plan M-224, in the Township of MacGregor now the Municipality of Shuniah, District of Thunder Bay, Municipally known as 426 Clover Road |

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|------------------|---------------------------|-----------------|--|----------------------|
| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
| | | | <p>infrequent non-industrial sand blasting.</p> <ul style="list-style-type: none"> <li data-bbox="1045 370 1465 673">/ Such activity shall specifically not include the painting of vehicles; the commercial care and/or repair of transportation trucks or their trailer units; or of large construction equipment such as graders or bulldozers; or the repair/care/service of equipment for the harvesting of timber, or the processing of aggregate. <li data-bbox="1045 695 1465 782">/ The servicing and/or repair and sale of up to five used automobiles may be permitted at any one time. <li data-bbox="1045 799 1465 974">/ Boats and other watercrafts and/or marine equipment, snow machines, motor homes, and other such vehicles typically utilized only for a part of the year shall be stored indoors. <li data-bbox="1045 990 1465 1263">/ Outside storage of up to five client vehicles may be permitted in association with the use of the above noted building, provided that nothing within this clause shall be construed as permitting the storage of vehicles for the removal of parts and such use shall specifically not be permitted. <li data-bbox="1045 1279 1465 1399">/ A 1.5-metres buffer shall be provided from each property line abutting a residential land use. Such buffer area shall include a | |

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|-------------------|--|--|--|---|
| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
| | | | <p>privacy fence and/or a vegetation buffer of trees, hedges, or other such plants, being not less than 1.83 metres in height.</p> <p>/ Direct access onto Clover Road by clients of the commercial building shall not be permitted, and all such access shall be from Lakeshore Drive.</p> <p>/ Where commercial use of the existing building is abandoned, such building may be used as an accessory building to a dwelling unit on Lot 1, Registered Plan M-224, Registered Plan M-224, in the Township of MacGregor now the Municipality of Shuniah, District of Thunder Bay, known as 426 Clover Road and any discrepancies with respect to lot coverage and/or yards shall be deemed to be legal non-complying for such new use.</p> | |
| R-5 BL-2476-10 | / Duplex dwelling | | <p>/ Minimum Lot Width: 30 metres</p> <p>/ Minimum Lot Area: 0.4 hectares</p> <p>/ Interior Side Yard Setback: 0 metres</p> | A portion of Mining Location 7E, White's Survey being more particularly described as Part 1 of 55R-12173 Township of MacGregor, Municipality of Shuniah |
| R-6 BL 2514-11 | / Forestry Operation | | / Maximum Lot Coverage: 10 percent | |
| R-7 BL-3012-18 | <p>/ Commercial transportation or tractor-trailer operation</p> <p>/ Boarding kennel</p> | Within a permitted commercial transportation or tractor-trailer operation: | / Maximum permitted number of employees at a commercial transportation or tractor operation: 3 | ALL and singular that certain parcel or tract of land and premises being comprised of Mining Locations 2A EPT Whites Survey, 55R-2387 Parts 1 to 4, 1562 Lakeshore Drive, |

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|-------------------|---------------------------|---|--|---|
| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
| | | <ul style="list-style-type: none"> / Painting of vehicles; / Commercial care and/or repair of transportation trucks, trailer units, large construction equipment such as graders or bulldozers; / Repair, care or service of equipment for the harvesting of timber; or / The processing of aggregate. / Veterinary clinic | <ul style="list-style-type: none"> / Maximum permitted number of commercial tractor-trailer trucks, or combination of tractor-trailer trucks and related equipment: 3 / Maximum gross floor area of commercial garage: 137 m² / Idling vehicles or motorized equipment shall be limited to the designated idle area on Schedule A of By-law 3012-18. / Maximum number of animals in a boarding kennel: 8 / Minimum setback between a kennel and a residential use building: 60 m / Dog waste shall be stored in the designated waste area on Schedule A of By-law 3012-18 | MacGregor Township, now being the Municipality of Shuniah, |
| R-8 BL-2965-17 | | | <ul style="list-style-type: none"> / The Holding Zone may only be removed on an affected lot after the following conditions are met, to the satisfaction of the Municipality: <ol style="list-style-type: none"> 1. The provision of an individual and suitable driveway crossing from the lot to its associated Block across the NC rail right-of-way capable of passage for emergency services vehicles, completed to the | Blocks 1-13 on Schedule A to By-law 2965-17 Part of Mining Location 14 HP Savigney's Survey, MacGregor Township, now being the Municipality of Shuniah |

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|------------------|---------------------------|-----------------|---|----------------------|
| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
| | | | <p>satisfaction of the Municipality;</p> <p>2. Execution of a crossing agreement issued by CN Rail providing for the crossing and building of a driveway across the CN rail right-of-way for the subject Block;</p> <p>3. Completion of a hydro-geological report on the subject Block to the satisfaction of the Ministry of the Environment, Conservation and Parks;</p> <p>4. The approval of a septic system for the subject Block, to the satisfaction of the Thunder Bay District Health Unit;</p> <p>5. The approval for an individual and suitable driveway crossing over the regulated area of Northstar Creek, to the satisfaction of the Lakehead Region Conservation Authority for Blocks 3 and 12; and</p> <p>6. The provision of electrical and telephone services to</p> | |

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|------------------|---------------------------|-----------------|---|----------------------|
| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
| | | | the subject Block to the satisfaction of Hydro One and TBayTel. | |

8.3 Shoreline Residential (SR) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Shoreline Residential (SR) Zone except in accordance with the following zone regulations:

8.3.1 Permitted Uses

1. Single-detached dwelling.

8.3.2 SR Zone Provisions

1. Development in the SR Zone shall comply with the provisions of Table 8-7.

Table 8-7: SR Zone Provisions

| Mechanism | Provisions |
|--------------------------------------|---|
| Minimum Lot Area | 1 hectare |
| Minimum Lot Frontage | 30 metres |
| Minimum Front Yard | Abutting water: 21.5 metres Abutting shoreline allowance: 1.5 metres |
| Minimum Rear Yard | 10 metres |
| Minimum Interior Side Yard | 3 metres |
| Minimum Exterior Side Yard | 3 metres |
| Maximum Height | 10 metres |
| Maximum Lot Coverage (Principal Use) | 35 % |
| Maximum Lot Coverage (Accessory) | 140 square metres |
| Maximum Number of Dwellings Per Lot | One |

8.3.3 SR Subzones

8.3.3.1 Shoreline Residential Black Bay (SR-BB) Subzone

1. In the SR-BB Subzone, the provisions in Table 8-8 shall take precedence over the corresponding provisions of Table 8-7.

Table 8-8: SR-BB Subzone Provisions

| Mechanism | Provisions |
|----------------------|------------|
| Minimum Lot Frontage | 36 metres |

8.3.3.2 Shoreline Residential Bass Lake (SR-BA) Subzone

1. In the SR-BA Subzone, the provisions in Table 8-9 shall take precedence over the corresponding provisions of Table 8-7.

Table 8-9: SR-BA Subzone Provisions

| Mechanism | Provisions |
|----------------------------|------------|
| Minimum Interior Side Yard | 4.5 metres |
| Minimum Exterior Side Yard | 4.5 metres |

8.3.3.3 Shoreline Residential Lambert Island (SR-LB) Subzone

1. Lots in the SR-LB Subzone may abut a private travelled road allowance on a side and/or rear yard, provided that the lot has a minimum of 6.0 metres of frontage on the private road.
2. Lots in the SR-LB Subzone may abut a public road allowance that is privately maintained under agreement with the Municipality.
3. In the SR-LB Subzone, the provisions in Table 8-10 shall take precedence over the corresponding provisions of Table 8-7.

Table 8-10: SR-LB Subzone Provisions

| Mechanism | Provisions |
|----------------------------|------------|
| Minimum Interior Side Yard | 4.5 metres |
| Minimum Exterior Side Yard | 4.5 metres |

8.3.3.4 Shoreline Residential Moonlight Bay (SR-MB) Subzone

1. In the SR-MB Subzone, the provisions in Table 8-11 shall take precedence over the corresponding provisions of Table 8-7.

Table 8-11: SR-LB Subzone Provisions

| Mechanism | Provisions |
|--------------------|--|
| Minimum Front Yard | Abutting water: 30 metres Abutting shoreline allowance: 10 metres |

8.3.4 Shoreline Residential Zone Exceptions

The exception provisions apply to those lands that are zoned with an exception on the accompanying zoning maps to this By-law. Exception provisions to this Zone are set out in Table 8-12:

- / Column 1 sets out the exception number of each zone exception.
- / Column 2 sets out the additional uses permitted in the zone exception, if applicable.
- / Column 3 sets out the prohibited uses in the zone exception, if applicable.
- / Column 4 sets out the zone requirements for the zone exception, if applicable.
- / Column 5 sets out the legal description of the lands subject to the zone exception.

Table 8-12: SR Exceptions

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|--------------------|---------------------------|--|---|--|
| SR-1 | | <ul style="list-style-type: none"> / All uses except for pedestrian and/or vehicular ingress and egress to and from Mining Location 13Z and other abutting lots / Open parking / Storage of vehicles or materials | | Part 1, Plan 55R-10753 |
| SR-2 BL-2087-02 | | | <ul style="list-style-type: none"> / Minimum Lot Area: 1,219.3 m² / Minimum Lot Width: 15.24 m | ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Municipality of Shuniah, formerly the Township of MacGregor in the District of Thunder Bay and being composed of Lot 40, Registered Plan Number 694, Township of MacGregor. |
| SR-3 BL-2177-05 | | | <ul style="list-style-type: none"> / Minimum Interior Side Yard Setback: 7.6 m / No construction shall occur on the new lot, being Part 1, 2, 3, & 4, of Reference Plan 55R-12336 that is | Mining Location 1A, White's Survey, geographic Township of MacGregor, Municipality of Shuniah, more particularly |

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|--------------------|---------------------------|-----------------|---|---|
| | | | closer to the front lot line than a line drawn between the corner of the existing residence located west of the new lot, being located on Part 1 of Reference Plan 55R-5765, that is closest to the east lot line of the property, and the corner of the existing residence located on the property east of the subject lands being 9.74 metres from the west lot line of the property described as Parts 2 and 3 of Reference Plan 55R-10049 | described as Part 1, 2, 3, & 4, Reference Plan 55R-12336 |
| SR-4 BL 2867-16 | | | <ul style="list-style-type: none"> / An accessory bunk house may have a gross floor area of 96 square metres / An accessory bunk house shall be permitted to contain a toilet and sink on the main level and a bar sink on the second level | Lot 5 Plan 55M 505, Township of MacGregor, Municipality of Shuniah |
| SR-5 BL 3177-21 | | | <ul style="list-style-type: none"> / Maximum lot coverage for accessory buildings: 213 m² / Minimum Side yard setback on the east side of the main building is 2.28m | <p>Lots 22 and 23 of Registered Plan 694, Part 2 of Reference Plan 55R-8654, Township of MacGregor, Municipality of Shuniah.</p> <p>2673 Birch Beach Road</p> |
| SR-6 | | | <ul style="list-style-type: none"> / Maximum lot coverage for accessory buildings: 720 m² / The maximum accessory building coverage for one new building shall not exceed 160 square feet. / Only one such new accessory building is permitted in addition to the existing buildings as of the | <p>Lots 32 and 33, RP 55R-8760 Parts 1 and 2 RP 55R-9947 Part 1 of Registered Plan 720 in the Township of MacGregor now Municipality of Shuniah District of Thunder Bay.</p> <p>1441 Silver Harbour Drive</p> |

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|------------------|---------------------------|------------------|--|--|
| | | | date of the Ontario Municipal Board decision (January 21, 2003). | |
| SR-7 | | | / Minimum front yard: 40 metres | Lot 26, Plan 820 |
| SR-8 | | | / The holding zone may be removed subject to the submission of a Lake Capacity Assessment, to the satisfaction of the Municipality | Lands within 300 metres of Loon Lake and Bass Lake |
| SR-9 | / Conservation use | / All other uses | / No buildings are permitted | Blocks 42 and 43, Registered Plan 55M-563 |
| SR-10 | / Forestry use / Park | / All other uses | / No buildings are permitted | Blocks 44 and 45, Registered Plan 55M-563 |

8.4 Mobile Home Residential (MHR)

1. No person shall use any land or erect, alter or use any building or structure in the Mobile Home Residential (MHR) Zone except in accordance with the following zone regulations:

8.4.1 Permitted Uses

1. Mobile home park;
2. Office, accessory to a mobile home operation;
3. Buildings, structures, and/or uses accessory to the operation of the mobile home park, or devoted to the recreational or social needs of the residents of the mobile home park; and
4. Buildings, structures, and/or uses accessory to a mobile home.

