

THE CORPORATION OF THE MUNICIPALITY OF GREENSTONE

BY-LAW 23-77

A by-law to adopt a comprehensive Zoning By-law for the Corporation of the Municipality of Greenstone

WHEREAS pursuant to the provisions of the Planning Act, Section 34, the Council of a Municipality may enact by-laws regulating the use of lands and the erection of buildings or structures thereon;

AND WHEREAS the Council has prepared a new comprehensive zoning by-law in compliance with Section 26 (9) of the Planning Act which requires the passing of a zoning by-law to be undertaken within three years after the approval of an official plan;

NOW THEREFORE the Council of the Corporation of the Municipality of Greenstone **ENACTS AS FOLLOWS:**

1. **THAT** By-law No. 23-77 constituting the text and five associated land use schedules, known as the Zoning By-law of the Corporation of the Municipality of Greenstone is hereby passed.
2. **THAT** the said zoning by-law is attached as Schedule 'A' and is hereby deemed to form part of this By-law.
3. **THAT** all zoning by-laws and any associated amendments thereto for the former Township of Beardmore, Township of Nakina, Town of Geraldton and the Town of Longlac are hereby repealed in their entirety.
4. **THAT** all zoning by-laws and any amendments thereto passed under the authority of Section 34 of the Planning Act by the Municipality of Greenstone prior to November 27, 2023 are hereby repealed in the entirety.
5. **THAT** the zoning order for the former unincorporated Townships of Fulford, McQueston, Errington and Ashmore and any amendments thereto are hereby repealed in their entirety.
6. **THAT** Schedule "E", Geraldton is hereby amended by changing the zone of lands on East Street described as PIN 624132414 from R3-H and R3 respectively, to R2 and that Schedule "E" will be amended accordingly.
7. **THAT** this by-law shall take force and effect subject to the requirements of the *Planning Act*.

PASSED AND ENACTED this 27th day of November 2023



Original signed and sealed by K. Miousse
Kristina Miousse, Clerk

Original signed by J. McPherson Res#23-430
James McPherson, Mayor



ZONING BY-LAW

MUNICIPALITY OF GREENSTONE

ZONING BY-LAW 23-77 – NOVEMBER 27, 2023

Tunnock Consulting Ltd.

287 Three Bay Road
PERTH ON K7H 3C7
Tel. (613) 464-8805
gtunnock@tunnockconsulting.ca



TABLE OF CONTENTS

EXPLANATORY NOTE	xi
ZONING BY-LAW AMENDMENTS	xi
MINOR VARIANCES	xiii
HOW TO USE THIS BY-LAW	xiv
SECTION 1 ADMINISTRATION	4
1.1 TITLE	4
1.2 APPLICATION AND BUILDING PERMITS	4
1.3 DEFINED AREA	5
1.4 ENFORCEMENT	5
1.5 PENALTY	5
1.6 VALIDITY	5
1.7 OTHER BY-LAWS, LICENSES, PERMITS AND REGULATIONS.....	5
1.8 CONFLICT.....	5
1.9 EFFECTIVE DATE.....	5
1.10 METRIC AND IMPERIAL TERMS	6
1.11 LEVEL OF ACCURACY.....	6
1.12 DEFINED TERMS	6
1.13 DIAGRAMS AND FIGURES	6
1.14 REPEAL OF EXISTING BY-LAWS.....	6

1.15	REFERENCE TO LEGISLATION	6
1.16	TECHNICAL REVISIONS TO THE ZONING BY-LAW	6
SECTION 2	CONFORMITY REQUIREMENTS	9
2.1	COMPLIANCE	9
2.2	COMPLIANCE OF SEVERANCES	9
2.3	APPLICATION TO BUILDING	9
2.4	MINOR VARIANCES	9
SECTION 3	DEFINITIONS	11
3.1	GENERAL	11
3.2	DEFINITIONS	11
SECTION 4	GENERAL PROVISIONS	105
4.1	ACCESSORY BUILDINGS, STRUCTURES AND USES	105
4.1.1	General	105
4.1.2	Accessory Residential Uses	107
4.1.3	Bed and Breakfast Establishments	108
4.1.4	Boat Houses	109
4.1.5	Docks	109
4.1.6	Fences in a Residential Zone	110
4.1.7	Fences in a Non-Residential Zone	110
4.1.8	Garden Suites	110
4.1.9	Pumphouse	111
4.1.10	Storage Containers in a Residential Zone	111

4.1.11	Storage Containers in a Non-Residential or Rural Zone.....	112
4.1.12	Swimming Pools.....	113
4.1.13	Temporary Car Shelter	113
4.2	AUTOMOTIVE SERVICE STATION, GAS BAR, CAR WASH	113
4.3	BUILDINGS TO BE MOVED	114
4.4	CHANGE OF USE.....	114
4.5	CUMULATIVE STANDARDS	114
4.6	ESTABLISHED BUILDING LINE IN BUILT-UP AREA	114
4.7	EXCEPTION ZONE	115
4.8	FLOOD PLAIN.....	115
4.8.1	Permitted Uses Within the Flood Plain	115
4.8.2	Prohibited Uses.....	116
4.8.3	Flood Plain Zoning Standards	116
4.9	FRONTAGE ON A STREET	117
4.9.1	Exceptions.....	117
4.9.2	Exception for Existing Agreements	118
4.10	GROUP HOMES.....	119
4.11	HOME BASED BUSINESSES	119
4.11.1	Scope of Permitted Home Based Businesses.....	119
4.11.2	Zone Regulations for Home Based Businesses.....	121
4.12	ILLUMINATION.....	122
4.13	KENNEL.....	122

4.14	LAND SUITABILITY FOR USE	122
4.15	LICENSES, PERMITS AND OTHER BY-LAWS	123
4.16	LOADING/DELIVERY SPACE REGULATIONS.....	123
4.17	MINE HAZARD	123
4.18	MINIMUM DISTANCE SEPARATION AND SPECIAL SETBACKS.....	123
4.18.1	Waste Management Facility	124
4.18.2	Pits and Quarries.....	124
4.18.3	Industrial Uses.....	124
4.18.4	Minimum Distance Separation Formulae I and II	125
4.18.5	Water Bodies and Shoreline Buffer Zone.....	126
4.18.6	Wetland.....	127
4.18.7	TransCanada Pipelines.....	127
4.19	NON-COMPLYING AND NON-CONFORMING BUILDINGS AND STRUCTURES.....	128
4.19.1	Reconstruction, Enlargement of a Non-Complying Building or Structure.....	128
4.19.2	Non-Complying Lots	128
4.19.3	Non-Conforming Uses	129
4.19.4	Reconstruction of a Non-Conforming Use.....	129
4.19.5	Prior Building Permits for a Non-Conforming Use	129
4.19.6	Road Widening Creating a Non-Complying Use.....	129
4.20	OCCUPANCY RESTRICTIONS	130
4.21	OPEN STORAGE AND OUTDOOR DISPLAY	130
4.22	PARKING, MOTOR VEHICLES AND DRIVE-THROUGH FACILITIES	131

4.22.1	General	131
4.22.2	Barrier Free Parking.....	133
4.22.3	Drive-Through Facilities	133
4.22.4	Commercial Vehicle, Recreational Vehicles and Recreational Equipment	134
4.22.5	Schedule for Parking Regulations.....	135
4.23	PARTS OF BUILDINGS OR STRUCTURES PERMITTED ABOVE HEIGHT LEVEL	139
4.24	PERMITTED PROJECTIONS	140
4.25	PROHIBITED USES	142
4.26	SIGHT TRIANGLE	143
4.27	SIGNS.....	144
4.28	STREETS, PARKS, PLAYGROUNDS AND COMMUNITY GARDENS	144
4.29	TEMPORARY BUILDINGS OR STRUCTURES	144
4.30	USE BY PUBLIC AUTHORITY OR PUBLIC UTILITY	145
4.31	WATER AND SEWAGE DISPOSAL SYSTEMS	145
4.32	ZONES APPLYING TO MORE THAN ONE PROPERTIES	145
SECTION 5	ZONES	146
5.1	ZONE CLASSIFICATION.....	146
5.2	ZONES.....	146
5.3	USE OF ZONE SYMBOLS	147
5.4	HOLDING ZONE “H” DESIGNATION	147
5.5	INTERPRETATION OF ZONE BOUNDARIES	148

5.6	PERMITTED USES AND ACCESSORY USES	149
SECTION 6	RESIDENTIAL LOW DENSITY (R1) ZONE	150
6.1	PERMITTED USES	150
6.2	ZONE REGULATIONS	151
6.3	ADDITIONAL REGULATIONS	153
6.4	ZONE EXCEPTIONS	153
SECTION 7	RESIDENTIAL MULTIPLE (R2) ZONE	155
7.1	PERMITTED USES	155
7.2	ZONE REGULATIONS	156
7.3	ADDITIONAL REGULATIONS	158
SECTION 8	RESIDENTIAL MOBILE HOME (R3) ZONE	159
8.1	PERMITTED USES	159
8.2	ZONE REGULATIONS	160
8.3	ADDITIONAL REGULATIONS	161
SECTION 9	WATERFRONT RESIDENTIAL (RW) ZONE	162
9.1	PERMITTED USES	162
9.2	ZONE REGULATIONS	163
9.3	ADDITIONAL REGULATIONS	164
SECTION 10	GENERAL COMMERCIAL (C1) ZONE	165
10.1	PERMITTED USES	165
10.2	ZONE REGULATIONS	166

10.3	ADDITIONAL REGULATIONS	167
10.4	EXCEPTION ZONES	168
SECTION 11	HIGHWAY COMMERCIAL [C2] ZONE	169
11.1	PERMITTED USES	169
11.2	ZONE REGULATIONS	170
11.3	ADDITIONAL REGULATIONS	171
SECTION 12	RESORT COMMERCIAL [C3] ZONE	172
12.1	PERMITTED USES	172
12.2	ZONE REGULATIONS	173
12.3	ADDITIONAL REGULATIONS	174
SECTION 13	LOCAL COMMERCIAL [C4] ZONE	175
13.1	PERMITTED USES	175
13.2	ZONE REGULATIONS	175
13.3	ADDITIONAL REGULATIONS	176
SECTION 14	AIRPORT COMMERCIAL [C5] ZONE	177
14.1	PERMITTED USES	177
14.2	ZONE REGULATIONS	178
14.3	ADDITIONAL REGULATIONS	178
SECTION 15	LIGHT INDUSTRIAL [M1] ZONE	179
15.1	PERMITTED USES	179
15.2	ZONE REGULATIONS	180

15.3	ADDITIONAL REGULATIONS	181
15.4	EXCEPTION ZONES	181
SECTION 16	HEAVY INDUSTRIAL [M2] ZONE	182
16.1	PERMITTED USES	182
16.2	ZONE REGULATIONS	183
16.3	ADDITIONAL REGULATIONS	184
16.4	EXCEPTION ZONES	184
SECTION 17	WASTE MANAGEMENT [WMF] ZONE	185
17.1	PERMITTED USES	185
17.2	ZONE REGULATIONS	185
17.3	ADDITIONAL REGULATIONS	186
SECTION 18	AGGREGATE EXTRACTIVE [MX] ZONE	187
18.1	PERMITTED USES	187
18.2	ZONE REGULATIONS	187
18.3	ADDITIONAL REGULATIONS	188
SECTION 19	MINING [MIN] ZONE	189
19.1	PERMITTED USES	189
19.2	ZONE REGULATIONS	190
19.3	ADDITIONAL REGULATIONS	190
SECTION 20	RURAL [RU] ZONE	191
20.1	PERMITTED USES	191

20.2	ZONE REGULATIONS	192
20.3	ADDITIONAL REGULATIONS	193
SECTION 21	INSTITUTIONAL (I) ZONE	193
21.1	PERMITTED USES	193
21.2	ZONE REGULATIONS	195
21.3	ADDITIONAL REGULATIONS	196
SECTION 22	OPEN SPACE (OS) ZONE	197
22.1	PERMITTED USES	197
22.2	ZONE REGULATIONS	197
22.3	ADDITIONAL REGULATIONS	198
SECTION 23	ENVIRONMENTAL PROTECTION (EP) ZONE	199
23.1	PERMITTED USES	199
23.2	ZONE REGULATIONS	199
23.3	ADDITIONAL REGULATIONS	199
SECTION 24	EXCEPTIONS TO ZONES	200

EXPLANATORY NOTE

The purpose of this By-law is to implement the Official Plan of the Municipality of Greenstone and to regulate the use of land and the character, location and use of buildings and structures in the Municipality of Greenstone. This By-law applies to all land within the Municipality of Greenstone save and except Indigenous Reserves.

The By-law is passed by the authority of Section 34 of the *Planning Act*. The By-law conforms to the Official Plan for the Municipality of Greenstone, the Provincial Policy Statement and the Growth Plan for Northern Ontario.

After the date of adoption of this By-law, any new development, redevelopment or alteration to an existing use, building or structure must comply with the regulations of this By-law before a building permit can be issued. Applicants are encouraged to pre-consult with the Municipality on how the zoning regulations apply.

Changes to the regulations contained in this By-law may be made with prior approval from the Municipality as provided for under the *Planning Act*. Changes may require an amendment to the Zoning By-law, or a minor variance.