8.4.2 MHR Zone Provisions

1. Development in the MHR Zone shall comply with the provisions of Table 8-13.

Table 8-13: MHR Zone Provisions

| Mechanism | Provisions |
|---|--|
| Provisions for Mobile Home Parks | |
| Minimum Lot Area | 4 hectares |
| Minimum Lot Frontage | 60 metres |
| Minimum Front Yard | 10 metres |
| Minimum Rear Yard | 7.5 metres |
| Minimum Interior Side Yard | 7.5 metres |
| Minimum Exterior Side Yard | 7.5 metres |
| Maximum Height | 10 metres |
| Maximum Lot Coverage (Principal) | 55 % |
| Maximum Lot Coverage (Accessory) | 15% |
| Maximum Number Of Mobile Homes | MR-A Subzone: 49 units MR-B Subzone: 13 units |

| Provisions for Individual Mobile Home Sites | |
|--|--|
| Minimum Site Width (Individual Mobile Home Site) | Single: 13 metres Double: 15 metres |
| Minimum Site Area (Individual Mobile Home Site) | 540 square metres |
| Minimum Front Yard | 5 metres |
| Minimum Rear Yard | 5 metres |
| Minimum Interior Side Yard | 3 metres |
| Minimum Exterior Side Yard | 3 metres |
| Maximum Height | 10 metres |
| Maximum Number of Mobile Homes Per Individual Mobile Home Site | One |

8.4.3 MHR Subzones

1. In addition to the provisions of Table 8-13, the following provisions apply to MHR Subzones:

Table 8-14: MHR Subzone Provisions

| Mechanism | Provisions |
|--------------------------------|-------------------------|
| Maximum Number Of Mobile Homes | MHR-A Subzone: 49 units |
| | MHR-B Subzone: 13 units |

8.4.4 Accessory Buildings to a Mobile Home

1. Accessory buildings accessory to a mobile home shall not exceed an area of 13 square metres.
2. A maximum of one (1) accessory building is permitted on each mobile home site.

8.4.5 Access Roads

1. Private roads within a mobile home park shall have a minimum width of 15 metres.
2. Individual mobile home sites may abut a private road and not a public road.

8.4.6 Outdoor Storage

1. No outside storage of furniture, domestic equipment, or seasonally used equipment shall be permitted on individual mobile home sites.

8.4.7 Amenity Area

1. An area equal to not less than 5 percent of the total area of a mobile home park shall be devoted to open space and play space for children.

8.5 Association Residential (RA) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Association Residential (RA) Zone except in accordance with the following zone regulations:

8.5.1 Permitted Uses

1. Single-detached dwelling; and
2. Private personal recreation.

8.5.2 Association Residential (RA) Zone Provisions

1. Development in the Association Residential (RA) Zone shall comply with the provisions of Table 8-15.
2. Where the entirety of the lands within a RA subzone established in Section 8.5.3 of this by-law is owned in common under single ownership, the entire subzone shall be considered one lot for zoning purposes.
3. The minimum area of a lot in the RA Zone shall be:
 - a. Where the entirety of the lands within a RA subzone established in Section 8.5.3 of this by-law is owned in common under single ownership: As existing.
 - b. Where all or parts of the lands within a RA subzone established in Section 8.5.3 of this by-law have multiple fee simple owners: As specified on the applicable Zoning Schedule.
4. The minimum width of a lot in the Association Residential (RA) Zone shall be:
 - a. Where the entirety of the lands within a RA subzone established in Section 8.5.3 of this by-law is owned in common under single ownership: As existing.
 - b. Where all or parts of the lands within a RA subzone established in Section 8.5.3 of this by-law have multiple fee simple owners: As specified on the applicable Zoning Schedule.
5. The maximum number of dwellings per lot in the Association Residential (RA) Zone shall be:
 - a. Where the entirety of the lands within a RA subzone established in Section 8.5.3 of this by-law is owned in common under single ownership: As specified in the subzone.
 - b. Where all or parts of the lands within a RA subzone established in Section 8.5.3 of this by-law have multiple fee simple owners: 1.

Table 8-15: Association Residential (RA) Zone Provisions

| Mechanism | Provisions |
|---|---|
| Minimum Front Yard | 10 metres |
| Minimum Rear Yard | 10 metres |
| Minimum Interior Side Yard | 3 metres |
| Minimum Exterior Side Yard | 3 metres |
| Maximum Height | 10 metres |
| Maximum Lot Coverage (Principal) | 35% |
| Minimum Association Building Separation | Where the entirety of the lands within the subzone is owned in common under single ownership: 6 metres Where all or parts of the lands within the subzone have multiple fee simple owners: 3 m |

8.5.3 RA Subzones

8.5.3.1 Ishkibible Beach – RA-IB Subzone

1. Notwithstanding any other provision contained in this By-law, the maximum total number of dwellings within lands zoned RA-IB shall be 59 units.
2. Schedule 1 shall apply for the purposes of minimum lot area and minimum lot width requirements.

8.5.3.2 Clover Beach – RA-CB Subzone

1. Notwithstanding any other provision contained in this By-law, the maximum total number of dwellings within lands zoned RA-CB shall be 47 units.
2. Schedule 2 shall apply for the purposes of minimum lot area and minimum lot width requirements.

8.5.3.3 Floral Beach – RA-FB Subzone

1. Notwithstanding any other provision contained in this By-law, the maximum total number of dwellings within lands zoned RA-FB shall be 70 units.
2. Schedule 3 shall apply for the purposes of minimum lot area and minimum lot width requirements.

8.5.3.4 Green Point – RA-GP

1. Notwithstanding any other provision contained in this By-law, the maximum total number of dwellings within lands zoned RA-GP shall be 55 units.

2. Schedule 4 shall apply for the purposes of minimum lot area and minimum lot width requirements.

8.5.3.5 West Green Bay/Pebble Beach – RA-PB Subzone

1. Notwithstanding any other provision contained in this By-law, the maximum total number of dwellings within lands zoned RA-PB shall be 73 units.
2. Schedule 5 shall apply for the purposes of minimum lot area and minimum lot width requirements.

8.5.3.6 East Green Bay – RA-EG Subzone

1. Notwithstanding any other provision contained in this By-law, the maximum total number of dwellings within lands zoned RA-EG shall be 48 units.
2. Schedule 6 shall apply for the purposes of minimum lot area and minimum lot width requirements.

8.5.3.7 Wild Goose Bay – RA-WG Subzone

1. Notwithstanding any other provision contained in this By-law, the maximum total number of dwellings within lands zoned RA-WG shall be 38 units.
2. Schedule 7 shall apply for the purposes of minimum lot area and minimum lot width requirements.

8.5.3.8 White Birch – RA-WB Subzone

1. Notwithstanding any other provision contained in this By-law, the maximum total number of dwellings within lands zoned RA-WB shall be 18 units.
2. Schedule 8 shall apply for the purposes of minimum lot area and minimum lot width requirements.
3. Notwithstanding the provisions of Table 8-15, the maximum lot coverage shall be the existing lot coverage, with a tolerance of 10%.

8.5.4 Association Residential (RA) Zone Exceptions

The exception provisions apply to those lands that are zoned with an exception on the accompanying zoning maps to this By-law. Exception provisions to this Zone are set out in Table 8-16:

- / Column 1 sets out the exception number of each zone exception.
- / Column 2 sets out the additional uses permitted in the zone exception, if applicable.
- / Column 3 sets out the prohibited uses in the zone exception, if applicable.
- / Column 4 sets out the zone requirements for the zone exception, if applicable.
- / Column 5 sets out the legal description of the lands subject to the zone exception.

Table 8-16: Association Residential (RA) Zone Exceptions

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|------------------|---------------------------|-----------------|-----------------|----------------------|
| (Reserved) | | | | |

8.6 Association Residential Reserve (ARR) Zone

8.6.1 Permitted Uses

1. Conservation use.

8.6.2 ARR Zone Provisions

1. Development in the ARR Zone shall comply with the provisions of Table 8-17.

Table 8-17: ARR Zone Provisions

| Mechanism | Provisions |
|---|--------------|
| Minimum Lot Area | 1.0 hectares |
| Minimum Lot Frontage | 90 metres |
| Minimum Front Yard | 15 metres |
| Minimum Rear Yard | 15 metres |
| Minimum Exterior and Interior Side Yard | 5 metres |
| Maximum Height | 10 metres |
| Maximum Lot Coverage | 35% |

8.7 Institutional (IN) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Institutional (IN) Zone except in accordance with the following zone regulations:

8.7.1 Permitted Uses

1. Arena;
2. Community centre;
3. Daycare;
4. Emergency service facility;
5. Library;
6. Marine facility;
7. Municipal office;
8. Place of worship; and
9. School.

8.7.2 IN Zone Provisions

10. Development in the IN Zone shall comply with the provisions of Table 8-18.

Table 8-18: IN Zone Provisions

| Mechanism | Provisions |
|---|-------------|
| Minimum Lot Area | 0.8 hectare |
| Minimum Lot Frontage | 60 metres |
| Minimum Front Yard | 20 metres |
| Minimum Rear Yard | 15 metres |
| Minimum Interior Side Yard | 5 metres |
| Minimum Exterior Side Yard | 5 metres |
| Maximum Height | 10 metres |
| Maximum Lot Coverage (Principal building) | 35% |

| Mechanism | Provisions |
|---|-------------------|
| Maximum Lot Coverage (Accessory building) | 10% |
| Maximum Number of Principal Uses | One |
| Minimum Separation Distance Between Principal Buildings | 6 metres |
| Minimum Landscaping | 10% |

8.7.3 Institutional Zone Exceptions

1. (Reserved)

8.8 Community Commercial (CC) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Community Commercial (CC) Zone except in accordance with the following zone regulations:

8.8.1 Permitted uses

1. Arena;
2. Automobile gas bar;
3. Community centre;
4. Convenience store;
5. Daycare;
6. Emergency service facility;
7. Hotel;
8. Library;
9. Marina;
10. Marine facility;
11. Motel;
12. Municipal office;
13. Museum;
14. Place of worship;
15. Pharmacy;
16. Restaurant;
17. Retail store;
18. Self-storage facility;
19. School;
20. Tavern; and
21. Accessory dwelling unit.

8.8.2 CC Zone Provisions

1. Development in the CC Zone shall comply with the provisions of Table 8-19.

Table 8-19: CC Zone Provisions

| Mechanism | Provisions | |
|---|-----------------------------|-----------|
| Minimum Lot Area | 1 hectare | |
| Minimum Lot Frontage | 60 metres | |
| Minimum Front Yard | 20 metres | |
| Minimum Rear Yard | 15 metres | |
| Minimum Exterior and Interior Side Yard | Abutting a Residential Zone | 15 metres |
| | All other cases | 5 metres |
| Maximum Height | 10 metres | |
| Maximum Lot Coverage (Principal building) | 35% | |
| Maximum Lot Coverage (Accessory) | 10% | |
| Maximum Number of Principal Uses | One | |
| Minimum Landscaping | 10% | |

2. An automobile rental / sales establishment may include open storage and/or display of vehicles.

8.8.3 Community Commercial Zone Exceptions

The exception provisions apply to those lands that are zoned with an exception on the accompanying zoning maps to this By-law. Exception provisions to this Zone are set out in Table 8-20:

- / Column 1 sets out the exception number of each zone exception.
- / Column 2 sets out the additional uses permitted in the zone exception, if applicable.
- / Column 3 sets out the prohibited uses in the zone exception, if applicable.
- / Column 4 sets out the zone requirements for the zone exception, if applicable.
- / Column 5 sets out the legal description of the lands subject to the zone exception.

Table 8-20: CC Exceptions

| Column 1 Exception Number | Column 2 Additional Permitted Uses | Column 3 Uses Prohibited | Column 4 Zone Provisions | Column 5 Description of Lands |
|------------------------------|---------------------------------------|-----------------------------|--|---|
| CC-1 BL-2124-04 | / Dwelling unit | | <ul style="list-style-type: none"> / Minimum required parking for a retail use: 1 parking space for every 27.8 square metres of floor area / Minimum number of parking spaces: 3 spaces / Minimum number of parking spaces for a dwelling unit or accessory dwelling unit: 2 spaces | Concession C Section 17 being more particularly described as Part 3 of Reference Plan 55R-2484, Township of MacGregor, Municipality of Shuniah, District of Thunder Bay |

8.9 Recreational Commercial (RC) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Recreational Commercial (RC) Zone except in accordance with the following zone regulations:

8.9.1 Permitted Uses

1. Campground;
2. Golf Course;
3. Marina;
4. Marine Facility;
5. Retail Store, limited to sales of tourist goods and wares;
6. Ski Club / ski facility;
7. Tourist Cabin, tent and trailer park;
8. Tourist establishment; and
9. Tourist outfitters establishment.

8.9.2 RC Zone Provisions

1. Development in the RC Zone shall comply with the provisions of Table 8-21.

Table 8-21: RC Zone Provisions

| Mechanism | Provisions | |
|---|-----------------------------|-----------|
| Minimum Lot Area | 2.0 hectares | |
| Minimum Lot Frontage | 90 metres | |
| Minimum Front Yard | 20 metres | |
| Minimum Rear Yard | 15 metres | |
| Minimum Exterior and Interior Side Yard | Abutting a residential zone | 15 metres |
| | All other cases | 5 metres |
| Maximum Height | 10 metres | |
| Maximum Lot Coverage | 35 % | |

| Mechanism | Provisions |
|--|-------------------|
| Minimum Separation Distance (Principal Buildings) | 5 metres |
| Maximum Number of Principal Uses | One |

8.9.3 Recreational Commercial Zone Exceptions

The exception provisions apply to those lands that are zoned with an exception on the accompanying zoning maps to this By-law. Exception provisions to this Zone are set out in Table 8-22:Table 8-20

- / Column 1 sets out the exception number of each zone exception.
- / Column 2 sets out the additional uses permitted in the zone exception, if applicable.
- / Column 3 sets out the prohibited uses in the zone exception, if applicable.
- / Column 4 sets out the zone requirements for the zone exception, if applicable.
- / Column 5 sets out the legal description of the lands subject to the zone exception.

Table 8-22: RC Exceptions

| Column 1 Exception Number | Column 2 Additional Permitted Uses | Column 3 Uses Prohibited | Column 4 Zone Provisions | Column 5 Description of Lands |
|------------------------------|--|-----------------------------|--|--|
| RC-1 BL 2556-11 | / Propane Handling, Dispensing and Storage | | | A Portion of Mining Location 2 Savigny's Survey, described as Part 2 of Reference Plan 56R-694 and Part 1 of Reference Plan 56R-720, Township of MacGregor, Municipality of Shuniah in the District of Thunder Bay |
| RC-2 BL-2112-03 | | | <ul style="list-style-type: none"> / Notwithstanding Section 4.4 of this By-law, the property described in this by-law may abut a private road secured by easement or a road that is constructed on Crown Land. / Notwithstanding any other provision contained in this By-law, the maximum number of tent and trailer camp sites shall be 60. / Minimum required parking: <ul style="list-style-type: none"> / accessory dwelling: 2 spaces / tent and trailer park camp site: 1 space per site / visitor parking: 1 space for every five camp sites | Waller Lake A portion of Concession 3 Section 16 in the Township of MacGregor |

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|-------------------------------|--|-----------------|---|--|
| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
| | | | <ul style="list-style-type: none"> / No Tent and Trailer Park Camp Sites shall be used, maintained or operated unless an adequate water supply and adequate sewage disposal facilities are provided and such water supply and sewage disposal facilities shall comply with all Statutes, Regulations and By-laws governing same. / No part of any accessory building or structure, other than an accessory dwelling, shall be used for human habitation. / An accessory building with a floorplate of 56 square metres is permitted. | |
| <p>RC-3</p> <p>BL-2500-10</p> | <ul style="list-style-type: none"> / Tent and Trailer Park Lodge/Administrative Building / Tent and Trailer Park Waste Collection and Treatment Facility / Boat and/or water equipment rental, boat launching facilities, docking facilities / Recreational Activity/Games Areas, which may include but not limited to mini-putt or similar activities | | <ul style="list-style-type: none"> / The maximum number of permitted tourist cabins shall be 20 / The maximum number of tent and trailer camp sites shall be 400 / A tent and trailer camp site shall: <ul style="list-style-type: none"> / Have a minimum area of 200 square metres, and a minimum of 10 metres in width; / Have access from a private driveway of not less than 7.5 metres in width accessing the site; and shall include parking spaces as regulated. | <p>Mining Location 17, Donnelly's Survey, Township of McTavish, Municipality of Shuniah, District of Thunder Bay</p> |

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|------------------|---|--|--|--------------------------------------|
| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
| | <ul style="list-style-type: none"> / program/activity area related to the Lake Superior National Marine Conservation Area / a coffee shop and/or restaurant / tourist retail sales/gift shop / Winter Storage of Recreational Vehicles / public restrooms/washrooms / structures for the storage and dispensing of firewood / maintenance buildings / accessory dwelling for manager/caretaker which may not continue to be used where the primary commercial use is terminated | | <ul style="list-style-type: none"> / The total cumulative floor area of a permitted maintenance buildings shall not exceed 400 square metres | |
| | <ul style="list-style-type: none"> / Tourist cabin | | <ul style="list-style-type: none"> / A maximum of 25 tourist cabins shall be permitted / Buildings existing on June 28, 2005 may be reconstructed to a maximum of 150% of the building size on that date | Silver Lake |
| | <ul style="list-style-type: none"> / Convenience store / Outdoor storage of boats / Accessory dwelling | <ul style="list-style-type: none"> / Display or storage of pre-fabricated dwellings | | Blocks 8 & 9 of Registered Plan M403 |

| Column 1 | Column 2 | Column 3 | Column 4 | Column 5 |
|------------------|-------------------------------------|-----------------|-----------------|----------------------|
| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
| | / Sales of pre-fabricated dwellings | | | |

8.10 Highway Commercial (HC) Zone

- 1. No person shall use any land or erect, alter or use any building or structure in the Highway Commercial (HC) Zone except in accordance with the following zone regulations:

8.10.1 Permitted Uses

- 1. Automotive sales establishment;
- 2. Automotive service station;
- 3. Building supply store;
- 4. Car wash;
- 5. Convenience store;
- 6. Custom workshop;
- 7. Restaurant;
- 8. Retail Store;
- 9. Hotel;
- 10. Motel;
- 11. Personal service establishment;
- 12. Pharmacy;
- 13. Self-storage facility; and
- 14. Weigh Station.

8.10.2 HC Zone Provisions

- 1. Development in the HC Zone shall comply with the provisions of Table 8-23.

Table 8-23: HC Zone Provisions

| Mechanism | Provisions |
|----------------------|------------|
| Minimum Lot Area | 1 hectare |
| Minimum Lot Frontage | 60 metres |
| Minimum Front Yard | 20 metres |
| Minimum Rear Yard | 15 metres |

| Mechanism | Provisions | |
|---|-----------------------------|-----------|
| Minimum Exterior and Interior Side Yard | Abutting a residential zone | 15 metres |
| | All other cases | 5 metres |
| Maximum Height | 10 metres | |
| Maximum Lot Coverage | 35 % | |
| Maximum Number of Principal Uses | One | |
| Minimum Landscaping | 10% | |

8.10.3 Highway Commercial Zone Exceptions

The exception provisions apply to those lands that are zoned with an exception on the accompanying zoning maps to this By-law. Exception provisions to this Zone are set out in Table 8-24:

- / Column 1 sets out the exception number of each zone exception.
- / Column 2 sets out the additional uses permitted in the zone exception, if applicable.
- / Column 3 sets out the prohibited uses in the zone exception, if applicable.
- / Column 4 sets out the zone requirements for the zone exception, if applicable.
- / Column 5 sets out the legal description of the lands subject to the zone exception.

Table 8-24: HC Exceptions

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|--------------------|---|--|---|---|
| HC-1 BL-2839-15 | / Place of Worship / Accessory dwelling | | | Part of Mining Location 11 E Part South of Highway RP 55R-10763 Part 2, 815 Lakeshore Drive |
| HC-2 BL-2865-16 | / Pharmacy | | | Part of Mining Location 7Z South Part of Savigny's Survey, 2001 Lakeshore Drive |
| HC-3 BL-2266-07 | / Office/mining equipment storage building, subject to Holding Zone | / Office/mining equipment storage building and compound, until Holding Zone is removed / Accessory dwelling | / While the Holding Zone is applied, all uses are permitted except for office/mining equipment storage building and compound / The Holding Zone may be lifted subject to a Site Development Agreement between the Owner and the Municipality being registered on title | Portion of Mining Location 1 Savigny's Survey, Township of MacGregor Part 3 of PAR 15R, Except Part 1 of 56R-694 TBR362073; Saving and Excepting Parts 1 and 2 of Reference Plan 55R12445, in addition to the requirements of section 7.3 |

8.11 Light Industrial (LI) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Light Industrial (LI) Zone except in accordance with the following zone regulations:

8.11.1 Permitted Uses

1. Automotive service station;
2. Auto body shop;
3. Building supply store;
4. Car wash;
5. Commercial greenhouse;
6. Construction yard;
7. Equipment sales, service, rental and repair establishment;
8. Equipment and vehicle storage yard;
9. Light industrial use;
10. Medium industrial use;
11. Self-storage facility; and
12. Weigh station.

8.11.2 LI Zone Provisions

1. Development in the LI Zone shall comply with the provisions of Table 8-25.

Table 8-25: LI Zone Provisions

| Mechanism | Provisions | |
|---|-----------------------------|-----------|
| Minimum Lot Area | 1 hectare | |
| Minimum Lot Frontage | 60 metres | |
| Minimum Front Yard | 20 metres | |
| Minimum Rear Yard | 15 metres | |
| Minimum Exterior and Interior Side Yard | Abutting a residential zone | 20 metres |
| | All other cases | 5 metres |

| Mechanism | Provisions |
|--|-------------------|
| Maximum Height | 10 metres |
| Maximum Lot Coverage | 35 % |
| Maximum Number of Principal Uses | One |
| Minimum Separation Distance (Principal Building) | 5 metres |
| Minimum Landscaping | 10% |

8.11.3 Light Industrial Zone Exceptions

The exception provisions apply to those lands that are zoned with an exception on the accompanying zoning maps to this By-law. Exception provisions to this Zone are set out in Table 8-26:

- / Column 1 sets out the exception number of each zone exception.
- / Column 2 sets out the additional uses permitted in the zone exception, if applicable.
- / Column 3 sets out the prohibited uses in the zone exception, if applicable.
- / Column 4 sets out the zone requirements for the zone exception, if applicable.
- / Column 5 sets out the legal description of the lands subject to the zone exception.

Table 8-26: LI Exceptions

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|------------------|---------------------------|-----------------|-----------------|----------------------|
| (Reserved) | | | | |

8.12 Heavy Industrial (HI) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Heavy Industrial (HI) Zone except in accordance with the following zone regulations:

8.12.1 Permitted Uses

1. Asphalt plant;
2. Batch plant;
3. Bulk fuel depot;
4. Concrete plant;
5. Heavy industrial use;
6. Medium industrial use;
7. Open storage;
8. Public utility;
9. Salvage yard; and
10. Truck terminal.

8.12.2 HI Zone Provisions

1. Development in the HI Zone shall comply with the provisions of Table 8-27.

Table 8-27: HI Zone Provisions

| Mechanism | Provisions | |
|---|-----------------------------|-----------|
| Minimum Lot Area | 8 hectares | |
| Minimum Lot Frontage | 120 metres | |
| Minimum Front Yard | 25 metres | |
| Minimum Rear Yard | 20 metres | |
| Minimum Exterior and Interior Side Yard | Abutting a residential zone | 30 metres |
| | All other cases | 15 metres |
| Maximum Height | 10 metres | |

| Mechanism | Provisions |
|--|-------------------|
| Maximum Lot Coverage | 35% |
| Maximum Number of Main Uses (Principal) | One |
| Minimum Separation Distance (Principal Building) | 5 metres |
| Minimum Landscaping | 10% |

8.12.3 Heavy Industrial Zone Exceptions

The exception provisions apply to those lands that are zoned with an exception on the accompanying zoning maps to this By-law. Exception provisions to this Zone are set out in Table 8-28:

- / Column 1 sets out the exception number of each zone exception.
- / Column 2 sets out the additional uses permitted in the zone exception, if applicable.
- / Column 3 sets out the prohibited uses in the zone exception, if applicable.
- / Column 4 sets out the zone requirements for the zone exception, if applicable.
- / Column 5 sets out the legal description of the lands subject to the zone exception.

Table 8-28: HI Exceptions

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|------------------|---------------------------|-----------------|-----------------|----------------------|
| (Reserved) | | | | |

8.13 Aggregate Extraction (AG) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Aggregate Extraction (AG) Zone except in accordance with the following zone regulations:

8.13.1 Permitted Uses

1. Aggregate Extraction;
2. Mineral Aggregate Operation;
3. Stockpiling of excavated materials; and
4. Screening, sorting, washing and processing of excavated material, excluding crushing.

8.13.2 AG Zone Provisions

1. Development in the AG Zone shall comply with the provisions of Table 8-29.

Table 8-29: AG Zone Provisions

| Mechanism | Provisions | |
|---|--|------------|
| Minimum Lot Area | 8 hectares | |
| Minimum Lot Frontage | 120 metres | |
| Minimum Front Yard | 30 metres | |
| Minimum Rear Yard | 30 metres | |
| Minimum Exterior and Interior Side Yard | Abutting a property zoned for residential, recreational, institutional, or commercial uses | 120 metres |
| | All other cases | 30 metres |
| Maximum Height | 10 metres | |
| Maximum Lot Coverage | 35 % | |
| Minimum Separation Distance (Principal Buildings) | 5 metres | |

2. No blasting shall take place within 450 metres of any buildings except on-site buildings.

8.13.3 Aggregate Processing (AG1) Subzone

1. In the AG1 subzone, the following additional uses are permitted:
 - a. Crushing of excavated material.

8.13.4 Aggregate Extraction Zone Exceptions

The exception provisions apply to those lands that are zoned with an exception on the accompanying zoning maps to this By-law. Exception provisions to this Zone are set out in Table 8-30:

- / Column 1 sets out the exception number of each zone exception.
- / Column 2 sets out the additional uses permitted in the zone exception, if applicable.
- / Column 3 sets out the prohibited uses in the zone exception, if applicable.
- / Column 4 sets out the zone requirements for the zone exception, if applicable.
- / Column 5 sets out the legal description of the lands subject to the zone exception.

Table 8-30: AG Exceptions

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|------------------|---------------------------|-----------------|--|---|
| AG-1 OMB 1660 | | | <p>No excavation building of equipment or stockpiling of material shall be located within 30 metres of an abutting property used for residential, recreational, institutional, or commercial purposes.</p> <p>A minimum 120 metre setback shall be maintained between a use in this zone and an abutting residential dwelling.</p> | The north half of the Southeast Quarter of Concession A Section 10, Township of MacGregor |

8.14 Mining (MI) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Mining (MI) Zone except in accordance with the following zone regulations:

8.14.1 Permitted Uses

- / Aggregate extraction;
- / Mineral aggregate operation;
- / Mineral mining operation;
- / Office uses, limited to mine administration;
- / Retail store, limited to the selling of minerals found on site and food and/or beverages;
- / Mining theme centre;
- / Mining tourist facilities;
- / Mine tour operation; and
- / Specialized housing exclusively for mine workers.