ZONING BY-LAW AMENDMENTS

The Zoning By-law may be amended where the proposed amendment complies with the Municipality's Official Plan. In accordance with the requirements of Section 34 of the *Planning Act*, the usual procedure for amendments involves the following steps:

- (1) The person or public body wishing to amend the Zoning By-law must consult with the municipality before making an application. The application may then be made to the Clerk of the Corporation of the Municipality of Greenstone to amend the By-law under (subsection 34(10.0.1) of the *Planning Act*). Applications are available from the Municipal office: 1800 Main Street, Box 70, Geraldton, Ontario, P0T 1M0. Tel. (807) 854-1100 or on the Municipality's website www.greenstone.ca
- (2) Designated staff will determine whether the application is a 'complete' application. Additional information, reports or studies may be required to support the proposed amendment before the application is considered complete. Applicants are required to submit a public consultation strategy as part of the application. Council has 30 days from the date of the application to determine whether the application is complete (s. 34(10.1-10.3)). A complete application also requires that the Municipality's application fee is paid.
- (3) Once the application is considered complete, staff circulates to the applicant and prescribed agencies and bodies a Notice of Complete Application (s. 34(10.4)). If Council deems an application incomplete or does not make a decision within 30 days

from the date of application, the person or public body may appeal to the Ontario Land Tribunal (LPAT) to determine whether the application is complete (s. 34(10.5)).

- (4) If an application is considered complete, staff advertises that a Public Meeting will be held in order to consider an amendment to the Zoning By-law. Advertisement is given 20 days in advance of the public meeting (s. 34(12-13, 14.1)). The advertisement may be placed in the local newspaper, or may be mailed, faxed or emailed to all property owners within 120 m of the property affected by the application. Where the notice is mailed, the applicant must also post a notice in a location on the property to be zoned that is visible from the adjacent street.
- (5) Council holds a Public Meeting and evaluates the appropriateness of the proposed amendment. Council considers the proposal's conformity with the Official Plan, adequacy of services, conformity with the provisions of the requested zone, suitability of the proposed use in the proposed location, public input, etc. The application must also be consistent with the Provincial Policy Statement and must also comply with the Growth Plan for Northern Ontario. If the application is considered satisfactory, the amending By-law is passed by Council.
- (6) Within 15 days of the passing of the by-law, the Clerk will give written notice of the decision of Council through a notice by mail, fax or email to the applicant and to anyone who made a written request to receive notice of the decision (s. 34(10.9, 18)).
- (7) If Council refuses the application and does not amend the zoning by-law, the Clerk must give written notice with reasons to the applicant as to why the application was refused. The notice must be given within 15 days of Council's decision.
- (8) Any person who gave their opinion at a public meeting or who submitted their concerns in writing to the Clerk before the by-law was passed may appeal the decision of Council to the Ontario Land Tribunal. The appeal must be filed with the Clerk within the 20-day appeal period set out in the notice of the passing of the Zoning By-law amendment (s. 34(19)), must set out planning reasons for the appeal and must include a cheque for the required appeal fee payable to the Minister of Finance. If a person does not make an oral or written submission prior to council passing the by-law, they may not appeal Council's decision.
- (9) Certain matters may not be appealed including: an alteration to a settlement area boundary or a new settlement area; permitting a renewable energy undertaking; and, permitting an additional residential unit.
- (10) If Council refuses to approve the application or Council does not make a decision within 90 days from the date the application the person or public body may appeal to the Ontario Land Tribunal (s. 34(11)). An appeal of a refusal must be made within 20

days of the date of the decision or within 20 days of the lapsing of the 90-day period (s. 34(11, 11.0.2)). No appeals are permitted for any dwelling defined as an additional residential unit. (*More Homes Built Faster Act, 2022*)

- (11) Where an appeal is made, Council may opt for mediation or dispute resolution to resolve the objection by giving notice to the appellant(s) (s. 34 (20.2). Participation by the appellant(s) is voluntary but where agreed to, the period for mediation is 75 days.
- (12) An amendment to the Zoning By-law takes effect on the day the by-law was passed by Council provided no appeal is filed.
- (13) If a decision or lack of a decision is appealed to the Ontario Land Tribunal, the Tribunal can make any decision the Council of the Municipality had in regard to the specific application (s. 34(26)). In other words, the Ontario Land Tribunal can approve, or refuse the application or approve the application in part.
- (14) Where a decision is not made by Council within the prescribed time period of the *Planning Act*, Council is required to refund a portion or all of the application fee as follows:
 - a. 50% if no decision is made within 90 days from the date of a complete application (s. 34(11), or 120 days (s. 34(11.0.0.0.1) for concurrent official plan and zoning by-law amendment.
 - b. 75% if no decision made within 150 days from the date of a complete application (s. 34(11), or 180 days (s. 34(11.0.0.0.1) for concurrent official plan and zoning by-law amendment.
 - c. 100% if no decision made within 210 days from the date of a complete application (s. 34(11), or 240 days (s. 34(11.0.0.0.1) for concurrent official plan and zoning by-law amendment.

How long does a zoning By-law amendment take to be approved?

Upon the receipt of a complete application (including any required supporting studies), a zoning By-law amendment usually takes 2-3 months to complete. The level of complexity and issues related to the proposal will affect the time line.

MINOR VARIANCES

A minor variance may be granted to the zoning by-law where the size or shape or other conditions prevent an applicant from meeting the zoning standards provided the criteria can be met. Criteria for evaluating of Minor Variances are set out in section 45(1) of the *Planning Act*):

- (1) The general intent and purpose of the Official Plan are maintained;
- (2) The general intent and purpose of the Zoning By-law are maintained;
- (3) The variance is minor; and
- (4) The proposed use of land, building or structure is desirable for appropriate development.

An application for a minor variance must meet all of the above four tests to be approved in addition to any other criteria that the Municipality has established. Where a proposed variance is not minor or cannot satisfy the criteria for a minor variance, an amendment to this Zoning By-law may be required. Applications for a minor variance are available from the municipal office: 1800 Main Street, Box 70, Geraldton, Ontario, P0T 1M0. Tel. (807) 854-1100 or on the Municipality's website www.greenstone.ca

How long does a minor variance application take to be approved?

Upon the receipt of a complete application a minor variance application usually takes 1-2 months to complete. The level of complexity and issues related to the proposal will affect the time line.

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 locate the property you are interested in. Identify the zone symbol that applies to that property. Zone examples include R1, R2, C1, and M1.

Step 2 - Verify status of any Zoning By-law Amendments

A Zoning by-law is not a static document; it is amended over time as demands and policies governing land use change. Before proceeding any further, you should verify that your property is not the subject of an earlier Zoning By-law Amendment. While the Municipality strives to keep the By-law up-to-date, more recent amendments may not be included in the version of

the By-law you are using. Municipal staff will be able to assist you to confirm if your property has been the subject of a more recent amendment.

Step 3 - Determine What Uses are Permitted in the Zone

Use the Permitted Uses section of the Zone to determine what use(s) is/are permitted in the Zone. Run your finger down the list to find the use you are interested in. If you find the use you are interested in, it is permitted in the Zone. Otherwise, it is not permitted in that Zone.

Step 4 - Determine What Zone Regulations Apply

Once the use is determined to be permitted, move down to the Zone Regulations section. In this section the regulations will indicate what the minimum regulations will be, i.e., minimum lot area, lot frontage, building setbacks etc. These standards will help you determine where you can locate a building or structure on your lot.

Step 5 - Determine if any General Provisions Apply

Development of the property may be affected by Section 4 (General Provisions). General Provisions can apply to any zone anywhere in the municipality. This section contains provisions that apply to such matters as Accessory Uses, Height Exceptions, Home Based Businesses, parking etc. Use this section to determine how a particular land use might be affected.

For example, Section 4.22 provides the parking requirements for all uses permitted in the Municipality. If you are considering changing the use of your property or adding a new use to your property, you should review Section 4.22 to ensure that you are aware of the parking requirements.

Step 6 - Clarify the Meaning of a Use

Throughout the By-law some words are shown in *black italicized script*. These words are defined in Section 3 (Definitions). If you are unsure as to what a particular word means or what the scope of a permitted use includes, then refer to the alphabetical list of definitions to assist you. This section also contains illustrations which are intended to help with understanding the definition.

BY-LAW 23-77

A by-law to adopt a comprehensive Zoning By-law for the Corporation of the Municipality of Greenstone

WHEREAS pursuant to the provisions of the Planning Act, Section 34, the Council of a Municipality may enact by-laws regulating the use of lands and the erection of buildings or structures thereon;

AND WHEREAS the Council has prepared a new comprehensive zoning by-law in compliance with Section 26 (9) of the Planning Act which requires the passing of a zoning by-law to be undertaken within three years after the approval of an official plan;

NOW THEREFORE the Council of the Corporation of the Municipality of Greenstone **ENACTS AS FOLLOWS:**

1. **THAT** By-law No. 23-77 constituting the text and five associated land use schedules, known as the Zoning By-law of the Corporation of the Municipality of Greenstone is hereby passed.
2. **THAT** the said zoning by-law is attached as Schedule 'A' and is hereby deemed to form part of this By-law.
3. **THAT** all zoning by-laws and any associated amendments thereto for the former Township of Beardmore, Township of Nakina, Town of Geraldton and the Town of Longlac are hereby repealed in their entirety.
4. **THAT** all zoning by-laws and any amendments thereto passed under the authority of Section 34 of the Planning Act by the Municipality of Greenstone prior to November 27, 2023 are hereby repealed in the entirety.
5. **THAT** the zoning order for the former unincorporated Townships of Fulford, McQueston, Errington and Ashmore and any amendments thereto are hereby repealed in their entirety.
6. **THAT** Schedule "E", Geraldton is hereby amended by changing the zone of lands on East Street described as PIN 624132414 from R3-H and R3 respectively, to R2 and that Schedule "E" will be amended accordingly.
7. **THAT** this by-law shall take force and effect subject to the requirements of the *Planning Act*.

SECTION 1 ADMINISTRATION

Explanatory Note

Section 1 identifies the administrative controls and requirements of the By-law. It names the By-law, states its relationship with other By-laws, defines the area to which the By-law applies, how the By-law is to be enforced, etc. In essence, it identifies the legal parameters within which the By-law functions.

1.1 TITLE

This By-law shall be known as the Zoning By-law or By-law 2023- of the Corporation of the Municipality of Greenstone and shall consist of the text and one or more schedules attached hereto.

1.2 APPLICATION AND BUILDING PERMITS

In addition to the requirements of the Municipality of Greenstone Building By-law, every planning application or application for a building permit shall be accompanied by information required to determine compliance with this By-law. The regulations of this By-law must be met before a building permit is issued by the *Municipality* for the erection of any *building* or *structure*.

Explanatory Note for Site Plan Drawings

A site plan drawn to scale should be prepared which illustrates

- The true dimensions of the lot to be built upon;
- The proposed location, height and dimensions of any proposed building or structure;
- The setbacks of all existing and proposed buildings or structures from the nearest lot lines; the location and number and dimensions of parking spaces (conventional, cycling and barrier-free), parking aisles, driveway access, parking areas, loading spaces and daylighting triangles;
- The location of utility easements, fire hydrants and sidewalks
- Landscaping details, lot grading and on-site stormwater features
- Natural features such as wetlands, water bodies and flood prone areas

1.3 DEFINED AREA

The provisions of this By-law shall apply to all lands within the municipal boundaries of the Corporation of the Municipality of Greenstone save and except lands that are of the exclusive jurisdiction of an Indigenous Community.

1.4 ENFORCEMENT

This By-law shall be enforced 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 a violation of any provision of this By-law.

1.5 PENALTY

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

1.6 VALIDITY

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.

1.7 OTHER BY-LAWS, LICENSES, PERMITS AND REGULATIONS

Nothing in this By-law shall exempt any *person* from complying with the requirements of any other By-law in the Municipality of Greenstone, or from applying for and obtaining any permit, license, permission, authority or approval required by this or any other By-law or regulation of the *Corporation* or by any requirement of the Province of Ontario or the Government of Canada.

1.8 CONFLICT

In the event of a conflict between this By-law and amendments thereto, and any general or special By-law, the most restrictive By-law shall prevail.

1.9 EFFECTIVE DATE

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

1.10 METRIC AND IMPERIAL TERMS

The imperial measurements contained in this By-law are included for convenience and do not form part of the By-law. The metric measurements contained in this By-law are the only measurements to be used in determining compliance with the By-law.

1.11 LEVEL OF ACCURACY

All calculations of the regulations of this By-law shall be to one decimal place, and in no case shall there be a rounding to such decimal place.

In the event of any conflict between the zone regulations of this By-law, the more restrictive regulation(s) shall apply.

1.12 DEFINED TERMS

All defined terms are shown in ***bold italicised script*** throughout this By-law.

1.13 DIAGRAMS AND FIGURES

This By-law contains a number of diagrams and figures which are intended to assist with the interpretation of the By-law; however, they do not form part of this by-law unless otherwise stated.

1.14 REPEAL OF EXISTING BY-LAWS

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. 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. Despite the above, any temporary use by-law passed under Sections 34 and 36 of the *Planning Act*, shall continue to apply.

1.15 REFERENCE TO LEGISLATION

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

1.16 TECHNICAL REVISIONS TO THE ZONING BY-LAW

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

1. Correction of grammar or typographical errors or revisions to format in a manner that does not change the intent of the By-law.
2. Adding or revising technical information on the zoning maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updated and correcting infrastructure information, keys, legends or title blocks.
3. Changes to appendices, headings indices, marginal notes, table of contents, illustrations, historical or reference information, page numbering, footers or headers, which do not form part of this By-law and are editorially inserted for convenience or reference only.