8.14.2 MI Zone Provisions

1. Development in the MI Zone shall comply with the provisions of Table 8-31.

Table 8-31: MI Zone Provisions

| Mechanism | Provisions | |
|---|--|------------|
| Minimum Lot Area | 8 hectares | |
| Minimum Lot Frontage | 120 metres | |
| Minimum Front Yard | 30 metres | |
| Minimum Rear Yard | 30 metres | |
| Minimum Exterior and Interior Side Yard | Abutting a property zoned for residential, recreational, institutional, or commercial uses | 120 metres |
| | All other cases | 30 metres |
| Maximum Height | 10 metres | |

| Mechanism | Provisions |
|-----------------------------|-------------------|
| Maximum Lot Coverage | 35% |
| Minimum Separation Distance | 5 metres |

2. No blasting shall take place within 450 metres of any buildings except on-site buildings.

8.14.3 Mining Zone Exceptions

The exception provisions apply to those lands that are zoned with an exception on the accompanying zoning maps to this By-law. Exception provisions to this Zone are set out in Table 8-32:

- / Column 1 sets out the exception number of each zone exception.
- / Column 2 sets out the additional uses permitted in the zone exception, if applicable.
- / Column 3 sets out the prohibited uses in the zone exception, if applicable.
- / Column 4 sets out the zone requirements for the zone exception, if applicable.
- / Column 5 sets out the legal description of the lands subject to the zone exception.

Table 8-32: MI Exceptions

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|------------------|---------------------------|-----------------|-----------------|----------------------|
| (Reserved) | | | | |

8.15 Waste Management (WM) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Waste Management (WM) Zone except in accordance with the following zone regulations:

8.15.1 Permitted uses:

- / Waste disposal facility;
- / Waste transfer facility; and
- / Recycling depot.

8.15.2 WM Zone Provisions

1. Development in the WM Zone shall comply with the provisions of Table 8-33.

Table 8-33: WM Zone Provisions

| Mechanism | Provisions | |
|---|---|-----------|
| Minimum Lot Area | 8 hectares | |
| Minimum Lot Frontage | 120 metres | |
| Minimum Front Yard | 30 metres | |
| Minimum Rear Yard | 30 metres | |
| Minimum Exterior and Interior Side Yard | Abutting a property zoned for residential, recreational, institutional or commercial uses | 50 metres |
| | All other cases | 30 metres |
| Maximum Height | 10 metres | |
| Maximum Lot Coverage | 35% | |
| Minimum Separation Distance (Primary Buildings) | 5 metres | |

8.15.3 Waste Management Zone Exceptions

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|------------------|--|---------------------------|---|--|
| WM-1 | / Waste disposal facility, limited to the disposal of wood waste | / Waste disposal facility | / Notwithstanding provision 4.2.1(2), an accessory building or structure may be permitted in the absence of a principal building. / Despite 4.4(1) of this by-law, permitted development may be served by a private road traversing Crown and/or private lands | All and Singular that certain parcel or tract of land and premises situate, lying and being in the Township of MacGregor, in the District of Thunder Bay, and being composed of portions of Concessions I and II Sections 15 and 16, |

8.16 Open Space (OS) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Open Space (OS) Zone except in accordance with the following zone regulations:

8.16.1 Permitted Uses:

- / Conservation Use;
- / Marine Facility; and
- / Park.

8.16.2 OS Zone Provisions

1. Development in the OS Zone shall comply with the provisions of Table 8-34.

Table 8-34: OS Zone Provisions

| Mechanism | Provisions |
|---|------------|
| Minimum Lot Area | No minimum |
| Minimum Lot Frontage | No minimum |
| Minimum Front Yard | 7.5 metres |
| Minimum Rear Yard | 7.5 metres |
| Minimum Exterior Side Yard | 5 metres |
| Minimum Interior Side Yard | 5 metres |
| Maximum Height | 10 metres |
| Maximum Lot Coverage | 35% |
| Minimum Separation Distance (Principal Building) | 5 metres |

8.16.3 Open Space Zone Exceptions

1. (Reserved)

8.17 Protected Area (PA) Zone

1. No person shall use any land or erect, alter or use any building or structure in the Protected Area (PA) Zone except in accordance with the following zone regulations:

Permitted Uses:

- / Conservation use, excluding any building;
- / Park, excluding any building;
- / Flood control;
- / Shoreline protection works;
- / Fisheries management;
- / Wildlife management;
- / Mineral exploration; and
- / Waterfowl production.

8.17.1 PA Zone Provisions

1. Development in the PA Zone shall comply with the provisions of Table 8-35.

Table 8-35: PA Zone Provisions

| Mechanism | Provisions |
|----------------------------|------------|
| Minimum Lot Area | No minimum |
| Minimum Lot Frontage | No minimum |
| Minimum Front Yard | No minimum |
| Minimum Rear Yard | No minimum |
| Minimum Exterior Side Yard | No minimum |
| Minimum Interior Side Yard | No minimum |
| Maximum Height | No minimum |
| Maximum Lot Coverage | No minimum |

9 Definitions

In this By-law, the following definitions shall apply:

Abut

Means to share a common lot line, and abutting has a corresponding meaning.

Accessory

When used to describe a use, building or structure, shall mean a use, building or structure naturally or normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith.

Accessory Dwelling – see Dwelling, Accessory

Accessory Use

Means a land use that is accessory to a principal use.

Adult Entertainment Establishment

Means any premises or part thereof in which is provided live theatre, video theatre, live dance or live display by entertainers and/or staff intended or distinguished by nudity or partial nudity, or otherwise relating to erotic or sexual conduct, appetite, or inclination.

Aggregate

Means gravel, sand, clay, earth, shale, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act or exempted under the Regulations of the Aggregate Resources Act.

Aggregate Extraction

Means the removal of aggregate material from its natural setting by means of an open excavation, and may include extraction, screening, washing, stockpiling, and/or hauling, and, if specifically allowed in the zone, crushing.

Agricultural Use

Means the use of land, building(s) or structure(s) for:

1. The growing of crops, including but not limited to:
 - a. nursery and horticultural crops;
 - b. activities related to (a), such as soil preparation, manure or fertilizer spreading, planting, spraying, grain drying, irrigating, harvesting; and
 - c. the storage and sale of the crops produced on the lands;

2. Animal husbandry, including the raising, boarding, and keeping of all forms of livestock, including poultry and fish, aquaculture, apiaries and all related activities such as breeding, training, feeding and grazing;
3. Agro-forestry, maple syrup production;
4. The production of animal products including but not limited to milk, eggs, wool, fur, or honey, and all related activities such as the collection, storage and sale of the products produced on the lands;
5. The use and storage of all forms of on-farm buildings and structures, equipment or machinery needed to accomplish the activities described in this definition,

but does not include:

6. Commercial activities related to agriculture such as abattoirs, tanneries and retail sales outlets, (except a farm produce outlet); or
7. manufacturing and processing activities involving farm crops or animal products such as cheese factories, grain mills or retail seed sales.

Agricultural-Related Use

Means those farm-related uses that are intended to provide direct products and/or services to farm operations as a primary activity, are compatible with local farm operations, and are limited to:

1. Non-accessory storage of farm products and farm-related machinery; or
2. Sorting or packing of farm products.

Aisle

Means the traveled way by which motor vehicles enter and depart parking spaces, loading/delivery spaces or a parking area.

Alter

When used in reference to a building, structure or part thereof, means:

1. To change any one or more of the internal or external dimensions of such building or structure; or
2. To change the type of construction of the exterior walls or roof of such building or structures; or
3. To change the use of such building or structure or the number or types of uses or dwelling units contained therein.

When used in reference to a lot means:

1. To change the boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of the lot, or otherwise; or
2. To change any dimension or area relating to such lot, including width, depth or area of a lot; or

3. To change physical attributes of the exterior of a development, including yards, landscaped open space or parking areas; or
4. To change the use of such lot or the number of uses located thereon.

When used in reference to a shoreline means to change, straighten, divert or interfere in any way with the channel of any waterbody or the lands surrounding the high-water mark of a waterbody.

Altered and alteration shall have corresponding meanings.

Apartment Building - see Dwelling - Apartment

Arena

Means a facility for sport activities and includes ice surfaces for hockey and curling and other surfaces for any sporting activity.

Artisan Shop

Means a building or part thereof used:

1. As the workplace of a cabinetmaker, ornamental welder, photographer, artist, or artisan or any similar artist or craftsman, where unique articles are made or fabricated and offered for sale; or
2. For the instruction of art, music, languages or similar disciplines.

Asphalt or Concrete Plant

Means a permanent industrial facility used for the production of asphalt or concrete products, used in building or construction and includes but is not limited to facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process of finished products manufactured on the premises and the storage and maintenance of equipment.

Association Building Separation – see Building Separation, Association

Attached

Means a building or structure otherwise complete in itself which is connected to, and which depends for structural support upon, a division wall or walls shared in common with an adjacent building or buildings.

Attic

Means that portion of a building immediately below the roof and wholly or partly within the roof framing.

Auto Body Shop

Means a building or structure where painting, refinishing, restoration, alterations, or repairs are made to motor vehicles and where the services are performed for gain or profit, but does not include a salvage yard or auto repair garage.

Automotive Sales Establishment

Means land or buildings used for the display, storage and sales or leasing, or renting of new and/or used motor vehicles and recreational vehicles and related products, and may include accessory uses such as an Auto Repair Garage and/or Auto Body Shop, administrative offices and a customer lounge.

Automotive Service Station

Means a building and/or lot used for the sale of fuels or energy products, for motor vehicles or recreational vehicles and may include an auto repair garage, the servicing, repairing, lubrication, cleaning and polishing of vehicles and the sale of automotive accessories and related products, but shall not include an auto body shop, automotive sales establishment, or gas bar.

Balcony

Means a structure without a roof attached to and extending horizontally from the wall or walls of a main building and having no separate foundation on the ground and no direct access to the ground.

Back Lot

Means any lot without direct frontage on a waterbody and which is separated from a waterbody by the depth of one water-fronting lot, or the depth of one water-fronting lot and a public street.

Barn

Means a building or structure which is used for the keeping of farm animals, products and equipment in association with an agricultural use.

Basement

Means that portion of a building below the first floor which is partly underground.

Batch Plant, Asphalt or Concrete

Means an industrial facility used for the production of asphalt or concrete products, used in building or construction and includes but is not limited to facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process of finished products manufactured on the premises and the storage and maintenance of equipment.

Bay Window

Bay window means a window with at least three panels set at different angles to create a projection from the outer wall of a building, and includes a bow window.

Bed and Breakfast Establishment

Means a private dwelling in which guest rooms are provided for gain as temporary accommodation on a daily basis for the travelling or vacationing public as an accessory use and where the proprietor lives on the premises.

Boarding House

Means a dwelling which contains three (3) or more rooming units wherein, for remuneration, lodgings, with or without meals, are provided to the public.

Boat House

Means an accessory building used for the storage of marine vessels or other forms of watercraft and boating equipment but shall not include living space for human habitation or sleeping space.

Boat Launch

Means a use of land adjacent to a water body that is used to launch and remove boats, marine vessels and watercraft.

Boat Slip

Means a single mooring space for a boat, marine vessel or watercraft forming part of a dock, boat house or other mooring facility.

Buffer Strip – see Landscaped buffer

Building

Means any structure consisting of walls, roof and floors used or intended for sheltering any use or occupancy. A building shall include a shipping container, sea can, or similar storage structure when the structure is placed on the ground for any purpose other than loading and unloading a shipment in conjunction with an industrial or commercial use for up to a maximum of 28 consecutive calendar days. The word "building" shall include the whole of such structure or part thereof.

Building Envelope

Means the buildable area on a lot, defined by all of the required yards and setbacks and the maximum height provisions, within which a building can be erected.

Building Height

Means the vertical distance between the established grade and:

1. In the case of a flat roof, the highest point of the roof surface or parapet wall, whichever is the highest [see Figure 4.1]; or
2. In the case of all other types of roofs, the mean height level between the base of the roof (eaves or deck line) and highest point of the roof (ridge) [see Figure 4.1].

Where the height is designated in terms of storeys, it shall mean the designated number of storeys above and including the first storey.

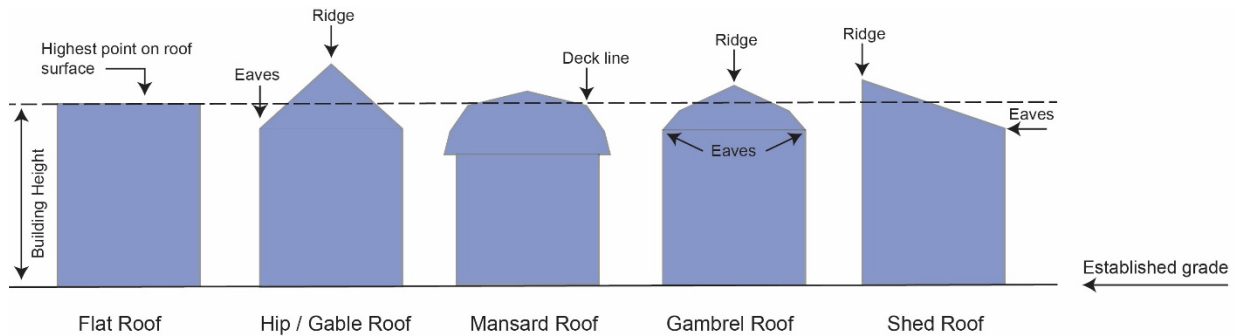


Figure 9.1: Building Heights

Building Inspector or Building Official - see Chief Building Official

Building, Main

Means a building in which is conducted the principal uses of the lot on which it is situated.