1.17 INTERPRETATION

1. Legislation Act

The Legislation Act applies to this By-law.

2. Definitions

Definitions are given in this By-law to aid in the understanding and implementation of the intent and meaning of the By-law. They are not to be used to avoid an obligation imposed by the By-law or any requirement enacted in a substantive provision of the By-law.

3. Citation

This By-law may be cited by its long title (“A By-law to Regulate the Use of Land, Buildings and Structures within the Municipality of Greenstone”), its short title (“Municipality of Greenstone Zoning By-law”) or its by-law number and any such citation is to be taken as meaning the By-law as amended.

1. Gender Neutrality

This By-law is gender neutral and, accordingly, any reference to one gender includes any other and non-binary.

2. Grammar

In this By-law, words in the singular include the plural, and words in the plural include the singular. The word “shall” is mandatory. Words in the present tense include the future tense.

3. References

Appendices, examples, footnotes, glossaries, headings, indices, marginal notes and references to former enactments or enabling legislation after a section or other division of the By-law, do not form part of the By-law and are inserted for convenience of reference only.

4. Measurement Units

This By-law utilizes the metric system to establish measurements when such measurements form part of a regulation or a requirement. (*Imperial measurements are provided for the convenience of the reader and are not a legal part of this By-law.*) Where linear distances other than those referring to vertical measurements are specified, such linear distances are to be measured on a horizontal plane. The metric measurements contained in this By-law are the only measurements to be used in determining compliance with the By-law.

1.18 PRE-CONSULTATION

Applicants are required to consult with the ***Municipality*** prior to submission of the following applications:

1. Application for Consents
2. Application for a Minor Variance or Permission
3. Application for Site Plan Control
4. Application for Official Plan and Zoning By-law Amendments
5. Application for Part-Lot Control or Validation of Title.

Without a pre-consultation meeting and/or submission of all required information or material, the ***Municipality*** may deem an application incomplete.

SECTION 2 CONFORMITY REQUIREMENTS

Explanatory Note

This short section establishes the authority of the By-law. It requires that all land uses, buildings and structures must comply with this Zoning By-law.

2.1 COMPLIANCE

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.

2.2 COMPLIANCE OF SEVERANCES

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.

2.3 APPLICATION TO BUILDING

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**.

2.4 MINOR VARIANCES

All minor variances applied for prior to the enactment of this By-law and finally approved pursuant to Section 45 of the *Planning Act, R.S.O., 1990, c. P.13*, as amended, shall continue to apply and remain in force as if they are variance to this By-law.

In addition to the criteria set out in Section 45 (1) of the *Planning Act*, the following additional criteria shall be considered in the review of applications for a minor variance:

1. Development must generally conform to policies and zoning for shoreline vegetation buffer.

Explanatory Note (Minor Variance Applications)

The Committee of Adjustment, as appointed by Council, is duly authorized under Section 45 of the Planning Act, upon the application of the owner of any land, building or structure affected by this By-law, to grant a minor variance from the provisions of this By-law as in its opinion is desirable for the appropriate use of the land, building or structure if the general intent of the Zoning By-Law and Official Plan are maintained. Minor variances may, for example, be granted to the lot area, lot frontage, setbacks, height of buildings, parking provisions or any other standard set out in this By-Law.

Criteria for evaluating Minor Variances (section 45(1) of the *Planning Act*):

1. The general intent and purpose of the Official Plan are maintained;
2. The general intent and purpose of the Zoning By-law are maintained;
3. The variance is minor; and
4. The proposed use of the land, building or structure is desirable for the appropriate development of the land.

SECTION 3 DEFINITIONS

Explanatory Note

For the purpose of this By-law, the definitions and interpretations given in this Section shall govern. In this By-law, the word "shall" is mandatory and not directory; words in the singular include the plural, words in the plural include the singular; the word "used" includes "arranged", "designed" or "intended to be used". The word "occupied" shall include "designed to be occupied" and "arranged to be occupied".

3.1 GENERAL

Definitions of words and phrases used in this By-law that are not included in the list of definitions in Section 3 shall have the meanings that are commonly assigned to as defined in a dictionary.

3.2 DEFINITIONS

Abattoir

Means a *building* specifically designed to accommodate the penning and slaughtering of live animals and the preliminary processing of animal carcasses and may include the packing, treating, refrigeration and sale of the product on the *premise*.

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 principal *use, building* or *structure* and located on the same *lot* therewith [see **Figure 3.1**].

Figure 3.1: Accessory Building and Main Building



Examples of accessory buildings or structures are a detached garage, a storage shed, a storage container, a swimming pool or a satellite dish. Examples of accessory uses are a home based business, an apartment above a store, or a retail outlet within a manufacturing plant.

Examples of accessory buildings or structures are a detached garage, a storage shed, a storage container, a swimming pool or a satellite dish. Examples of accessory uses are a home based business, an apartment above a store, or a retail outlet within a manufacturing plant.

Accessory Dwelling - see dwelling, Accessory

Accessory Apartment - see Dwelling – Accessory Apartment

Accessory Dwelling Unit = see Dwelling, Accessory Dwelling Unit

Adult Entertainment Parlour

Means any *building* or part thereof in which are provided, in pursuance of a trade, calling, business or occupation, services appealing or designed to appeal to erotic or sexual appetites or inclinations but excludes a body rub service.

Adventure Game

Means an outdoor sport or *recreational commercial establishment* operated commercially in which participants engage in games mimicking combat-type roles and which may include the use of paint ball or similar equipment.

Adverse Effects

Means one or more of:

1. Impairment of the quality of the natural environment for any use that can be made of it;
2. Injury or damage to property or plant or animal life;
3. Harm or material discomfort to any *person*;
4. An adverse affect on the health of any *person*;
5. Impairment of the safety of any *person*;
6. Rendering any property or plant or animal life unfit for human use;
7. Loss of enjoyment of normal use of property; and
8. Interference with normal conduct of business.

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 the *Aggregate Resources Act*.

Agricultural Use

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

1. The growing of crops, including but not limited to nursery and horticultural crops and all related activities such as soil preparation, manure or fertilizer spreading, planting, spraying, grain drying, irrigating, harvesting and also including 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 foregoing activities.
6. *Agricultural use* shall be deemed to include *on-farm diversified uses*.

Agri-tourism Uses

Means those farm-related tourism uses, including limited accommodation such as a *bed and breakfast establishment*, that promote the enjoyment, education or activities related to the farm operation.

Agriculturally Related Commercial/Industrial Uses

Means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services as a primary activity including but not limited to animal husbandry services, produce or grain storage facilities, farm machinery outlets and fertilizer depots.

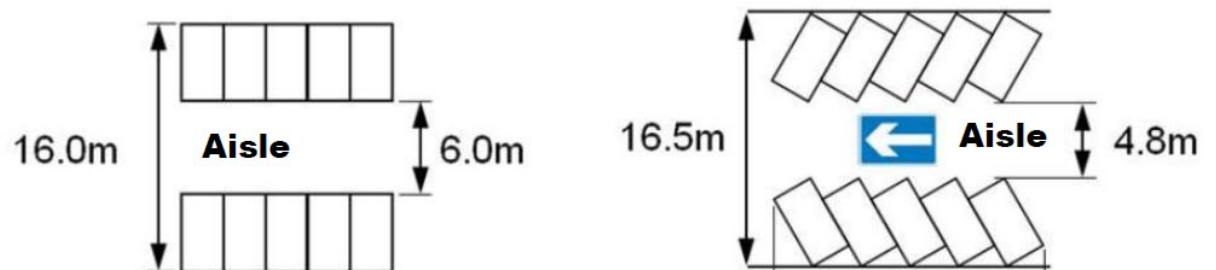
Airport or Aircraft Landing Area

Means land, *lot* or *buildings used* for the purpose of landing, storing, taxiing or taking-off of private or commercial aircraft and associated *uses, buildings* or *structures* installations and equipment *accessory* thereto, and shall include a commercial airport or airport governed by the *Aeronautics Act*.

Aisle

Means the traveled way by which *motor vehicles* enter and depart *parking spaces* or *loading/delivery spaces* or a *parking area* [see **Figure 3.2**].

Figure 3.2: Examples of Parking Aisle



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***; or
2. To change any dimension or area, relating to such ***lot*** (*e.g., width, depth or area of a lot or required yard, landscaped open space or parking area*); or
3. 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 ***water body*** or the lands surrounding the **high-water mark** of a ***water body***.

Altered and alteration shall have corresponding meanings.

Ambulance Facility

Means a **building** or part thereof where professional paramedics and personnel are stationed and their ***motor vehicles*** and equipment are kept or stored.

Animal Day Care Establishment

Means a *commercial premise used* for a day care service for domestic pets, but shall not include an *animal shelter* or *kennel*.

Animal Pound

Means a commercial premise facility for stray, abandoned, lost, donated animals, or animals running at large contrary to an animal control by-law where such animals are impounded for some period prior to returning such animal(s) to their owners, and shall include 1) the care, veterinary treatment, sale, disposition or euthanasia of an animal, and 2) a dog run.

Animal Shelter

Means a *building, structure* where animals, birds or other livestock are examined or treated and which may be kept on a short-term basis, and may include the *premises* of a veterinarian or veterinary surgeon, but does not include a *commercial kennel*.

Apartment Building - see **Dwelling – Apartment**

Archaeological Resources

Includes artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*. This identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

Areas of Archaeological Potential

Means areas with the likelihood to contain archaeological resources. Criteria to identify archaeological potential are established by the province. The *Ontario Heritage Act* requires archaeological potential to be confirmed by a licensed archaeologist.

Area of Natural and Scientific Interest (ANSI)

Means areas of land and water containing natural landscapes or features that have been identified by the Ministry of Natural Resources and Forestry as having life science or earth science values related to protection, scientific study or education.

Artisan Shop or Studio - see **Studio**

Asphalt Plant

Means an industrial facility *used* for the production of asphalt for immediate use in the paving of *roads* and *driveways* and the damp-proofing of *buildings* or *structures*.

Assembly Hall - see **Place of Assembly**

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.

Auction Hall

Means a *premise* used for the storage of goods or materials which are to be sold on the *premises* by public auction and for the sale of the said goods and materials by public auction.

Auditorium - see **Place of Assembly**

Auto Body Shop

Means a *commercial premise* where painting, refinishing, restoration, alterations, or repairs are made to *motor vehicles*, but does not include a *wrecking or salvage yard* or *auto repair garage*.

Auto Rental Establishment

Means *commercial premise* engaged in the rental of passenger automobiles, *recreational vehicles* or trucks and where such *vehicles* may be dropped off or picked up.

Auto Repair Garage

Means a *commercial premise* for the storage, repair and servicing of *motor vehicles* or *recreational vehicles*.

Automotive Sales Establishment

Means a *commercial premise* 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 *premise used* for the sale of fuels or energy products, for *motor vehicles* or *recreational vehicles* and may include *accessory uses* such as an *auto repair garage*, the renting, servicing, repairing, lubrication, cleaning and polishing of vehicles and the sale of automotive accessories and related products, and the leasing or renting of *motor vehicles*, but shall not include any other automotive use defined in this By-law [see also *Gas Bar*].

Automobile Wrecking Yard - see **Wrecking or Salvage Yard**

Backlot

Means a *lot* separated from a *water body* or watercourse by a *street* or *private road* and/or at least one (1) *lot* that has direct frontage on a *water body*.

Balcony

Means an open platform projecting from the face of a building's wall, cantilevered or supported by columns or brackets and surrounded by a balustrade or railing.

Bank or Financial Institution

Means a chartered bank, finance company office, co-op, trust company, loan company or similar establishment.

Barrier Free

Means that which can be approached, entered and used by persons with physical or sensory disabilities.

Basement

Means that portion of a *building* between two floors which is partly underground but which has at least one-half of its *height* from floor to ceiling above the adjacent finished grade. [See **Figure 3.7**]

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.

Bed and Breakfast Establishment

Shall mean a *single detached dwelling* or a *dwelling unit* in which no more than four (4) *guest rooms* are made available for the temporary accommodation of the traveling or vacationing public on a daily basis. Such an establishment shall be occupied or operated by the *owner* of the *dwelling unit* for the purposes of supervision and the provision of breakfast to those persons temporarily residing in the establishment (guests), but shall not offer services to non-guests.

Bingo Hall

Means a *building* or part thereof used for bingo or a bingo event.

Boarding House

Means a *dwelling* other than a *single-detached dwelling* which contains three (3) or more rooming units wherein, for remuneration, lodgings, with or without meals, are provided to the public. (See also *Lodging House Establishment*.)

Boat House

Means a one-storey *accessory building* used for the storage of boats and boating equipment.

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.

Brewery or Winery

Means a ***building used*** primarily for the manufacturing, processing and distribution of beer, cider and wine and may include an ***accessory retail outlet***.

Building

Means any ***structure*** consisting of walls, roof and floors used or intended for sheltering any use or occupancy. The word "building" shall include the whole of such structure or part thereof.

Building, Accessory - see **Accessory**

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 [see **Figure 3.3**].

Building Height - see **Height**

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 the ***building*** is located [see **Figure 3.1**].

Figure 3.3: Building Envelope



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 [see **Figure 3.4**].