Building Line

Means a line within a lot drawn parallel or concentric to a lot line establishing the minimum distance between that lot line and any portion of a building or structure which may be erected.

Building, Mixed Use

Means a building containing more than one land use that are designed and constructed as a single building.

Building Separation

Means the horizontal distance between the nearest portions of the main walls of any buildings on a lot, excluding permitted projections.

Building Separation, Association

Means the horizontal distance between the nearest portions of any buildings on a lot, including permitted projections.

Building Supply Store

Means a building where building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, hardware, air conditioning, home improvement and similar goods are stored, displayed, or kept for retail or wholesale sale and may include a bulk storage yard, but which shall not include a salvage yard.

Building, Temporary

Means a building intended for removal or demolition within a prescribed time period.

Bulk Fuel Depot

Means lands, buildings and structures for the storage, distribution of fuels and oils but not including retail sales or key lock operations.

Bulk Storage Yard

Means land or a lot used for the storage, in the open or partially sheltered, of goods and materials and, without limiting the foregoing, shall include lumber, building supplies, and construction equipment, but shall not include a salvage yard.

Bunk House

Means a non-commercial accessory building used exclusively for temporary sleeping accommodation in association with a primary residential building, and which contains no cooking or sanitary facilities, whether free-standing or attached to another building.

Bus Terminal

Means lands, buildings and structures used for the housing or parking of motor-drive buses and the loading and unloading of passengers.

Camp (Hunt Camp, Fishing Camp)

Means a building or structure intended to provide basic shelter and accommodation on a temporary basis for persons engaged in such activities as hunting, fishing, snowmobiling, hiking or other similar forms of recreation but does not include a seasonal dwelling or a dormitory.

Camp Site

Means a parcel of land within a campground that is maintained as a site for the location of accommodations such as a tent, tent trailer, recreational vehicle or truck camper, but excluding a mobile home.

Campground

Means an area of land, managed as a unit, providing short term accommodation or overnight camping for tents, tent trailers, recreational vehicles or truck campers. A campground may include accessory uses, buildings and structures such as an accessory dwelling, laundromat, convenience store, pavilion, recreation hall, beach, the sale of propane fuels, firewood, other goods and/or supplies and equipment rentals that are accessory to the operation of the campground.

Cannabis Production Facility

Means a facility used for the cultivation, production, processing, testing, destruction, packaging, and/or shipping of cannabis and cannabis-based products.

Car Port

Means a structure open on at least two sides and intended to be used for the sheltering of one or more motor vehicles.

Car Wash

Means a commercial building or portion thereof used for the washing or cleaning of motor vehicles.

Catering Establishment

Means a commercial establishment in which food and beverages are prepared for consumption off the premises and are not served to customers on the premises.

Cemetery

Means a cemetery within the meaning of the Cemeteries Act and includes a mausoleum, columbarium or other building or structure intended for the interment of human remains.

Chief Building Official

Means an officer or employee of the Municipality charged with the duty of enforcing the provisions of the Building Code Act.

Clinic

Means a building or part thereof used solely for the purpose of consultations, diagnosis and treatment of patients and, without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, laboratories, pharmacies or dispensaries directly associated with the clinic.

Commercial Greenhouse, Nursery or Garden Centre

Means a building and/or outdoor area primarily used for the growing of flowers, sod, vegetables, shrubs or bushes, trees, landscaping or orchard stock and similar vegetation for wholesale or retail sale on or off the premises and may include the incidental sale of gardening supplies, planting materials fertilizers and equipment.

Commercial Parking Lot

Means a lot forming the principal use of the land which is used for the temporary parking of two or more motor vehicles for profit or gain.

Commercial Vehicle

Means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highway.

Communications Facility

Means an installation which transmits receives and/or relays communications such as a microwave relay tower, significant antenna, telephone or telegraph line, cellular telephone tower, radio or television broadcast tower or similar facility approved by Industry Canada.

Community Centre

Means a multi-purpose facility that offers a variety of recreational, cultural, social, or instructional programs.

Community Garden

Means a site used by community members and/or a community organization for the growing of produce, flowers and native plants for non-profit use through individual or shared plots located on municipally owned lands.

Conservation Use

Means the use of lands which are intended to remain open in character with the priority use given to preservation, protection or conservation of their ecological uniqueness, wildlife production and their natural features and may include non-commercial recreational uses.

Construction Yard or Contractor's Yard

Means the yard of a building contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and may include facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business, but does not include the crushing of virgin or recyclable aggregates or materials nor the wholesale or retail sale of building supplies or home improvement supplies.

Continuum-of-Care Facility

Means an establishment providing supervised or supportive in-house care for those who need assistance with daily living, which may also provide on-going medical or nursing care or counselling and social support services and which may include services such as medical, counselling and personal services.

Convenience Store

Means a retail store used primarily for the sale of grocery and other daily household necessities.

Corporation

Means the Corporation of the Municipality, except where reference is made in this By-law to a private corporation, in which case the definition shall mean a body corporate with share capital to which the Business Corporations Act applies.

Cottage Association

Means an organization of persons, whether incorporated or un-incorporated or a trust, which holds title to block(s) or parcel(s) of land, upon which are located a number of recreational dwellings owned individually by the persons who are members or shareholders or participants in the association.

Council

Means the Council of the Corporation of the Municipality of Shuniah.

Crisis Care Facility

Means a residential facility that is licensed and funded by the Province of Ontario, Government of Canada or an appointed agency, for the short term, temporary care of persons requiring immediate emergency shelter and aid who are living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their wellbeing.

Custom Workshop

Means a building or structure or part of a building or structure used by a trade or craft for the individual custom production of articles. The sale of such products shall be permitted as an accessory use.

Day Care

Means a facility for the temporary care of children in exchange for compensation and where such care is provided in a private residence, other than the home of a parent or guardian of any such child, the service is offered for a continuous period not exceeding twenty-four hours.

Deck

Means a structure without a roof having a foundation to hold it erect and attached to or abutting one or more walls of a building, with or without direct access to the ground, the floor of which is greater than 0.6 metres above finished grade and shall not include a landing or stair.

Detached

When used in reference to a building or structure, means a building or structure which is not structurally dependent on, nor adjoins on any side, any other building.

Development

Means the creation of a new lot, a change of land use, or the construction of buildings or structures requiring approval under the Planning Act and includes redevelopment, but does not include activities that create or maintain infrastructure authorized under an Environmental Assessment process, works subject to the Drainage Act, or underground or surface mining of minerals or advanced exploration on mining lands.

Dish Antenna - see Satellite Dish/Receiver

Dock

Means an accessory structure used for the mooring of boats, marine vessels or watercraft which is designed to float freely on the surface of the water and which may be secured or anchored to the shoreline.

Dormitory

Means a building designed or used to provide temporary lodging accommodation of miners, mining staff, contracted staff, mill employees or students and may include such facilities as an administrative office, cafeteria, recreational hall and living units, and where each living unit may contain washroom and kitchen facilities.

Drive-Through Facility

Means a premise used to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in motor vehicles that are in a designated queuing space, and may be combined with other land uses. Kiosks within a parking structure necessary for the operation of the parking facility or kiosks associated with a surface parking area are not considered drive-through facilities.

Driveway

Means an unobstructed private way used to provide access to a lot from a street or lane.

Driving Range

Means a public or private area operated for the purpose of developing golfing techniques, including miniature golf courses, but excluding a golf course.

Dry Cleaning or Laundry Outlet

Means a premises used for the purpose of receiving articles or goods of fabric to be subjected to the process of laundering or dry cleaning at another location and may include facilities for the pressing or ironing of such articles.

Dwelling

Means a building or part of a building occupied or capable of being occupied as a residence, or sleeping place, by one or more persons, where food preparation and sanitary facilities are provided, but shall not include a hotel or motel.

Dwelling – Accessory

Means a detached dwelling which is accessory to a permitted non-residential use.

Dwelling – Additional

Means a dwelling unit contained within a building that is secondary and subordinate to an associated principal dwelling unit in the same building, and its creation does not result in the creation of a semi-detached, row dwelling or apartment dwelling.

Dwelling - Apartment

Means a building containing three or more dwelling units but shall not include a row dwelling.

Dwelling – Duplex

Means a building that is divided horizontally into two dwelling units, each of which has an independent entrance.

Dwelling – Mobile Home

Means any dwelling that is designed to be made mobile, and constructed or manufactured in accordance with applicable standards in the Ontario Building Code and designed to provide a permanent residence for one or more persons, but does not include a recreational vehicle.

Dwelling – Row

Means a building that is divided vertically into three or more dwelling units, each of which has an independent entrance at grade.

Dwelling – Seasonal

Means a dwelling constructed for occupancy exclusively in the spring, summer, or autumn and does not meet Ontario Building Code requirements for winter occupancy.

Dwelling – Semi-Detached

Means a building on a single foundation divided vertically into two separate dwelling units by a common wall.

Dwelling – Single-Detached

Means a detached building containing one dwelling unit.

Dwelling Unit

Means one or more habitable rooms, or suites of two or more rooms, designed or intended for use and/or occupancy by one or more individuals as a household, in which separate culinary and sanitary facilities are provided for the exclusive use of such household, and which is accessed by a private entrance from outside the building or from a common hallway or stairway inside the building.

Eave

Means a roof overhang, free of enclosing walls, without supporting columns.

Emergency Service Facility

Means a use providing police, fire, ambulance, or paramedic services.

Entrance

Means in reference to a lot, the area of intersection between a driveway and a street line.

Equestrian Establishment

Means the use of land, buildings and structures for operation of a horse-riding academy or horse-riding stables.

Equipment Sales, Service, Rental and Repair Establishment

Means a building or part of a building and land where machinery or equipment for use in construction undertakings, commercial vehicles, and other similar goods are kept for sale at retail or wholesale and which may be serviced washed or repaired and may include an auto body shop.

Equipment and Vehicle Storage Yard

Means an uncovered area of land which is used for the storage of machinery and equipment for construction undertakings, commercial vehicles, and other similar goods requiring large areas for outside storage. Limited repair of such machinery, equipment, vehicles and goods may be permitted in a building provided such repair is clearly incidental and secondary to the storage use.

Erect

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

Established Grade

Means:

1. When used with reference to a building, the average elevation of the finished level of the ground adjoining a wall of the building, measured along the length of the wall, exclusive of any artificial embankments or berms or steps;
2. When used with reference to a structure, the average elevation of the finished surface of the ground immediately surrounding such structure;
3. When used with reference to a street, road or highway, the elevation of the street, road or highway established by a public authority.

Existing

Means existing as of the date of the passing of this By-law.

Exterior Side Lot Line - see Lot Line, Exterior Side

Exterior Side Yard - see Yard, Exterior Side

Fairground

Means land, buildings and structures used for entertainment, agricultural and related exhibits, competitive events, food concessions, a carnival, midway or renaissance festival which are conducted on a seasonal or temporary basis and may include grandstands, barns and other accessory buildings and structures normally associated with such a use.

Farm Produce Outlet

Means an accessory use to a farm which consists of the retail sale of agricultural products produced on the farm where such outlet is located.

Farm, Hobby

Means the keeping, breeding, raising and grazing of livestock, and/or poultry, other than domestic pets, for the personal use of the household operating the hobby farm and excludes an agricultural use as defined herein which is operated for commercial purposes.

Farmer's Market

Means land, buildings and structures used for the sale of farm products, crafts and other merchandise of a local farming or rural community and designed for individual retailers.

Fence

Has a corresponding meaning as defined in the Municipality of Shuniah Fence By-law.

First Storey

Means the storey above a basement with its floor closest to and above grade.

Flood Elevation or Floodline

Means a line representing the vertical flooding limit of a one-in-one-hundred-year storm event, as established by floodplain mapping or by a public authority.

Flooding Hazards

Means lands having the potential for flooding impacts, the extent of which is measured by a one-in-one-hundred-year storm event, or a greater standard defined by a public authority.

Floodplain

For river, stream and small inland lake systems, means the area adjoining a watercourse that has been or may be subject to flooding hazards.

Floor Area, Gross

Means the total area of all floors contained within a building measured between the exterior faces of the exterior walls of the building, or, where there are no walls, the total area of a floor within the outer perimeter of the floor.

Floor Area, Ground

Means the floor area of the **first storey** of a building, measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes car parking areas within the building; and for the purposes of this paragraph the walls of an inner court are and shall be deemed to be exterior walls.

Floor Area, Net

Means usable or habitable space above or below grade, measured from the exterior face of the exterior walls of the building or structure but shall not include:

- Any private garage, porch, veranda, unfinished basement, or attic; or
- / Any part of a building or structure below grade which is used for building services, storage or laundry facilities; or
- / Any part of the building or structure used for the storage or parking of motor vehicles; or
- / Any part of a commercial shopping area used as a hallway, corridor passageway, utility room, public washroom, balcony or mezzanine not otherwise used for the display or sale area for merchandise.

Forestry Use

Means the general raising, management and harvesting of wood and shall include the raising and cutting of fuel wood, pulpwood, saw logs, Christmas trees, other forestry products and silva culture practices.

Frontage - see Lot Frontage

Funeral Home

Means a building or part thereof used for the purpose of furnishing funeral services to the public, but shall not include a crematorium.