Building, Mixed Use

Means a **building** containing more than one land **use** (e.g., retail commercial and residential, **office** and residential, industrial and retail) that is designed and constructed as a single **building**.

Building Separation

Means the least horizontal distance **permitted** between the nearest portions of the walls of any **buildings** on a **lot** [see **Figure 3.5**].

Building Supply Store or Depot

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**. This definition shall not include a **wrecking yard**.

Figure 3.4: Building Line

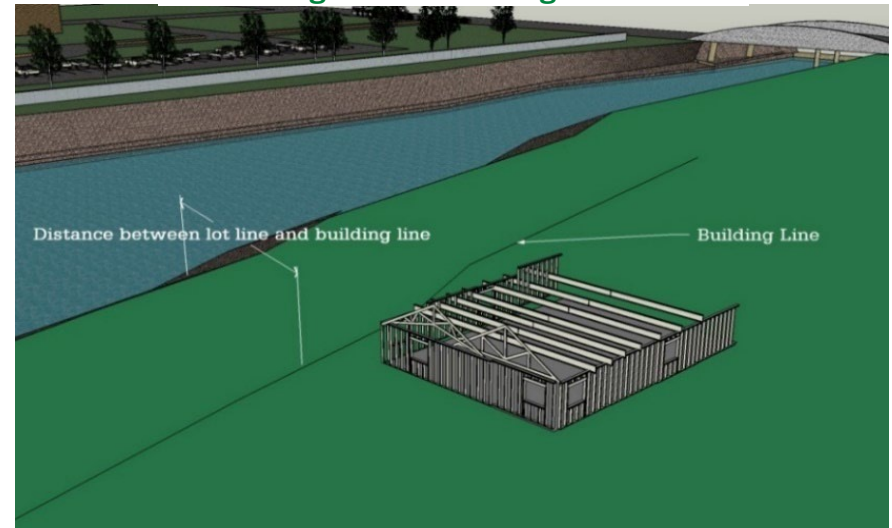
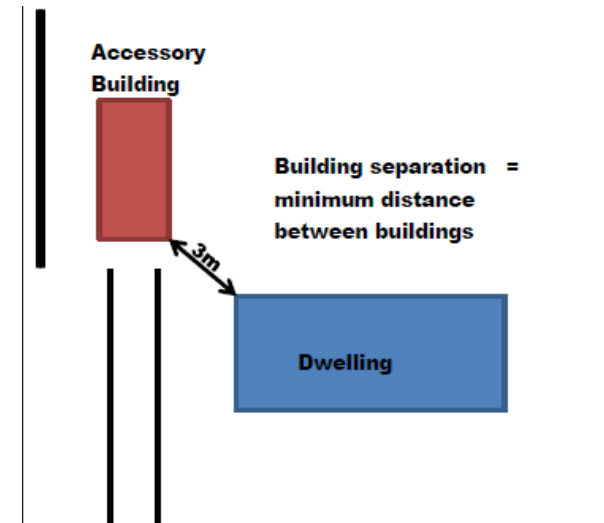


Figure 3.5: Building Separation



Building, Temporary

Means a *building* or *structure* intended for removal or demolition within a prescribed time period not exceeding two years or as set out in a building permit or temporary use by-law.

Built Heritage Resources

Means *buildings, structures*, monuments, installations or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. *Built heritage resources* are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial or federal registers.

Bulk Fuel Depot

Means lands, *buildings* and *structures* for the storage, distribution of fuels and oils and may include 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, construction equipment, but shall not include a *wrecking yard*.

Call Centre

Means a *building* or part thereof where incoming and/or outgoing calls are handled by people, telephones and computers which are related to customer support, credit services, card services, telemarketing, interactive voice response, or similar services.

Camp (Hunt Camp, Fishing Camp)

Means a non-commercial ***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***.

Campground

Means an area of land, managed as a unit, providing short term accommodation or overnight camping for tents, tent trailers, ***recreational vehicles*** or rental cabins. 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 or firewood or other goods or supplies and equipment rentals that are ***accessory*** to the operation of the ***campground***.

Camp Site

Means a parcel of land within a ***campground*** that is maintained as a site for the location of a tent, tent trailer, ***recreational vehicle*** or truck camper, but not a ***mobile home***.

Cannabis

Means a cannabis plant, including the phytocannabinoids produced by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has on it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained.

Cannabis Retail Store or Dispensary

Means any ***use*** of land, ***building, structure*** or part thereof used for the retail sale of cannabis or any product or substance produced in whole or part from cannabis, and shall be deemed to include a licensed Ontario Cannabis Retailer under the *Ontario Cannabis Retail Corporation Act, 2017*.

Figure 3.6: Car Port

Canopy

Means a roof-like **structure** projecting from the exterior face of a **building** or is a stand-alone structure over a pump island or **gas bar**.

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**. A car port **attached** to the **main building** is not an **accessory structure**. [See Figure 3.6]

Car Wash

Means a commercial **building** or portion thereof used for the washing or cleaning of **motor vehicles**. A **car wash** may be an **accessory use** to a **permitted** automotive use.

Catering Establishment

Means a **commercial premise** or a **home based business** in which food and beverages are prepared for consumption off the **premises** and are not served to customers on the **premises**.

Cellar

Means the portion of the **building** below the first floor, which is partly or wholly underground and which has more than

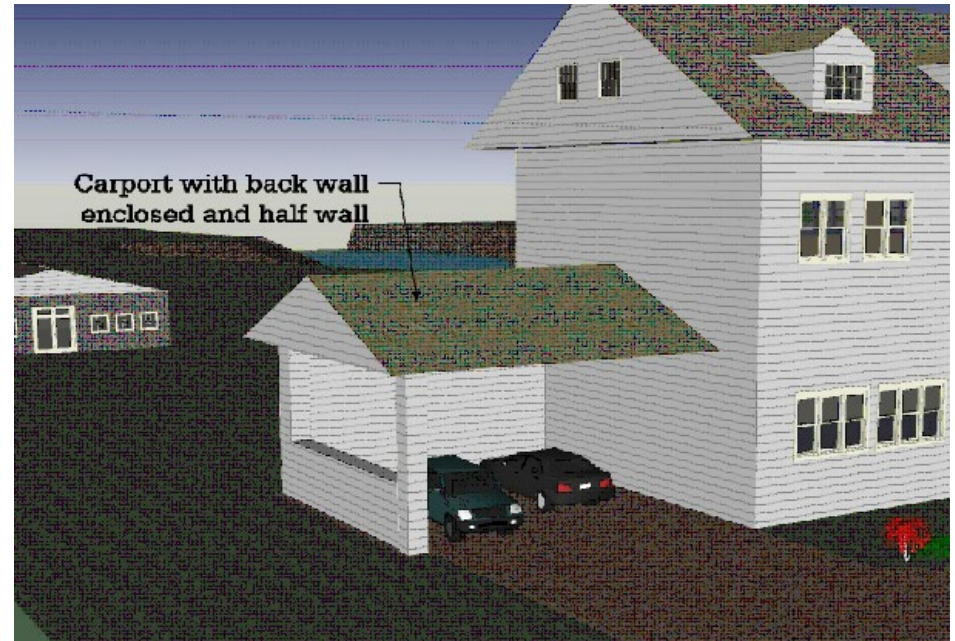
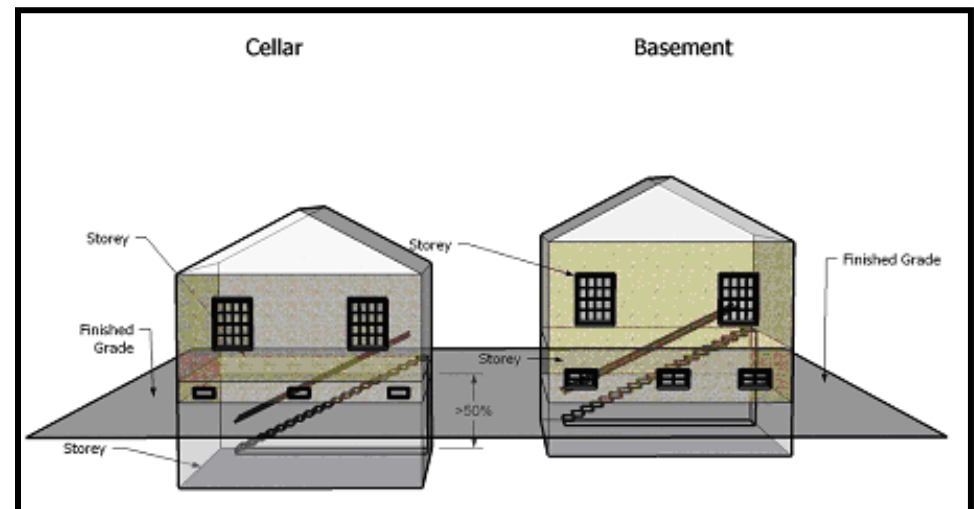


Figure 3.7: Cellar and Basement



one-half of its *height* from floor to ceiling or to the underside of the floor joists below the finished grade [see also Basement and **Figure 3.7**].

Cemetery

Means a cemetery within the meaning and as regulated by the *Funeral, Burial and Cremation Services Act, 2002* and includes a mausoleum, columbarium or other *building* or *structure* intended for the interment of human remains.

Cemetery, Pet

Means a *use* of land for the interment of animal remains of a domestic pet.

Chief Building Official

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

Church - see Place of Worship

Clinic

Means a *building* or part thereof *used* solely for the purpose of consultations, diagnosis and treatment of patients, by qualified health practitioners and without limiting the generality of the foregoing, the *building* may include administrative *offices*, waiting rooms, laboratories, professionals (*e.g., physicians, dentists, optometrists, chiropodists, chiropractors or drugless practitioners*).

Club, Private

Means a *building* or part of a *building used* as a meeting place by an association of *persons* who are bona fide members, which owns, hires or leases the *building* or part thereof, the *use* of such *premises* being restricted to members and their guests for social, cultural, recreational, business or athletic purposes.

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, gardening tools, planting materials, fertilizers, pesticides, lawn furniture 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 Use or Commercial Premise

Means the use of land, *buildings* or *structures used* by a business or enterprise for the purpose of buying and/or selling commodities and supplying services. In a multiple tenancy *building* occupied by more than one business, each business area shall be considered separate *premise*.

Commercial Vehicle

Means a *motor vehicle* having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, police vehicles, motor buses and tractor trailers 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, telephone line, cellular telephone tower, wireless internet tower, radio or television broadcast tower or similar facility approved by a federal

regulator.

Community Centre - see **Place of Assembly**

Community Garden

Means a site operated by community members and/or a community organization where lands are *used* for the growing of produce, flowers and native plants for non-profit use through individual or shared plots.

Condominium

Means a *building* or **buildings** or land or part thereof which is held in separate private ownership and where common elements are owned by the tenants in common (e.g., *recreational facilities, open space, outdoor areas, etc.*) and which is administered and maintained by a corporation pursuant to the provisions of the *Condominium Act*. A condominium may be for a *residential use, commercial use* or *industrial use*.

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 Work Camp

Means an area of land including *buildings* and *structures* specifically designed as living quarters for persons employed in a utility and resource-related construction project (i.e. *pipeline, power transmission line, mining camp*), and ancillary services and may include a dormitory, lodging or sleeping facilities, sanitary and eating facilities and *accessory uses* directly related to

meeting the needs of occupants including but not limited to a Laundromat, recreational facilities a *contractor's yard* and an on-site self-contained fuel storage facility.

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 or the wholesale or retail sale of building supplies or home improvement supplies.

Continuum-of-Care Facility

Means a *building* or a group of *buildings* which may include a senior citizens apartments building, a nursing home, a long-term care facility, home for the aged, a retirement home and accessory facilities including but not limited to clinics, recreation centers, cafeterias and personal service establishments, and may also include independent senior's accommodation in separate structures/living units that share in services such as meals.

Convenience Store

Means a *retail store* used primarily for the sale of grocery and other daily household necessities required to fulfil the day-to-day needs of the surrounding community and may include a licensed LCBO and/or beer store outlet.

Convention Facility - see Place of Assembly

Corporation

Means the Corporation of the Municipality of Greenstone 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 Industry - see **Home Based Business**

Council

Means the Council of the Corporation of the Municipality of Greenstone.

Coverage - see **Lot Coverage**

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.

Cultural Heritage Landscape

Means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an indigenous community. The area may include features such as *buildings, structures*, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the *Ontario Heritage Act*, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.

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 Lighting Triangle - see Sight Triangle

Day Care, Private Home

Means the *use* of a *dwelling unit* operated commercially for the temporary care of children.

Day Nursery

Means an establishment for pre-school-aged children governed by the *Child Care and Early Years Act*.

Deck

Means a *structure* above the ground cantilevered from a *dwelling* or *building* or supported by the ground with no roof or walls except for visual partitions and which is *used* as an outdoor living area.

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* and *structures* requiring approval under the *Planning Act* and shall be taken to include *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*.

Dog Park

Means a *park* for dogs to exercise and play off-leash in a controlled environment under the supervision of their owners.

Dog Run

Means an enclosed outdoor extension of one or more dogs' individual living spaces in association with a *kennel* or *animal pound*.

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 *stacking space*, and may be in combination 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 a vehicular access connected to a *public street* or *private road* or thoroughfare, which provides ingress to and/or egress from a *lot*, and may include a shared *driveway* but shall not include a *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 *commercial premise* 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 the home or 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* or *recreational vehicle*. A *dwelling* may contain one or more *dwelling units*.

Dwelling - Accessory

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

Dwelling - Additional Residential Unit

Means an additional *dwelling unit* within a *permitted single detached dwelling*, *semi-detached dwelling*, or *row house* and/or a *dwelling unit* in a *detached building* or *structure* ancillary to a *single detached dwelling*, *semi-detached dwelling*, or *row house* or up to three *dwelling units* in total [see **Figures 3.8 and 3.9**].

Figure 3.8: Additional Residential Unit - Basement and Accessory Structure

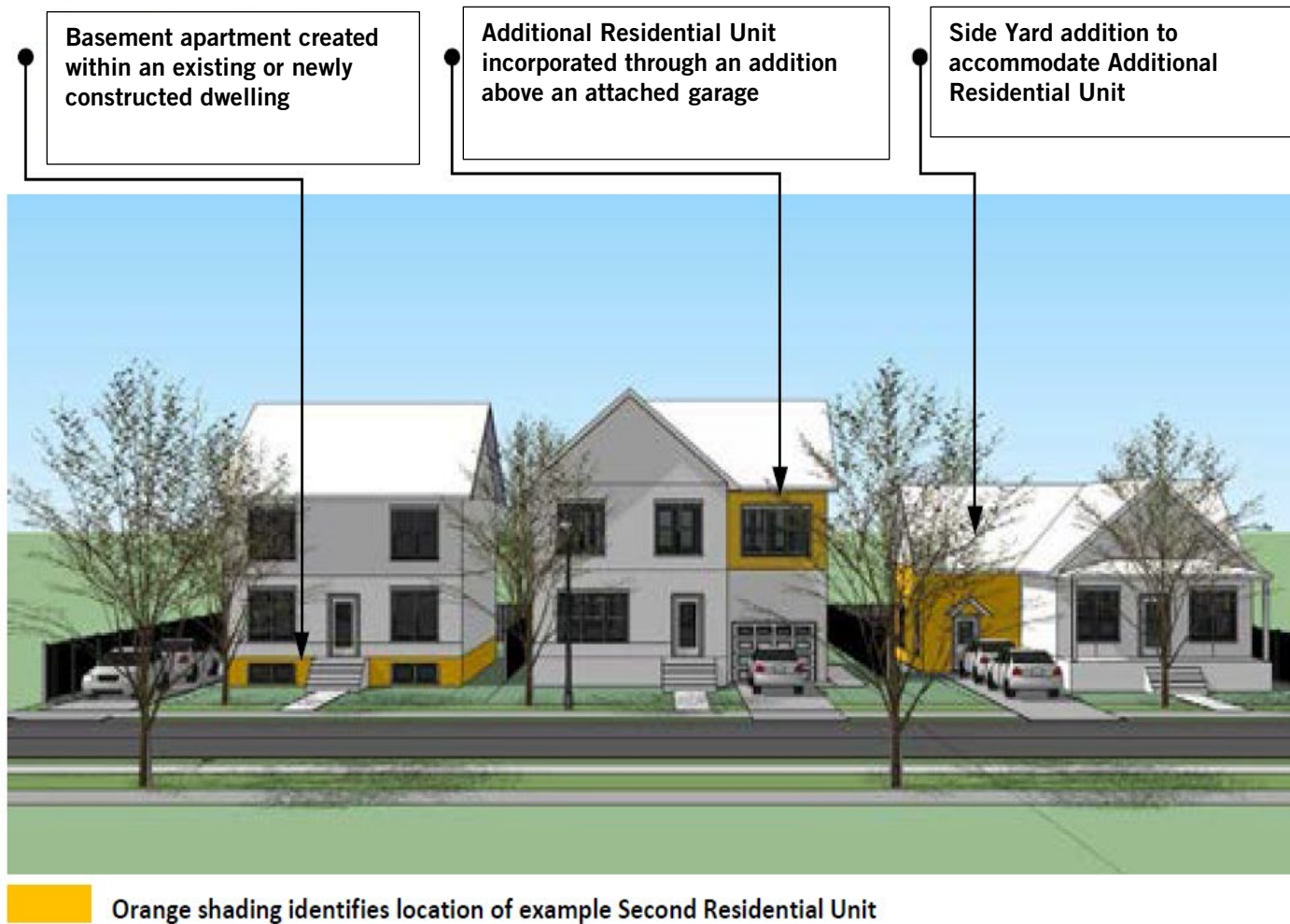


Figure 3.9: Examples of Additional Residential Unit

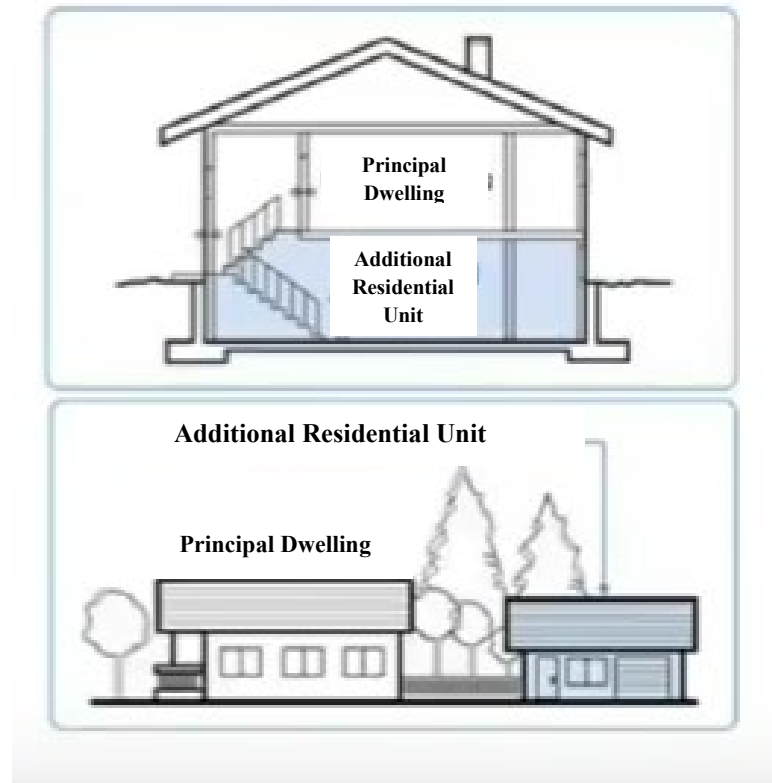


Figure 3.10: Dwelling Types

Dwelling - Apartment

Means a **building** containing three (3) or more **dwelling units** but shall not include a **row** or **townhouse dwelling** [see Figure 3.10].

Dwelling – Accessory Apartment

Means a separate and self-contained **dwelling unit** (e.g., *includes cooking, sanitation and sleeping facilities*) in or added to a **single detached dwelling unit**.

Dwelling - Accessory Dwelling Unit

Means a self-contained **dwelling unit** which is **accessory** to a **permitted** non-residential **building** other than an **auto service station** or a **repair garage**.

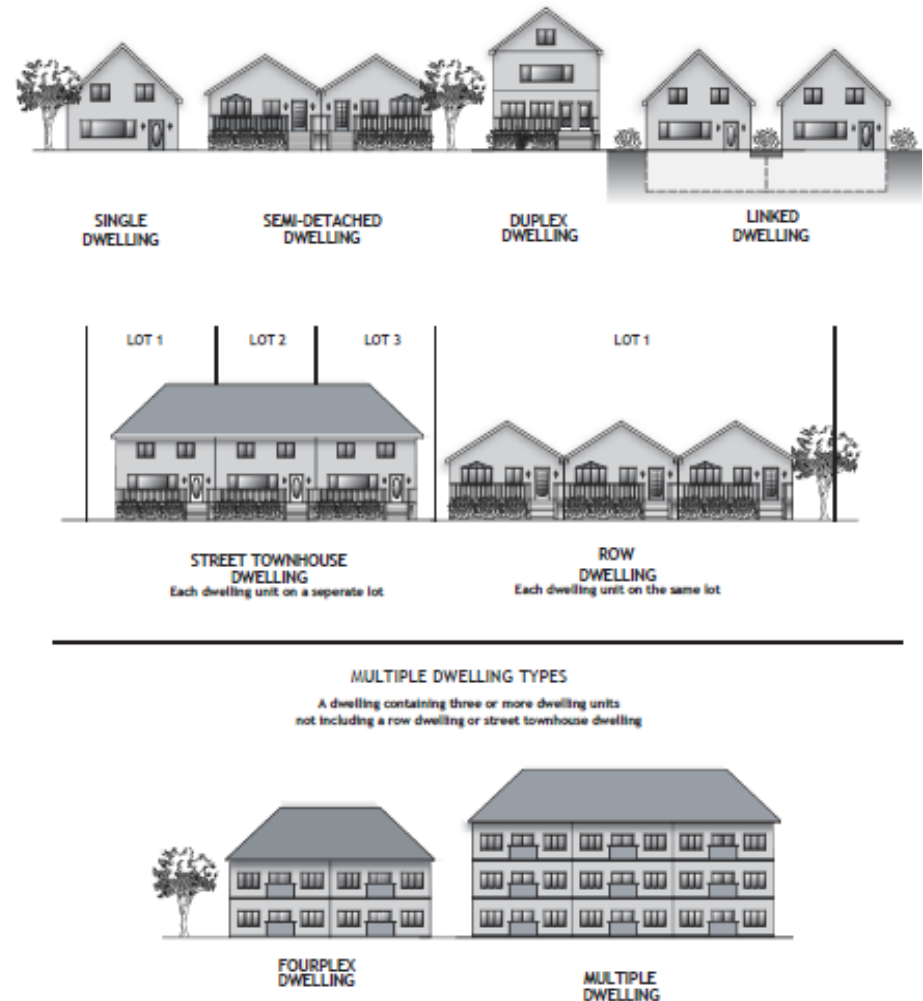
Dwelling – Converted

Means an existing **single detached dwelling** which has or may be altered or converted to contain two (2) dwelling units.

Dwelling - Duplex

Means a **building** that is divided horizontally into two (2) **dwelling units**, each of which has an independent entrance [see Figure 3.10].

Dwelling - Group or Group Housing or Group Housing Project



Means a combination of dwelling types (*e.g., semi-detached, triplex, row housing, and apartments*) where there are two or more such ***dwelling***s located on the same lot, which lot is retained under one ownership.

Dwelling - Mobile Home

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



Dwelling - Multiple Unit

Means a separate ***building*** designed exclusively to contain three (3) or more ***dwelling units***.

Dwelling - Park Model Trailer

Means a manufactured ***building*** designed and constructed in conformance with CAN/CSA-Z241 Series M “Park Model Trailer”, as set out in the Ontario Building Code, and is used or intended to be used as a seasonal recreational building of residential occupancy.

Dwelling - Row or Townhouse

Means a ***building*** that is divided vertically into three (3) or more ***dwelling units***, each of which has an independent entrance at grade. [See **Figure 3.10**]

Dwelling - Seasonal

Means a ***dwelling*** constructed as a secondary place of residence which is not intended for, or ***used*** for, or constructed for year-round living (*i.e., is not winterized or insulated*) and is not the principal place of residence of the ***owner*** or occupier thereof (*e.g., cottage*).

Dwelling - Semi-detached

Means a *building* on a single foundation divided vertically into two (2) separate *dwelling units* by a common wall [see **Figure 3.10**].

Dwelling - Single-detached

Means a detached *building* containing one (1) principal *dwelling unit* [see **Figure 3.10**].

Dwelling - Tiny House or Small House

Means a *detached dwelling* which is site-built or prefabricated and designed to provide a permanent residence for one or more *persons*, and is a *building* mounted on a foundation where any wheels have been removed. A *tiny house* shall not include a *recreational vehicle* or *park model trailer*. [See photos]



Dwelling - Triplex

Means a *building* on a single foundation divided into three (3) separate *dwelling units*, each of which has an independent entrance either directly from the outside or through a common vestibule [see **Figure 3.10**].

Dwelling - Two-Unit

Means a *dwelling* containing two (2) *dwelling units* and for the purpose of this By-law a *Two-Unit Dwelling* may include a *semi-detached dwelling*, a *duplex dwelling*, and shall include a *converted dwelling* and a *dwelling* containing an *additional dwelling unit*, and an *accessory apartment*.

Dwelling Unit

Means one or more *habitable* rooms or suites of two or more rooms, designed or intended for use by and occupied 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 with a private entrance from outside the *building* or from a common hallway or stairway inside the *building*. (*Examples of dwelling units include a single detached dwelling, an additional residential unit, an accessory apartment, and a single unit in a townhouse dwelling*).

Dwelling Unit Area

Means the floor area of a *dwelling unit* measured within the interior faces of the exterior walls of the *dwelling unit*. The unfinished floor area in the *basement* shall not be included in the calculations of the *dwelling unit area*.

Dwelling Unit, Bachelor or Studio

Means a *dwelling unit* that does not have a specific room set aside for use as a bedroom, but is suitable as a residence.

Easement

Means the legal right acquired by contract to pass over, along, upon or under the lands of another and shall be deemed to include an easement for a water, sewer, gas or electricity generation facilities and transmission and distribution systems, communications facility, drainage works, and a street or road right-of-way.

Eave

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

Electricity Generation Facilities and Transmission and Distribution Systems

Means land, buildings, structures and facilities used for the production, installation, transmission and distribution of electrical power.