Garage, Commercial - see Automotive Service Station

Garage, Private

Means a single-storey accessory building or portion of a main building which is designed or used for parking or storage of motor vehicles of the occupants of the premises in which there are no facilities for repairing or servicing of such vehicles for remuneration or commercial use and includes a carport.

Garden Centre - see Commercial Greenhouse, Garden Centre or Nursery

Garden Suite

Means a one-unit detached residential building containing sanitary and kitchen facilities that is accessory to an existing permanent residential building and that is designed to be portable, but shall not include a mobile home, or a recreational vehicle.

Gas Bar

Means one or more pump islands, each consisting of one or more gasoline pumps, and which may include a building, structure or booth used for the sale of gasoline products and convenience items including but not limited

to beverages, prepared foods, newspapers, lottery tickets sundries and may include other accessory features such as a comfort station and ATM.

Gazebo

Means a freestanding, roofed accessory structure which is not enclosed, or enclosed only with transparent screening such as glass or netting, and which is utilized for the purposes of relaxation in conjunction with a main use but shall not include any other use or activity otherwise defined or classified herein.

Golf Course

Means a public or private area operated for the primary purpose of playing the sport of golf but may also include such accessory buildings and structures as are necessary for the operation and maintenance of the golf course including club house facilities, a restaurant, banquet, conference and other uses of a social, recreational and entertainment nature normally associated with golf course development.

Green Roof

Means a roof of a building where part of or the entire surface of the roof is intentionally covered with vegetative material.

Group Home

Means a single housekeeping unit in a residential dwelling, which is registered with the Municipality, in which three to ten persons (excluding supervisory or operating staff) live together under responsible supervision consistent with the requirements of its residents for a group living arrangement and which is licensed and/or approved under Provincial Statutes and in compliance with municipal By-laws.

Guest Cabin - see Bunk House

Guest Room

Means a bedroom or suite of rooms, which contains no facilities for cooking and which is used or maintained for gain or hire by providing accommodation.

Habitable Room

Means a room in a dwelling used or intended to be used primarily for living, dining, sleeping or kitchen accommodation and may include a bathroom, den, library or enclosed sunroom but shall not include any private garage, carport, porch, unfinished attic, or unfinished basement.

Hazardous Lands

Means property or lands that could be unsafe for development due to naturally occurring processes, including lands in a floodplain or subject to a flooding hazard or erosion hazard.

Hazardous Substances

Means substances which, individually or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide variety of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Helipad

Means a landing area used for the landing and take-off of helicopters and may include incidental emergency service facilities, fuelling facilities and passenger and cargo areas.

Herein

Means in this By-law, and shall not be limited to any particular section of this By-law.

High-Water Mark

Means the mark made by the action of water under natural conditions on the shore or bank of a body of water, which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

Highway

Means a street under the jurisdiction of the Ontario Ministry of Transportation.

Hobby Farm – see Farm, Hobby

Holding Tank

Means a tank designed to totally retain all sanitary sewage discharged into it and requiring periodic emptying. A holding tank is not a pump chamber.

Home Occupation

Means a privately-operated occupation, enterprise or business which is permitted under the laws of the Province of Ontario and Canada and carried out as an accessory use to a dwelling unit.

Hospital

Means any provincially-regulated institution, building or premises established under the Public Hospitals Act.

Hotel

Means a building designed or used for the accommodation of the travelling or vacationing public, but does not include a bed and breakfast establishment. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms, restaurant or similar uses.

Industrial Use

Means the use of land, building or structures for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale of any goods, substances, article or thing, or any part thereof and the storage of building and construction equipment and materials as distinguished from the buying and selling of commodities and the supplying of personal services. This definition does not include a mine, pit or quarry or noxious industry. Accessory uses may include transportation, wholesaling, storage, shipping and receiving incidental to the industrial use.

Light Industrial Use (Class I Industry)

Means a place of business for a small scale, self-contained plant or building which produces, manufactures, assembles or stores a product which is contained in a package and has a low probability of

fugitive emissions, noise, odour, dust or vibration. Such industries operate in the daytime only with infrequent movement of products, few heavy trucks and no outside storage. 'Light Industrial Uses' or 'Class I Industry' have a corresponding meaning.

Medium Industrial Use (Class II Industry)

Means a place of business for medium-scale process and manufacturing with outdoor storage of wastes or materials and where there are periodic or occasional outputs of fugitive emissions, noise, odour, dust and/or vibration. Shift operations may occur and there is frequent movement of products and/or heavy trucks during daytime hours. 'Medium Industrial Uses' or 'Class II Industry' have a corresponding meaning.

Heavy Industrial Use (Class III Industry)

Means a place of business for uses characterized as having emissions such as noise, smoke, odour, fumes or vibrations, or extensive outside storage, as part of their normal operations. 'Heavy Industrial Uses' or 'Class III Industry' have a corresponding meaning.

Institutional Use

Means any land, building, structure or part thereof used to provide non-profit or non-commercial purposes for governmental, educational, charitable, fraternal or other public services.

Junk Yard - see Salvage Yard

Kennel

Means a commercially-operated building or structure where four or more dogs over the age of six months are kept, bred or boarded.

Landfill– see Waste Disposal Facility

Landscaped Buffer

Means a landscaped area located inside and along the perimeter of a lot intended to screen or separate land uses or incidental uses of land, either from one another or from a public street

Landing

Means, where associated with a permitted projection or structure, a platform, with or without a roof, which extends horizontally from the wall of a building, whether adjacent to a door or similar platform between flights of stairs, and provides direct access to the ground or stairs.

Lane

Means a public thoroughfare other than a street or pedestrian way, improved or not, which has a right-of-way width of 10 metres or less and which provides a secondary means of travel for vehicular traffic to abutting lots and which is not intended for general traffic circulation.

Laundromat

Means a building where laundry machines are made available to the public for the purpose of laundry cleaning.

Livestock

Means animals associated with an agricultural use such as, but not limited to, cattle, horses, goats, poultry, sheep, swine or the young thereof, raised for personal use or for commercial purposes.

Livestock Facility

Means one or more barns or permanent structures with livestock-occupied portions, intended for the keeping or housing of livestock and includes all manure or material storages.

Loading/Delivery Space

Means an unobstructed area of land which is used for the temporary parking of one or more commercial motor vehicles while merchandise or materials are being loaded or unloaded from such vehicle.

Logging Operation

Means an area of land and/or building of a logging contractor where equipment and materials are stored and may include repairs to logging equipment.

Lot

Means all contiguous land under one ownership.

Lot Area

Means the total horizontal area measured within the limits of the lot lines of the lot, excluding the horizontal area of any floodplain or wetland area located on such lot.

Lot, Corner

Means a lot situated at an intersection of two or more streets, or at the intersection of two parts of the same street which have an interior angle or intersection of not more than 135 degrees.

Lot Coverage

Means that percentage of land or lot area covered by buildings.

Lot Depth

Means the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" shall mean the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. If there is no rear lot line, "lot depth" shall mean the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

Lot Frontage

Means the horizontal distance between the side lot lines. Where such side lot lines are not parallel, it shall be the width of a lot measured as a straight line between the intersections of the side lot lines at points equal to the front yard setback back from and parallel to the front lot line.

Lot, Interior

Means a lot other than a corner or a through lot which has frontage on a street.

Lot Line

Means a boundary line of a lot or the vertical projection thereof.

Lot Line, Exterior Side

Means a lot line located between the front and rear lot lines and dividing the lot from a street [see Figure 9.2].

Lot Line, Front

Means:

1. In the case of an interior lot, the line dividing the lot from the street, street allowance or approved private road;
2. In the case of a corner lot, the shorter lot line abutting a street shall be deemed to be the front lot line;
3. In the case of a corner lot with two street lines of equal length, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line;
4. In the case of a waterfront lot, the lot line abutting the shoreline or the original shoreline road allowance shall be deemed to be the front lot line.
5. In the case of a through waterfront lot, the shortest shoreline shall be deemed to be the front lot line.

Lot Line, Rear

Means the lot line furthest from, and opposite to, the front lot line [see Figure 9.2].

Lot Line, Interior Side

Means a lot line other than a front lot line, rear lot line or exterior side lot line. On a lot with more than four sides, any lot line not otherwise defined as a front, rear or exterior side lot line shall be considered as an interior side lot line [see Figure 9.2].

Lot, Through

Means a lot having a frontage on two parallel or approximately parallel streets and where such lot qualifies as being both a corner lot and a through lot, such lot shall be considered as a corner lot.

Lot Width

Means the average horizontal dimension between the two longest opposite sides measured along a line 6 metres back from and parallel to the front lot line.

Marina

Means a use, building and/or structure with or without docking facilities where boats are moored, berthed, constructed, stored, serviced, repaired or kept for sale or rent, and where accessory uses shall include the sale of boat accessories, marine fuels and supplies and pump-out facilities.

Marine Facility

Means a non-commercial structure which is used to moor, berth, or store a boat. This definition may include a boat launching ramp, a boat lift, marine railway, a float hangar, dock or boathouse, but does not include any building used for human habitation or a marina.

Medical Clinic or Medical Facility - see Clinic

Microbrewery

Means a commercial operation where beer is produced at a small scale. A microbrewery may sell the product that is produced on-site, including for purposes of on-site consumption. A bar, pub or brewpub shall not be considered a microbrewery. A microbrewery may also sell retail items directly related to the operation on-site.

Mine

Means a mine as defined in the Mining Act. Mining shall have a corresponding meaning.

Mine Hazard

Means any feature on a mine as defined under the Mining Act or any related disturbance of the ground that has not been rehabilitated.

Mineral Aggregate Operation

Means:

1. Lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act, or successors thereto, or a pits and quarries control by-law enacted under the Municipal Act; and
2. Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral Mining Operation

Means a mining operation and associated facilities, or, a past producing mine with remaining mineral development potential that has not been permanently rehabilitated to another use.

Minimum Distance Separation Formulae I and II

Means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Mobile Home – see Dwelling – Mobile Home

Mobile Home Park

Means land which has been provided and designed for the location thereon of two or more occupied mobile homes.

Motel – see Hotel

Motor Home - see Recreational Vehicle

Motor Vehicle or Vehicle

Means an automobile, commercial vehicle, truck, recreational vehicle, transport tractor, farm tractor, road building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a snowmobile.

Municipal Service Centre

Means a facility in which the Municipality provides municipal services and administration, and may also include offices and other ancillary uses.

Municipality

Means the Municipality of Shuniah.

Museum

Means a building or buildings used, or to be used, for the preservation of a collection of paintings and/or other works of art, and/or objects of natural history, and/or of mechanical scientific and/or philosophical inventions, instruments, models and/or designs, and dedicated or to be dedicated to the recreation of the public, together with any libraries, reading rooms, laboratories and/or other offices and/or premises used or to be used in connection therewith.

Natural Vegetative Buffer

Means an area of land containing trees, bushes, grasses and/or other natural vegetation.

Non-Complying

Means any existing building, structure or lot which does not comply with one or more of the zone regulations and standards of this By-law.

Non-Conforming

Means any existing use, building, structure or lot which is does not conform to the permitted use provisions of any Zone in this By-law.

Non-Residential

Means a use, building or structure that is designed, intended or used for purposes other than those of a dwelling or a residential use.

Nursing or Convalescent Home - see Continuum-of-Care Facility

Nursery - see Commercial Greenhouse, Nursery or Garden Centre

Office

Means a building, structure or part thereof used for conducting the affairs of businesses, professions, services, industries, governments, or like activities.

Office / Mining Equipment Storage Buildings and Compound

Means the use of buildings constructed solely for the purposes of administration and/or storage of mineral exploration equipment and materials and shall include an external compound area for the purpose of storage larger materials and equipment related to mineral exploration, such as small vehicles, trenching or drilling equipment.

On-Farm Diversified Use

Means a use that is ancillary to the principal agricultural use of a property and includes, but is not limited to, educational displays, veterinary clinic, restaurant, bakery, retail store, retail food store, micro-brewery, micro-distillery, place of assembly, solar installations, agri-tourism uses, and uses that produce value-added agricultural products.

Open Space

Means the open, unobstructed space on a lot including landscaped areas, pedestrian walkways, patios, swimming pools or similar areas but not including any driveway, ramp, parking spaces or aisles, loading spaces or manoeuvring areas and similar areas.

Open Storage

Means the storage of goods, merchandise or equipment outside of a building or structure on a lot or portion thereof, but does not include a storage use located in a building, a salvage yard, a parking area, a loading space or a parking space.

Order Station

Means an ordering box, service window, display board or any other device, including communication equipment, used by the public and operator to facilitate sales and/or services in a drive-through service facility.

Outdoor Display

Means an area set aside outside of a building or structure, other than a parking area, loading space or parking space which is used in conjunction with a business located within the building or structure on the same property, for the display of goods, merchandise, equipment and seasonal produce and products and may include garden supplies and Christmas trees, new merchandise or the supply of services.

Owner

Means a mortgagee, lessee, tenant, occupant, or a person entitled to a limited estate or interest in land, a trustee in whom the land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator or a guardian.

Park

Means an area of land, whether enclosed or not, which is used for recreational or leisure uses including but not limited to a beach, playground, play field, athletic field, field house, community centre, bleachers, swimming pool, wading pool, splash pad, greenhouse, botanical gardens, zoological gardens, bandstand, skating rink, tennis courts, bowling green, boat livery, bathing station, curling rink, refreshment concession, campground, fairground, and conservation area.

Parking Area

Means land used for the parking of vehicles, including related drive aisles, where the total number of parking spaces is greater than one.

Parking Lot

Means any open space other than a street used or intended to be used for the temporary storage of more than three motor vehicles or boats.

Parking Space

Means a space for the temporary parking or storage of a motor vehicle or recreational vehicle and includes outdoor parking or spaces provided in a garage or carport.

Parking Space, Barrier Free

Means a parking space for the temporary parking of a motor vehicle that can be used by persons with physical, mental or sensory disabilities.

Patio

Means a platform or surfaced areas without a roof, the surface of which is not more than 0.6 metres above finished grade, and which is designed and intended to be used as an accessory activity area to a dwelling or commercial/institutional use.

Permitted

Means permitted by this By-law.

Permitted Use

Means a use which is permitted in the zone where such use is located.

Person

Means an individual, an association, a chartered organization, a firm, a partnership, a corporation, an agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

Personal Service Establishment

Means a building wherein a personal service is performed including but not limited to a barber shop, beauty salon, aesthetician, shoe repair, photographic store, laundromat or a dry cleaning distribution station but excludes a manufacturing or fabrication of goods for sale.

Pharmacy

Means a retail location which prepares and dispenses prescription drugs, medicines, non-prescription medicines, health and beauty products, and associated sundry items, but does not include an inpatient or outpatient treatment facility or clinic.

Pit

Means land or land under water from which aggregate is being or has been excavated to supply material for construction, manufacturing or industrial purposes, but shall not include rehabilitated land or an excavation incidental to the erection of a building or a structure for which a building permit has been granted by the Municipality, or an excavation incidental to the construction of any public works.

Place of Amusement

Means commercial premises wherein amusement facilities are provided such as a video arcade, arcade, billiard or pool room but does not include an adult entertainment parlour or bingo hall.

Place of Assembly

Means a place designed and used to accommodate gatherings of people such as arts and craft shows, trade fairs, fashion shows, public meetings, banquets, conference meetings, reception halls, a private club or a fraternal organization and similar activities.

Place of Worship

Means a building or an open area dedicated to religious worship or activities and may include:

1. an accessory dwelling; and
2. other secondary meeting facilities; and
3. accessory uses such as an auditorium, religious education facilities, parish hall, rectory, manse; and
4. cemetery.

Porch or Veranda

Means a covered, unenclosed entrance to a building usually with a separate roof and used as an outdoor living space.

Portable Asphalt Plant

Means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process and which is not of permanent construction, but which is to be dismantled at the completion of the construction process.

Portable Concrete Plant

Means a building or a structure with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process and which is not of permanent construction, but which is to be dismantled at the completion of the construction process.

Premises

Means the area of a building and lot occupied by a business or enterprise. In a multiple-tenancy building occupied by more than one business, each business area shall be considered separate premises.

Principal

Means primary, main, or dominant.

Printing and Processing Service Shop

Means a building or part of a building used by one or more persons who are employed in the management, direction or conducting of an activity, specifically undertaken to aid an industrial or office use including photocopying, mail processing, receiving, distribution, document finishing, laminating, faxing, and packaging. Accessory uses to any industrial or business office activity such as computer graphic services and data processing may also be permitted as part of this operation.

Private Garage – see Garage, Private

Private Road

Means a private right-of-way over private property which affords access to two or more abutting lots or a road created through the registration of a plan of condominium, but does not include a road established or maintained by a public authority.

Private Personal Recreation

Means use of land for private and not-for-profit recreational purposes, but shall not include the gathering of spectators or the holding of large-scale events.

Propane Handling, Dispensing and Storage

Means a place for the storage and/or wholesale or retail distribution of propane.

Public Authority

Means the Municipality of Shuniah and any Boards or Commissions thereof, and any Ministry or Department of the Governments of Ontario or Canada, or other similarly recognized public utility or agencies established or exercising any power or authority under any special or general statute and includes any committee or local authority established by By-law of Council.

Public Street – see Street

Quarry

Means any open excavation made for the removal of any consolidated rock or mineral including limestone, sandstone or shale, in order to supply material for construction, industrial or manufacturing purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Municipality, or an excavation incidental to the construction of any public works.

Racetrack / Motocross

Means a purpose-built facility for the conducting of races for the racing of human-operated machines propelled by sources other than muscular power and may feature spectating facilities such as grandstands or concourses.

Reconstruction

Means to re-build, erect or assemble a previously existing building or structure.

Recreational Commercial Establishment

Means an establishment, building or structures where any recreational, social or cultural uses are operated commercially for profit on lands in private ownership, such as health clubs, open or enclosed skating or curling rinks, open or enclosed pools, open or enclosed badminton or tennis courts, squash courts, pickleball, bowling alleys, gymnasias, band shell or open theatre, and other similar uses except as otherwise specifically defined in this By-law.

Recreational Vehicle

Means any vehicle so constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or is propelled by the motor vehicle and is capable of being used for living, sleeping, eating or accommodation of persons on a temporary, transient or short-term basis, even if the vehicle is jacked up or its running gear is removed. Examples include a motor home, tent trailer, a camper trailer, a recreational trailer, a fifth wheel or a bus converted into a motor home. The definition of a recreational vehicle shall not be interpreted to include a mobile home, recreational equipment such as boats, boat or vehicle trailers, personal watercraft, snowmobiles, all-terrain vehicles (ATVs) or other equipment used for recreational purposes and which are normally stored or parked on a lot.

Recreational Vehicle, Stored

Means a recreational vehicle located on a lot only for the purposes of storing the recreational vehicle for use at any location other than the lot upon which it is stored. For greater clarity, stored recreational vehicles are not occupied or used in any way for living, sleeping or eating, nor for accommodations of persons on a temporary, transient, or short-term basis.

Recreational Vehicle Campground – see Campground

Recreational Vehicle Sales and Storage

Means a building and/or lot which is used for the display, storage and/or sale of boats, recreational vehicles or recreational equipment.

Recycling Depot or Transfer Station

Means a special waste management facility which only serves as a temporary storage site for clean materials such as glass, paper, cardboard, plastic, metal and other similar products which will be transferred to another location for reuse. This definition does not include any other type of waste management system.

Redevelopment - see Development

Remote Cottage

Means a seasonal dwelling on an isolated lot or on Crown Lands.

Renovate

Means to strengthen, improve, repair, retrofit or restore to a better state any aspect of an existing building.

Residential Care Facility – see Continuum-of-Care Facility

Residential Use

Means the use of land, buildings or structures for human habitation or as a dwelling.

Residential Zone

Means one of the following zones:

1. Residential (R) Zone;
2. Shoreline Residential (SR) Zone;
3. Mobile Home Residential (MHR);
4. Association Residential (RA) Zone; and
5. Association Residential Reserve (ARR) Zone.

Restaurant

Means premises, including a drive-through service facility, in which the principal business is the preparation and serving of food and refreshments to the public for consumption at tables within or outside the building and which may include the preparation of food in a ready-to-consume state for consumption off the premises.

Retail Store

Means a building wherein goods, wares, merchandise, groceries, substances or articles are offered for sale to the general public, and may include the limited storage of goods, wares, merchandise, substances or articles, and shall not include any other use defined herein.

Retirement Home

Means a building or part of a building providing residence mostly to senior citizens who do not require assistance with daily living, and which may provide ancillary health, personal service, and recreational services to serve the residents of the home.

Retreat Centre

Means a use that provides for the operation of spiritual, cultural or educational indoor and outdoor programs for single-day or in-residence multi-day guest use, and which may include sleeping accommodations, kitchen and eating facilities, meeting spaces, washroom facilities.

Road - see Street

Rooming Unit

Means a room or rooms rented as sleeping and living quarters, without cooking facilities and may include an individual bathroom.

Row House - see Dwelling, Row

Sale of Tourist Goods

Means the use of land, building, and/or structure or part thereof for the display and sale of crafts, goods and/or products targeted primarily for the travelling public as small gifts and/or mementos of their travel.

Salvage Yard

Means a lot and/or building or portion thereof where used goods, wares, merchandise, articles, motor vehicles, machinery or parts thereof are processed or sold for further use, dismantled or abandoned. This definition may include a junk yard, a wrecking yard, a scrap metal yard, and an automobile wrecking yard on the premises.

Satellite Dish/Receiver

Means a structure designed, used or intended to be used to send or receive signals to or from a satellite.

Sauna

Means an accessory building or structure wherein facilities are provided for the purpose of a sauna bath, either dry or wet and may include a change/relaxation room, storage areas and a washroom but not a kitchen or sleeping facilities.

Sawmill or Planing Mill

Means a building, structure or area where timber is cut or sawed, either to finished lumber or as an intermediary step.

Service / Repair Shop

Means the use of land, building, and/or structure for the servicing and/or repair of articles, small engines, appliances or other such goods or items.

School

Means a Provincially-approved institution for academic instruction and shall include a public, private or separate school, a vocational school, or a post-secondary school such as a college or university.

Sea Can – see Shipping Container

Seating Capacity

Means the number of persons that can be accommodated in a building or structure or part thereof in a seated position on chairs, benches, forms or pews.

Self-Storage Facility

Means a commercial building or part of a building wherein items are stored in separate, secured storage areas or lockers and may include the exterior storage of boats and water-related equipment, recreational equipment and recreational vehicles.

Semi-Detached Dwelling - see Dwelling, Semi-Detached

Sensitive Land Use

Means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment.

Separation Distance

Means the horizontal distance between buildings or structures or physical features measured from the closest point of the exterior wall or identifiable boundary of such building or structure, or of such physical structure.

Septic System

Means:

1. a leaching bed system; or
2. a tertiary treatment system, with a treatment unit as defined by the Ontario Building Code.

Service Outlet or Shop

Means a shop for selling, servicing, repairing, installing or renting items and equipment, including but without limiting the generality of the foregoing: radio or television shop, locksmith shop, small appliance shop, household and carpenter tool shop, shoe repair, a copy shop but shall not include a small engine shop or automotive repairs and automotive services.

Setback

Means:

1. With reference to a street, the shortest horizontal distance between the front lot line and the nearest building line.
2. With reference to a waterbody, the shortest horizontal distance between the specified feature and the nearest building line.
3. With reference to a building, structure or land use and not applicable under paragraph (1) or (2), shall mean the shortest horizontal distance from the building, structure or land use in question.

Sewage and Water Services

Means:

1. **Private Communal Sewage Services**
 - a. Means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that serves six or more lots or private residences and is not owned by the Municipality.
2. **Private Communal Water Services**
 - a. Means a non-municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002 that serves six or more lots or private residences.
3. **Individual On-Site Sewage Services**
 - a. Means individual sewage systems as defined in Ont. Reg. 332/12, under the Building Code Act, 1992 that are owned, operated and managed by the owner of the property upon which the system is located.

4. **Individual On-Site Water Services**

- a. Means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

5. **Municipal Sewage Services**

- a. Means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that is owned or operated by a municipality.

6. **Municipal Water Services**

- a. Means a municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002.

7. **Partial Services**

- a. Means municipal sewage services or private communal sewage services and individual on-site water services; or municipal water services or private communal water services and individual on-site sewage services.

8. **Sewage Works**

- a. Means any works for the treatment and disposal of sewage in a wastewater stabilization pond and includes hauled sewage.

Shipping Container

Means the trailer portion of a tractor-trailer unit or transport truck without the running gear, or a rail or seaway container, which is traditionally used for the shipping and transportation of goods and materials.

Shooting Range or Rifle Club

Means the use of land, buildings, structures or premises for commercial or private recreational target practice, skeet shooting, pistol shooting, rim fire and centre fire, a sporting clay range rifle shooting, archery, gun or hunter safety instruction and may include accessory facilities.

Shopping Centre

Means a group of two or more establishments that are permitted in the zone, that are conceived, designed, developed and managed as an interdependent and interrelated unit, whether by a single owner or tenant, or by a group of owners and tenants acting in collaboration, and may include units of ownership held in condominium tenure.

Shoreline

Means a lot line or portion thereof which abuts or parallels the high-water mark of a waterbody.

Shoreline Allowance

Means the road allowance reserved along the edge of a lake or river.

Short-Term Accommodation

Means the whole or part of a residential unit that is used to provide transient accommodation for a period of less than 30 consecutive nights, and is not a hotel, motel, tourist cabin, cottage, hospital, commercial resort, or bed and breakfast establishment.

Sight Triangle

Means a triangular space, free of buildings, structures and obstructions, formed by the street lines abutting a corner lot and a third line drawn from a point on a street line to another point on a street line, each such point being the required sight distance from the point of intersection of the street lines.

Sign

Means any writing, letter work or numeral, any pictorial representation, illustration, drawing, image or decoration, any emblem, logo, symbol or trademark or any device with similar characteristics which:

1. Is a structure, or part of a structure, or which is attached thereto or mounted thereon; and
2. Which is used to advertise, inform, announce, claim, give publicity or attract attention.

Ski Club, Ski Facility

Means the use of land, buildings, and/or structures for downhill skiing, and including one or more ski lifts, and/or for cross-country skiing, and may also include passive summer use of the lift(s) and/or trails for viewing and/or hiking.

Sleep Cabin or Sleeping Cabin - see Bunk House

Solar Collector

Means a small-scale ground-mounted or rooftop-mounted or wall-mounted device consisting of photovoltaic panels that collect solar power from the sun.

Solar Collector, Commercial

Means a large-scale ground-mounted device consisting of photovoltaic panels that collect solar power from the sun for commercial purposes.