Entrance

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

Equestrian Establishment

Means a *commercial premise* engaged in the operation of a horse-riding academy or horse-riding stables, horse training, handling care, or for the lodging of horses.

Equipment Rental Establishment

Means a *commercial premise* wherein the *principal use* is the rental of machinery, equipment, furniture, fixtures and other goods.

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, deletion, enlargement or extension.

Established Building Line

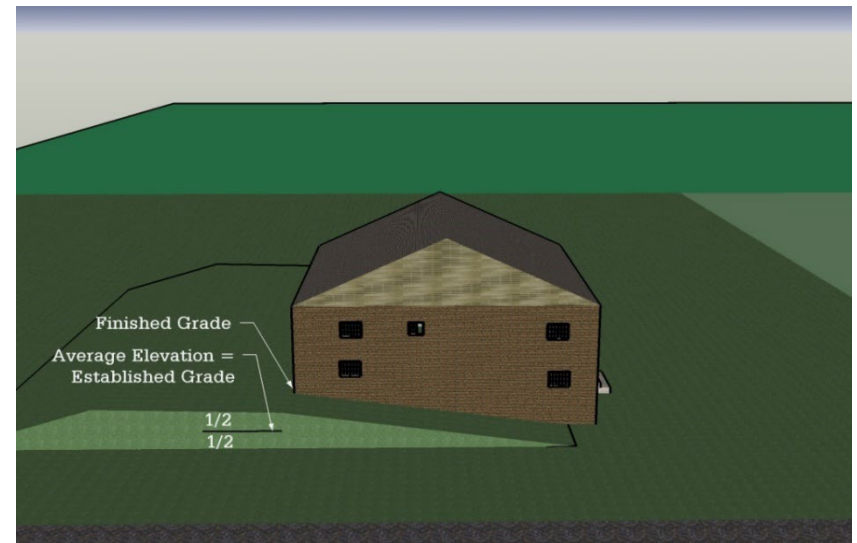
Means the average setback from the *street line* of existing *buildings* on one side of a continuous 100 m [328 ft.] strip of land where 3 or more of the lots having street frontage upon the said side of the street have been built. An *established building line* shall not apply to any property in a *rural zone*.

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, planters, berms or steps [see **Figure 3.11**];
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*.

Figure 3.11: Established Grade



EV Charging Station

Means a piece of equipment that supplies electrical power for charging plug-in electric vehicles including electric cars, electric trucks, electric buses, neighborhood electric vehicles, and plug-in hybrids. [See photo]

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**

Factory Outlet

Means a *commercial premise accessory* to a *permitted commercial use* or *industrial use* where products or goods that are manufactured or produced on site by that industry are kept for wholesale or retail sale on the same *lot* as the principle *commercial use* or *industrial use*.

Fairground

Means land, *buildings* and *structures used* for entertainment, agricultural and related exhibits, competitive events, food concessions, a carnival or midway 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

Means land *used* for an **Agricultural Use** [see *Agricultural Use*].

Farm, Hobby

Means land on which a *farm* may be operated primarily for recreational purposes or for home consumption by the occupants of the *dwelling* on the same *lot*, and which is clearly *accessory* to the *permitted use*. A hobby farm may also include a *farm produce outlet*.

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 Related Commercial/Industrial Uses - see **Agriculturally Related Commercial/Industrial Uses**

Farm Vacation Establishment

Means an *accessory use* in a private *single detached dwelling* in which *guest rooms* are provided for gain as temporary accommodation on a daily basis for the vacationing public interested in learning or participating in the operation of a *farm*.

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

Means any barrier constructed of chain link metal, wood, stone, metal, brick or other similar materials or combinations of such materials which is erected for the purpose of screening, safeguarding, retaining or enclosing property or delineating property lines.

Fish Habitat

Means the spawning grounds and nursery, rearing, food supply, and migration areas which fish depend directly or indirectly in order to carry out their life processes.

First Storey

Means the storey with its floor closest to but above grade [see **Figure 3.23**].

Fitness Centre

Means a *commercial premise* in which facilities are provided for recreational or health related activities including but not limited to weight training and exercise classes and may include associated facilities and services such as a lounge, washrooms,

showers, and saunas, a day spa, an administrative office, a cafeteria and an *accessory retail outlet* for fitness-related attire, equipment and dietary supplements.

Flea Market

Means:

1. The *use* of land, *buildings* or *structures* where second-hand goods, articles and antiques are offered or kept for sale at retail to the general public but shall not include any other retail establishment otherwise defined in this By-law;
2. An occasional or periodic market or sales event held in an open area, which may include a street, or within a *building* or *structure* where independent sellers offer goods, new and used, for sale to the public, but not including private garage sales;
3. A *premise* in which stalls or sales areas are set aside and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles that are either home grown, homemade, handcrafted, old, obsolete, or antique and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade;
4. A *premise* where food preserves or fresh produce or prepared foods are sold, but does not include a *restaurant*.
5. A *flea market* does not include a *yard sale*.

Floatplane Hangar

Means an enclosed *building* either fixed or floating which is designed to house or keep a float plane.

Flood Elevation or Floodline

Means a line established by a one in one-hundred-year storm as established by flood plain mapping or by an appropriate *public authority*.

Flooding Hazards

Means the inundation of areas adjacent to a *shoreline* or river or stream system and not ordinarily covered by water along river and stream systems, the *flooding hazard* is the greater of the flood resulting from the rainfall experienced during a major storm such as the Timmins Storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area; or the one hundred year flood; or a flood which is the greater of the above which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as a standard for that specific area by the Ministry of Natural Resources and Forestry [see **Figure 3.12**].

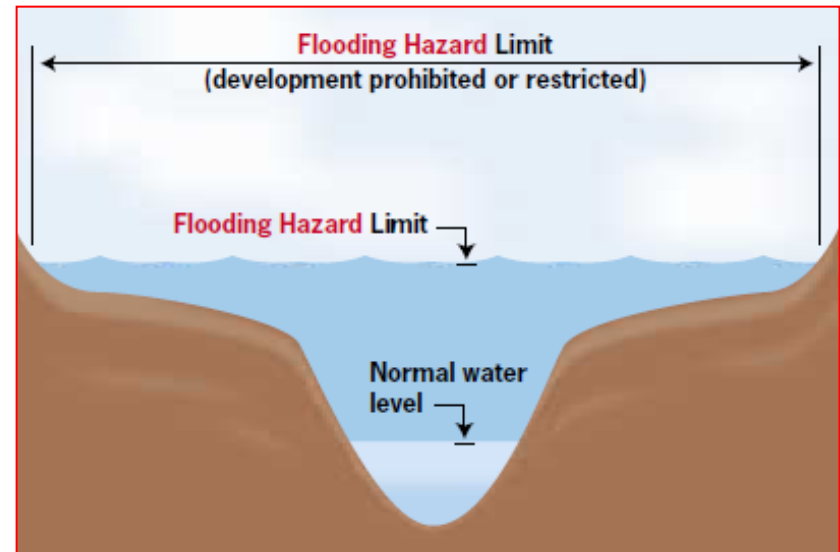
Figure 3.12: Flooding Hazard

Flood Plain

For river, stream and small inland lake systems, means the area, usually low lands adjoining a *water body*, which has been or may be subject to *flooding hazards*.

Flood Proofing

Means a combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual *buildings*, *structures* or properties subject to flooding so as to reduce or eliminate flood damages.



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 and where there are no walls the total area of a floor within the outer perimeter of the floor [see **Figure 3.13**].

Floor Area, Ground

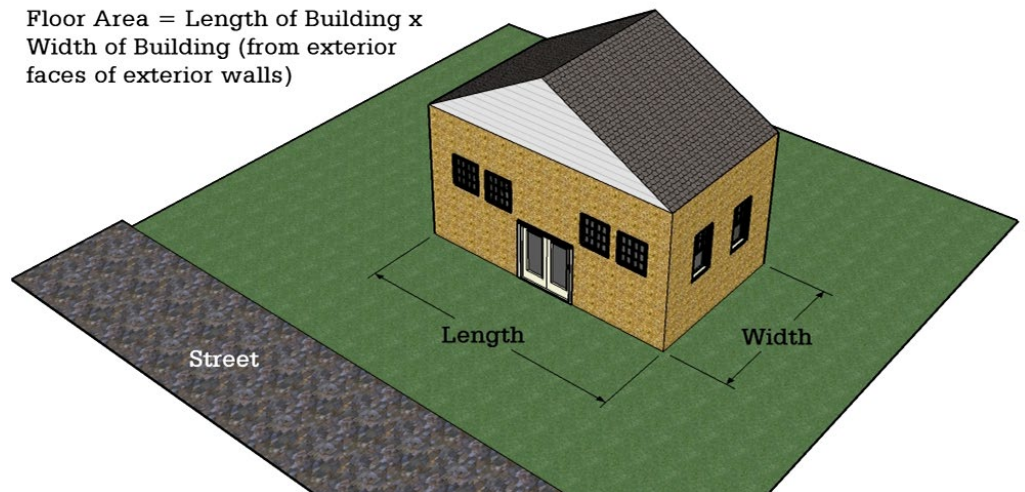
Means the floor area of the lowest storey of a building approximately at or above the **established grade** excluding any **basement** or **cellar**, which area is measured between the exterior faces of the exterior walls at the floor level of such storey, but excludes car parking areas within the **building**; 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 the total floor area of usable or **habitable** space above or below grade, measured from the interior face of the exterior walls of the **building** or **structure** but shall not include:

1. Any **private garage, porch, veranda**, unfinished **basement, cellar** or **attic**;
2. Any part of a **building** or **structure** below grade which is used for building services, storage or laundry facilities;
3. Any part of the **building** or **structure** used for the storage or parking of **motor vehicles**;

Figure 3.13: Gross Floor Area



4. Any part of a commercial shopping area used as a hall way, corridor passageway, utility room, elevator shafts, service/mechanical rooms, garbage/recycling rooms, public washroom, staff locker and lunch rooms, loading areas, balcony or mezzanine not otherwise used for the display or sale are for merchandise.

Forestry Use

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

Front Lot Line - see **Lot Line, Front**

Front Yard - see **Yard, Front**

Frontage - see **Lot Frontage**

Funeral Home

Means a *commercial premise* wherein undertaking services are offered and may include *accessory* activities such as a crematorium, the sale of caskets and funeral accessories, a chapel or parlour provided such activities are clearly secondary and incidental to the main undertaking service.

Garage - Detached Private

Means a fully enclosed *accessory building* which is designed or *used* for parking or storage in which there are no facilities for repairing or servicing of a *motor vehicle* for remuneration or *commercial use*.

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 *recreational vehicle*.

Gas Bar

Means one or more pump islands, each consisting of one or more gasoline pumps, and may include a *building, structure* or booth which may be used by a sales attendant 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, an ATM and an *EV Charging Station*. [See also **Automotive Service Station**]

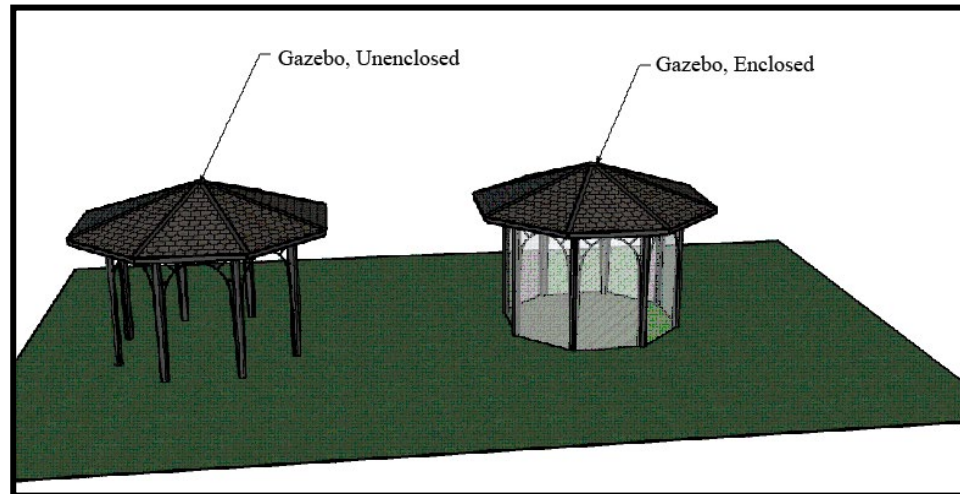
Gasoline Card Lock Facility

Means one or more pump islands designed for the retail sale of gasoline or diesel fuel using pumps which are operated automatically by credit or debit cards and may include an *EV Charging Station*.

Gazebo

Means a freestanding, roofed *accessory structure* which is not enclosed, except for transparent screening (e.g., *glass, netting*) and which is utilized for the purposes of relaxation in conjunction with a *principal use* but shall not include any other *use* or activity otherwise defined or classified herein [see **Figure 3.14**].

Figure 3.14: Gazebo



Geothermal Power Facility

Means a heating facility such as a heat pump whose energy source is naturally created from the earth's crust.

Golf Course

Means a public or private area operated for the *principal use* of playing the sport of golf but may also include a *driving range* and 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. [See illustration]

Greenhouse

Means a *building* used for the growing of flowers, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same *lot* containing such *greenhouse*.



Granny Flat - see **Garden Suite**

Green Energy Industries

Means a *building* or *structure* in which products are manufactured for the generation of electricity from non-polluting or renewable source (i.e., *wind, sun, geothermal, biomass*). Products manufactured by a renewable energy industry may include but are not limited to solar panels, wind turbines, geothermal equipment, and parts or components thereof.