Solarium

Means a glassed-in structure or room projecting from an exterior or main wall of a building which may be used for sunning, therapeutic exposure to sunlight, or for a use where the intent is to optimize exposure to sunlight.

Source Water Protection Areas

Means those areas around municipal wells in which policies and provisions may be implemented in order to protect the integrity of the source water resource. The extent of source water protection areas is defined by the travel time for flows of groundwater to the municipal well.

Storage Container – see Shipping Container

Stored Recreational Vehicle – see Recreational Vehicle, Stored

Storey

Means that portion of a building other than a basement included between the surface of any floor and the surface of the floor, roof deck, ceiling or roof immediately above it.

Street

Means a public thoroughfare, lane, road or highway affording principal means of access or entrance to abutting properties, and which has been assumed and is maintained by a public authority.

Street Line

Means the limit of the road or street allowance and is the dividing line between a lot and a street or a private road.

Street Allowance

Means a road dedicated on a plan of subdivision or a road that has been surveyed and transferred to the Municipality, whether or not such road is opened and maintained year-round.

Structure

Means anything constructed or erected, the use of which requires location on the ground or attached to something having location on the ground and, without limiting the generality of the foregoing, includes vehicular parking facilities, a recreational vehicle, a sign, a fence, a swimming pool, a deck, an individual on-site sewage services (i.e. septic tank).

Studio

Means a building or part thereof used:

1. As the workplace of a cabinetmaker, ornamental welder, photographer, artist, or artisan or any similar artist or craftsman, where unique articles are made or fabricated and offered for sale; or
2. For the instruction of art, music, languages or similar disciplines.

Swimming Pool

Means an open or covered pool designed to be used for swimming, wading, diving or recreational bathing which is at least 50 centimetres in depth and may include a hot tub, inflatable pool or whirlpool.

Tavern

Means a "tavern" as defined by the Liquor License Act.

Temporary Building – see Building, Temporary

Temporary Car Shelter

Means a temporary structure erected to provide shelter primarily to a motor vehicle during winter months and is designed to be dismantled or removed.

Tent and Trailer Park

Means a privately-owned parcel of land used to provide temporary accommodation in tents, trailers or recreational vehicles whether or not a fee is charged or paid for such accommodation.

Tent and Trailer Park Camp Site

Means a parcel of land within a tent and trailer park occupied by a tent, trailer or recreational vehicle and may include storage of a recreational vehicle.

Tent and Trailer Park Lodge / Administration Building

Means the use of a building for the purpose of administrative functions associated with the maintenance and operation of a tent and trailer park; and for the purpose of recreation activities associated with the functioning of a tent and trailer park, including but not limited to indoor games and recreation areas, internet computer access, restaurant, tourist merchandise/gift shop retail area, and public washrooms.

Tent and Trailer Park Waste Collection and Treatment Facility

Means an approved sewage collection and treatment facility for the treatment of sewage waste from recreational vehicles, travel trailers and/or tourist campers that are users of a particular tent and trailer park which may include an onsite sewage treatment facility or an alternative collection and storage facility with regular pump-out to an offsite approved sewage treatment facility.

Top of Bank

Means a boundary where the majority of normal discharges and channel-forming activities takes place. The top of bank boundary will contain the active stream channel, active floodplain, and their associated banks.

Tourist Cabin

Means premises or buildings to be used for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers.

Tourist Cabin Site

Means a parcel of land within a tent and trailer park, or otherwise located in a commercial tourist activity occupied by a tourist cabin, and the immediate land associated with such cabin which provides yards, amenity and/or activity area.

Tourist Establishment

Means land, buildings or structures used for the purpose of sleeping accommodation on a temporary basis by tourists or vacationers, including a motel, lodge or bed and breakfast establishment, and rental cottage or cabin where more than 3 such rental units occupy the same property, including accessory uses such as dining, meeting and beverage rooms and similar uses.

Tourist Outfitters Establishment

Means land, buildings or structures operated throughout all or part of a year which may or may not furnish overnight accommodation and facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or other similar recreational purposes.

Townhouse - see Dwelling - Row

Trailer, Travel Trailer or Recreational vehicle - see Recreational Vehicle

Transfer Station - see Recycling Depot or Transfer Station

Triplex – see Dwelling, Apartment

Transportation or Truck Operation

Means use of land, buildings, and/or structures where more than three vehicles licensed for a gross weight of 11,000 kilograms or greater are stored, parked, and/or maintained, loaded, or unloaded, but shall not include use for display or sale or use directly associated with a construction yard.

Use

Means the purpose for which a lot or a building or a structure is designed, arranged, occupied or maintained, and used has a corresponding meaning.

Use, Accessory – see Accessory Use

Vehicle – see Motor Vehicle

Veterinary Establishment - see Animal Shelter

Warehouse

Means a building or structure or portion thereof used or intended to be used for the bulk storage and distribution of goods, merchandise, or materials but shall not include facilities for a transportation depot or a self-storage facility.

Waste Disposal Facility

Means a place where garbage, refuse, domestic or industrial waste is disposed of or dumped, excluding radioactive or toxic chemical wastes, and may include a sewage lagoon or sludge disposal area.

Water Access Lot

Means a lot that is accessed by a navigable waterbody.

Waterbody

Means any bay, lake, river, natural watercourse or canal but excluding a drainage or irrigation channel.

Wayside Pit

Means land from which unconsolidated aggregate is removed by means of open excavation on a temporary basis for use by a road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wayside Quarry

Means land from which consolidated aggregate is removed by means of open excavation on a temporary basis for use by a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Welding Shop

Means a building or structure or part thereof where metal products are joined, repaired or shaped by welding but no mass productions shall be involved.

Wellness Centre

Means a premises devoted to the actively sought goal of good health and includes the teaching and practice, in both individual and group sessions, of a range of holistic, alternative and integrative natural health practices and may include meditation, acupuncture, shiatsu, massage therapies, yoga, and healthy eating programs, and may include accessory uses such as administrative offices, physical fitness rooms, and waiting rooms, directly associated with the premises, but excludes a recreational commercial establishment.

Wetlands

Means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wetlands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wetland, Coastal

Means any wetland that is located on Lake Superior, or any wetland that is on a tributary to Lake Superior and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of Lake Superior.

Wholesale Establishment

Means a building or part of a building where goods, wares, merchandise or articles are stored in bulk for sale in wholesale quantities but does not include premises where any goods, wares, merchandise, substances or articles are offered or kept for sale at retail.

Wind Farm

Means one or more wind turbines which are connected to the transmission or local distribution electricity grid. In addition to wind turbines, wind farms may include, but are not limited to, temporary construction facilities, operations and maintenance buildings, meteorological towers, above- and below-ground collector grids, public or private roads, communications equipment, substations, electrical pole lines, interconnection facilities, and other civil works.

Wind Farm Sub-Station

Means an electrical construction designed to collect and modify electrical energy produced by wind turbines in a wind farm for the purpose of supplying it to the local electrical grid.

Wind Tower

Means the tubular structure or solid structure located above grade that supports the nacelle and rotor assembly.

Wind Tower Foundation

Means the tower support structure located below grade that supports the entire weight of a wind turbine.

Wind Turbine

Means a wind energy converter designed to extract kinetic energy from the wind and convert to electrical energy.

Wind Turbine Blade

Means a component of a wind turbine that acts as a part of an airfoil assembly intended to extract kinetic energy directly from the wind through its rotation.

Wind Turbine Rotor

Means the rotating part of a wind turbine.

Wind Turbine Total Height

Means the height from grade to the highest vertical point of the swept rotor arc. In the case of a wind turbine with a horizontal axis rotor, the total height includes the distance from grade to the rotor axis of rotation within the nacelle plus one-half the swept rotor diameter.

Wood Waste Disposal Site

Means the residual by-product wood waste, primarily bark, yard scrapings and randomly-sized wood blocks that cannot be chipped or accommodated by sawmill machinery.

Wood Waste Disposal Site

Means a disposal area used for the exclusive disposal of wood waste.

Workshop - see Custom Workshop

Wrecking Yard – see Salvage Yard

Yard

Means an area of a lot abutting a building that is intended for such purposes as privacy space, landscaping, parking or access [see Figure 4.2].

Yard, Front

Means a yard extending across the full width of the lot between the front lot line and a line drawn parallel or concentric thereto and through the point of the main wall of a main building closest to the front lot line [see Figure 4.2].

Yard, Rear

Means a yard extending across the full width of the lot between the rear lot line and a line drawn parallel or concentric thereto and through the point of the main wall of the main building closest to the rear lot line. Where there is no rear lot line, the rear yard shall be measured from the intersection of the side lot lines to the closest point of the main wall of the main building [see Figure 4.2].

Yard, Side

Means a yard extending from the front yard to the rear yard between the side lot line and a line drawn parallel or concentric thereto and through the point of the main wall of a building closest to the side lot line [see Figure 9.2].

Yard, Exterior Side

Means a side yard adjacent to a street [see Figure 9.2].

Yard, Interior Side

Means a side yard other than an exterior side yard [see Figure 9.2].

Zone

Means a designated area of land use demarcated on the Schedules attached hereto.

Zone Regulation

Means any provision of this By-law which is listed under the heading "Zone Regulations" or referred to as a zoning regulation and governs the erection of any building or structure or the use of land.

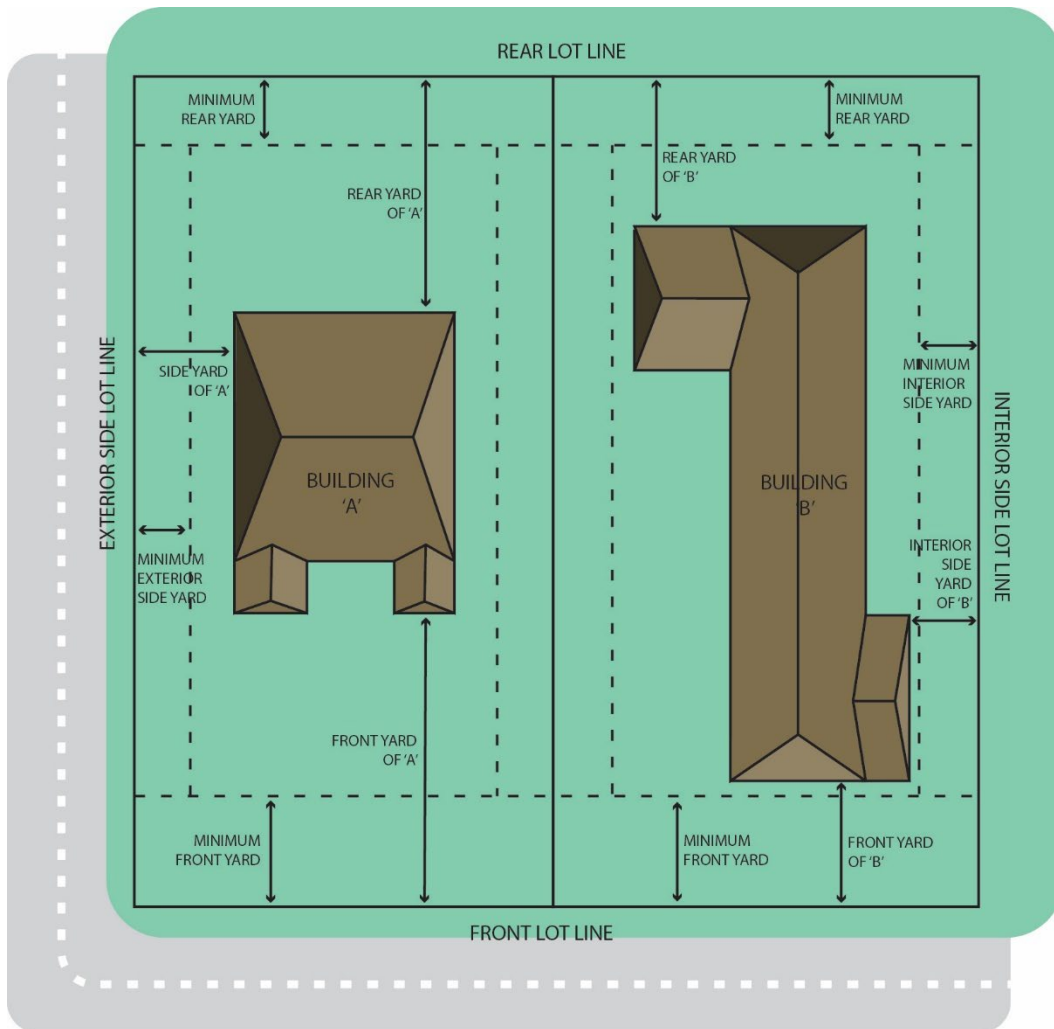


Figure 9.2: Lot Line and Yard Definitions

Zoning Map A: Key Map

Zoning Map B: Detailed Zoning Maps

Zoning Schedule 1: Ishkibible Beach

Zoning Schedule 2: Clover Beach

Zoning Schedule 3: Floral Beach

Zoning Schedule 4: Green Point

Zoning Schedule 5: West Green Bay / Pebbly Beach

Zoning Schedule 6: East Green Bay

Zoning Schedule 7: Wild Goose Bay

Zoning Schedule 8: White Birch

Appendix A: Amendments Table

| Exception Number | Additional Permitted Uses | Uses Prohibited | Zone Provisions | Description of Lands |
|------------------|---------------------------|-----------------|-----------------|----------------------|
| (Reserved) | | | | |
| (Reserved) | | | | |
| (Reserved) | | | | |
| (Reserved) | | | | |
| (Reserved) | | | | |