Group Home

Means a single housekeeping unit in a residential *dwelling*, which is registered with the *Corporation*, in which 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 [see also **Crisis Care Facility**].

Guest Cabin

Means an accessory *building*, located on the same *lot* as the *main building*, which is used for sleeping accommodation but does not contain any cooking facilities and may contain sanitary facilities.

Guest Room

Means a bedroom or suite of rooms which is *used* or maintained for gain or hire by providing accommodation.

Guest House

Means a private *single detached dwelling* in which the *dwelling* or part thereof is rented for gain or hire as living quarters.

Habitable Room

Means any floor space within a *building* or *structure* designed and intended to be *used* for living, sleeping, cooking or eating purposes as defined under the *Building Code Act, S.O. 1992, Chapter 23*, as amended.

Hazardous Lands

Means property or lands that could be unsafe for *development* due to naturally occurring process including lands in a *flood plain* or subject to a *flooding hazard* or erosion hazard and shall include unstable soils and unstable bedrock.

Hazardous Sites

Means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (organic soils) or unstable bedrock (karst topography).

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.

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 3.15**], or
2. In the case of all other types of roofs, the mean height level between the base of the roof and highest point of the roof [see **Figure 3.16 A** and **3.16 B**].

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

Figure 3.15: Building Height with Flat Roof

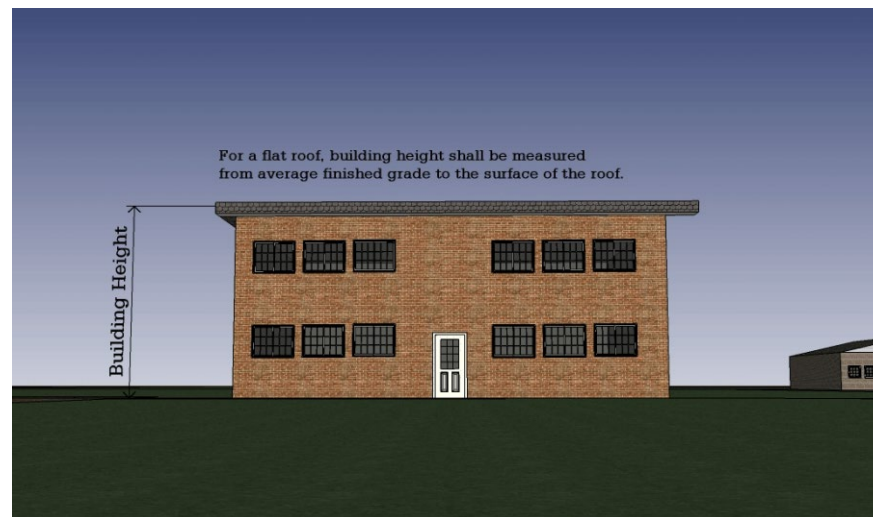


Figure 3.16 A: Building Height - All Other Roofs

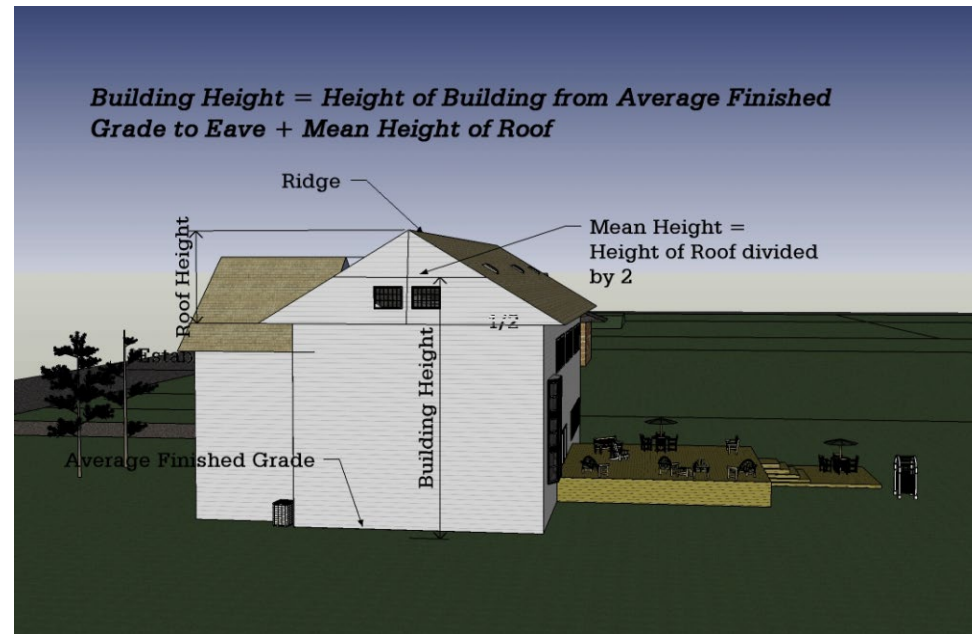
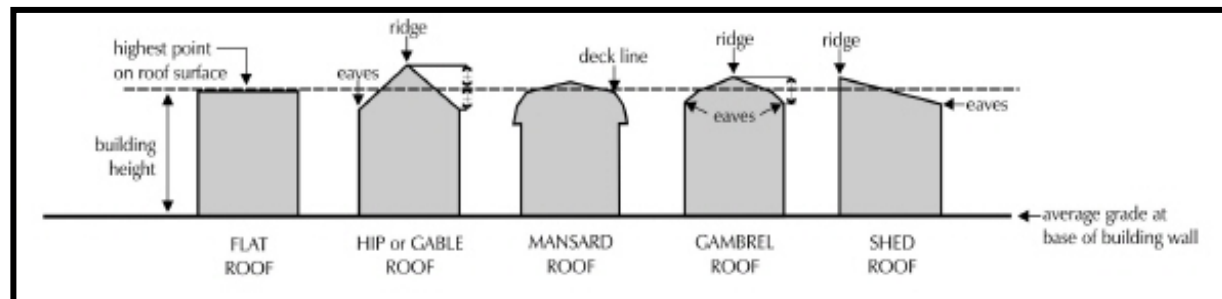


Figure 3.16 B: Building Height - All Other Roofs



Heliport or Helipad

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

High Water Mark

Means the mark made by the action of water under natural conditions on the shore or bank of a *water body*, 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. Features shall also include a naturel line or mark impressed on the bank or shore or rock, or other distinctive physical characteristics. [See also **Shoreline**]

Highway

Means a *street* under the jurisdiction of the Province of Ontario.

Hobby Farm - see **Farm, Hobby**

Holding Zone

Means a *zone* established under the enabling authority of Section 36 of the *Planning Act* where uses may be permitted subject to meeting certain conditions set out in the *Official Plan*.

Home for the Aged - see **Continuum-of-Care Facility**

Home Based Business

Means a privately operated legal occupation, enterprise or business which is carried out as an *accessory use* to a *dwelling unit* for pursuits conducted by the occupant thereof and any employees and is compatible with a domestic household.

Hotel

Means a *building* designed or *used* for the accommodation of the travelling or vacationing public, with or without *accessory uses* such as a *restaurant*, meeting rooms, *swimming pool*, facilities for the temporary exhibition and sale of goods on an intermittent basis, *premise* licensed under the *Liquor License Act* and includes any establishment containing *guest rooms* which is defined as a “Hotel” in the *Hotel Registration of Guests Act, R.S.O.1990, H.17* and shall also include a *motel* and hostel, but shall not include any *residential use* or *boarding house use*.

Hydro Corridor

Means any land owned by Hydro One Networks Inc. or other publicly owned utility, the primary purpose of which is the distribution of electrical power and energy, and on which are located wires, cables, poles or towers.

Hunt Camp - see Camp (Hunt Camp, Fishing Camp)

Individual On-site Sewage System

Means systems under the *Building Code Act, 1992* that are owned, operated and managed by the owner of the property upon which the system is located.

Individual On-site Water System

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

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, or storage 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 obnoxious industry. *Accessory uses* may include transportation, wholesaling, storage, shipping and receiving incidental to the *industrial use*.

1. Class I Industry - Light Industrial

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 (e.g., noise, odour, dust and vibration). Such industries operate in the daytime only with infrequent movement of products and /or heavy trucks and no outside storage. 'Light Industrial Uses' or 'Class I Industry' is a classification and other uses defined in this By-law may be classified as such.

2. Class II Industry - Medium Industrial

Means a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g., it has an open process) and where there are periodic or occasional outputs of fugitive emissions e.g., noise, odour, dust and/or vibration. Shift operations occur and there is frequent movement of products and /or heavy trucks during daytime hours. 'Medium Industrial Uses' or 'Class II Industry' is a classification and other uses defined in this By-law may be classified as such.

3. Class III - Heavy Industrial Uses

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. Such uses include sawmills, pulp and paper mills, refineries, smelting operations and similar uses which are intended to be secluded from residential or other *sensitive land uses* in order to limit any potential *adverse effects* on the environment or the surrounding areas and public health. 'Heavy Industrial Uses' or 'Class III Industry' is a classification and other uses defined in this By-law may be classified as such.

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. (*Examples include a municipal or government office, library, school, college, university, health care facility, place of worship, convent, monastery or similar use.*)

Junk Yard - see **Wrecking Yard**

Kennel

Means a ***commercial premise*** where dogs, cats or other small animals are kept, trained, bred or boarded, but does not include an ***animal shelter***. [See also **Animal Shelter**]

Landscaped Open Space

Means a combination of trees, shrubs, flowers, grass or other horticultural elements, together with decorative stonework, paving, screening or other architectural elements, all of which is designed to enhance the visual amenity of a property and/or to provide a screen to mitigate any objectionable adjacent land use, and does not include ***parking areas***, traffic ***aisles*** or ***driveways*** or ramps for ***vehicles***.

Landfill Site - see **Waste Management Facility**

Lane

Means a public thoroughfare other than a ***street*** or pedestrian way, improved or not, which has a right-of-way width of 10 m [32.8 ft.] or less and which provides a secondary means of for vehicular traffic to abutting ***lots***.

Laundromat

Means self-serving clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment, and may include a laundry receiving depot.

Licensed Cannabis Production Facility

Means the use of land, *buildings* or *structures* for the cultivation, processing, testing, destructions, packaging and shipping of marijuana used for medical purposes as approved and regulated by Health Canada.

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. [See *Minimum Distance Separation Formulae Implementation Guidelines*]

Livestock Sales Outlet

Means a *building* or *structure* where *livestock* are bought and sold.

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.

Lodging House Establishment

Shall mean a *single detached dwelling* which is designed for temporary living quarters for persons employed in the construction, mining or forestry industries and includes up to four (4) *guest rooms*, eating facilities or a meal service, accessory recreation facilities and on-site parking.

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.

Loft-Above-a-Garage

Means the portion of a *private garage* either attached or detached located above the vehicle storage area which is *used* for sleeping accommodation and may include sanitary facilities but not cooking facilities. [See photo]



Long Term Care Facility – see **Continuum-of-Care Facility**

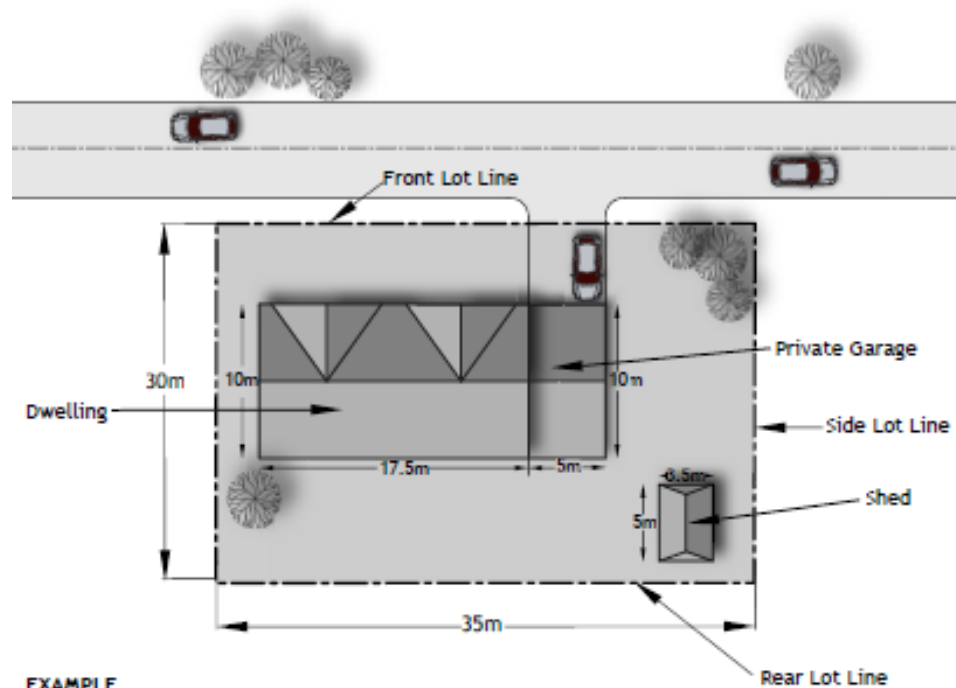
Lot

Means a parcel or tract of land, within a registered plan or subdivision or described in a deed or other legal document, that is capable of being legally conveyed in accordance with the *Planning Act*.

Lot Area

Means the total horizontal area measured within the limits of the *lot lines* of the *lot* excluding the horizontal area of any *flood plain* or wetland area located on such *lot*. [See **Figure 3.17**]

Figure 3.17: Lot Coverage



EXAMPLE

$$\text{LOT AREA : } 30.0\text{m} \times 35.0\text{m} = 1050.0\text{m}^2$$

$$\text{DWELLING : } 10.0\text{m} \times 17.5\text{m} = 175.0\text{m}^2$$

$$\text{PRIVATE GARAGE : } 5.0\text{m} \times 10.0\text{m} = 50.0\text{m}^2$$

$$\text{SHED : } 5.0\text{m} \times 3.5\text{m} = 17.5\text{m}^2$$

$$\text{TOTAL} = 242.5\text{m}^2$$

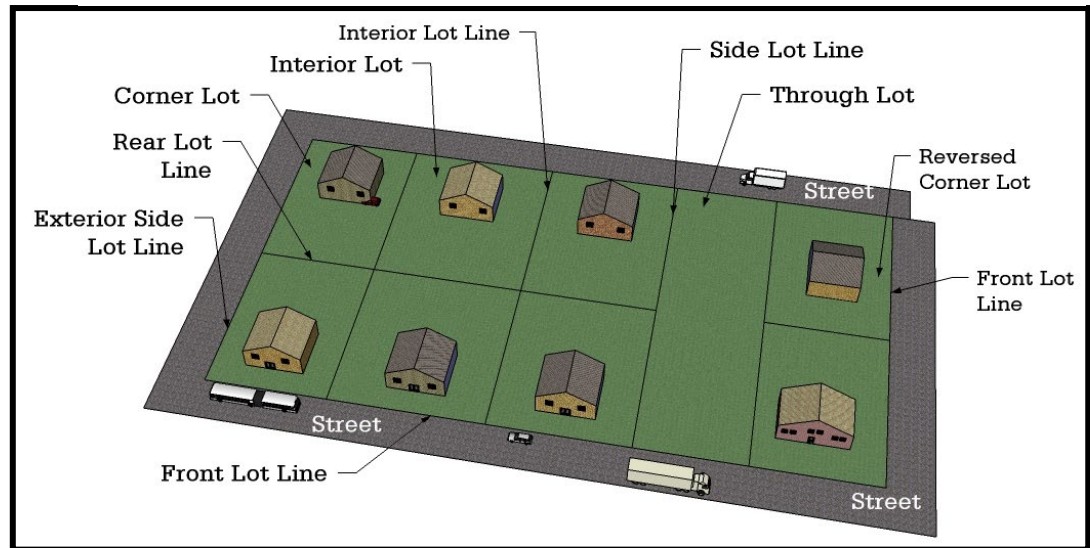
$$\begin{aligned} \text{LOT COVERAGE : } & \frac{242.5\text{m}^2 \text{ (Building Coverage)}}{1050.0\text{m}^2 \text{ (Lot Area)}} \times 100 \% \\ & = 23.1 \% \end{aligned}$$

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 one hundred and thirty-five degrees (135°).

Where such street lines are curved, the angle of intersection of the street lines shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the *side lot lines*. In the latter case, the corner of the *lot* shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents, and any portion of a corner lot distant not more than [30 m 98.4 ft.] from the corner measured along the street line shall be deemed to be an *interior lot* [see **Figure 3.18**].

Figure 3.18: Lot Definitions



Lot Coverage

Means that percentage of land or *lot area* covered by *buildings* and *structures* above ground level and which excludes that portion of such land or *lot area* which is occupied by a *building* or portion thereof which is completely below ground level, and shall exclude a *fence*, *patio*, landings, steps, ramps, retaining wall, root cellar, a sewage disposal system and an in-ground swimming pool or hot-tub [see **Figure 3.17**].

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* [see **Figure 3.19**].

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 between the intersections of the *side lot lines* with a line equal to the *front yard setback* back from and parallel or concentric to the *front lot line*. Arc distances shall apply on curved lines [see **Figure 3.19**].

Lot, Interior

Means a *lot* other than a *corner lot* or a *through lot* which has frontage on a *street* [see **Figure 3.18**].

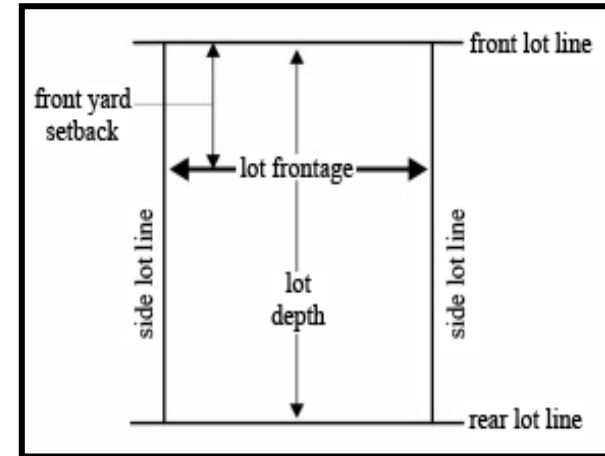
Lot Line

Means a boundary line of a *lot* or the vertical projection thereof. In the case of a *lot line* that has a bend or a series of bends, if the sum of the interior angles or angles of such bends is 130 degrees or greater, then they shall be deemed to be the same *lot line*.

Lot Line - Exterior Side

Means a *lot line* located between the *front lot line* and *rear lot line* and dividing the *lot* from a *street* [see **Figure 3.18**].

Figure 3.19: Lot Depth and Lot Frontage



Lot Line, Front

Means:

1. In the case of an *interior lot*, the line dividing the *lot* from the *street*, street allowance or *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* that abuts the wider *street*, or abuts a *highway* shall be deemed to be in the front line, and in the case of both *streets* being under the same jurisdiction and of the same width, 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 *lot* with water access or frontage on a *water body*, or an island, the *front lot line* shall be on the *shoreline*. In the case of a through waterfront lot the longest *shoreline* shall be deemed to be the *front lot line*; [see **Figure 3.20**].
5. in the case of a *private road*, the *lot line* adjacent to the *entrance* shall be deemed to be the *front lot line* except as described clause 4 above for a *waterfront lot*;
6. In all other cases not described above, the *front lot line* shall be deemed to be where the principal access or *entrance* to the *lot* is approved.

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 side lot line shall be considered as an *interior side lot line* [see **Figure 3.18**].

Lot Line, Rear

Means the *lot line* furthest from, and opposite to, the *front lot line* [see **Figure 3.18**]. In the case of a *lot* with no *rear lot line*, the point where the two *side lot lines* intersect shall be the *rear lot line*.

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 [see **Figure 3.18**].

Lot, Waterfront

Means a *lot* that abuts a navigable waterway or body of water. [see **Figure 3.20**]

Lot, Width

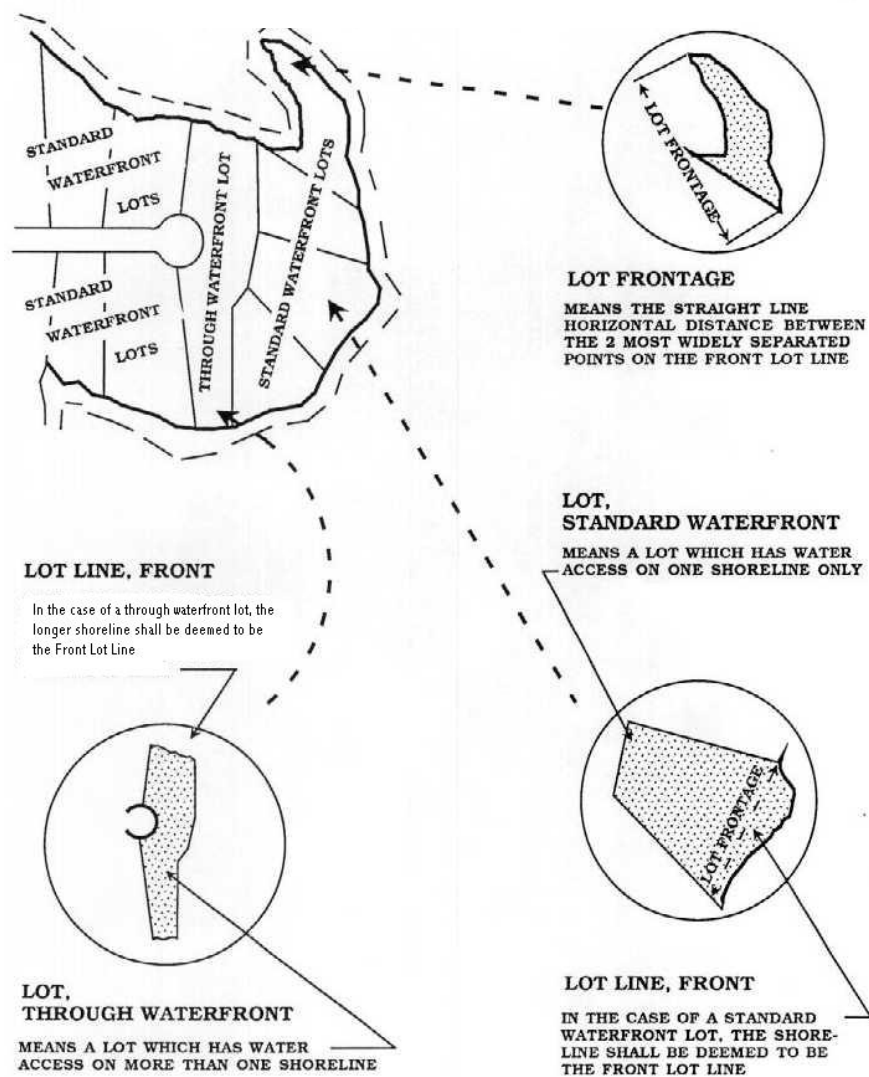
Means the average horizontal dimension between the two longest opposite sides measured on a line 6 m [19.6 ft.] back from the *front lot line* and parallel to it.

Lot Width, Corner Lot

Means the horizontal distance between the longest *front lot line* and the opposite *side lot line*, measured along a line 6 m [19.6 ft.] back from and parallel to the shorter *front lot line*, except in the case:

1. Where the *front lot lines* are curved, in which case, the *lot width* shall be calculated on the basis that the street lot lines are deemed to be the tangents produced to their points of intersection, from the points of intersection of the side lot lines and curved street lot line; or
2. Where a *corner lot* indicates that a *sight triangle* has been removed or has a rounded corner, in which case, the *lot width* shall be calculated on the basis that the *front lot lines* shall be deemed to comprise the street lines produced to their point of intersection.

Figure 3.20: Waterfront Lots



Main Wall

Means any exterior wall of a *building* and all structural members essential to the support of a fully enclosed space or roof exclusive of *permitted* projections.

Marina

Means a *commercial premise* 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* may include the sale of boat accessories, marine fuels, marine equipment, lubricants, bait as well as the sale of foods, provisions or supplies as an *accessory use* may be provided. A *marina* may also have sewage pump-out facilities.

Marine Facility

Means a non-commercial *building* or *structure* which is used to moor, berth, or store a boat. This definition may include a *boat launch*, a boat lift, marine railway, a float hangar, *dock* or *boathouse*, but does not include any *building* used for human habitation or a *marina*. A *marine facility* shall also include a water intake facility and any flood or erosion control structure. No part of a *marine facility* may be *used* as a *dwelling unit*.

Medical Clinic - see Clinic

Medical Marijuana Facility

Means a *commercial premise* approved and regulated under the Canada *Food and Drugs Act* and associated *Food and Drug Regulations*.

Microbrewery

Means a *commercial premise* where beer is produced at a small scale. A microbrewery may be *permitted* to sell the product that is produced on-site provided that there is no consumption of the purchased product on-site other than sampling. 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.

Micro-cultivation

Means the small scale growing of cannabis plants and harvesting material from those plants, as well as associated activities.

Mine

Means a mine as defined in the *Mining Act*. Mining shall have a similar 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 Deposits

Means areas of identified minerals that have sufficient quantity and quality based on specific geological evidence to warrant present and future extraction.

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*.

Miniature Golf Course

Means land, *building* or *structure* or any part thereof operated for profit or gain in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a golf ball driving range.

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 (2) or more occupied *mobile homes*.

Mobile Home Lot or Site

Means an area, similar to a *lot*, located in a *mobile home park*, intended to be or occupied by a *mobile home* or a *permitted accessory use*.

Mobile Home Yard

Means a line similar to a *front yard*, *rear yard*, *interior side yard* or *exterior side yard* as applied to a *mobile home lot or site*.

Motel

Means an establishment designed or *used* throughout all or part of a year that caters to the accommodation of the traveling or vacationing public, containing one or more *guest rooms*, including all such establishments as defined from time to time by the *Hotel Registration of Guests Act, R.S.O. 1990, c. H.17*, as amended. A *motel* may include *accessory uses* such as a *restaurant*, meeting rooms, *swimming pool*, facilities for the temporary exhibition and sale of goods on an intermittent basis, and *premises* licensed under the *Liquor License Act*.

Motocross Circuit

Means an off-road racing facility conducted on an outdoor enclosed dirt circuit over primarily natural, outdoor terrain and may include spectator facilities such as grandstands or concourses and fast-food concessions.

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 or a street car.

Municipality

Means the Municipality of Greenstone.

Natural Heritage Features and Areas

Means features and areas, including significant **wetlands**, significant coastal wetlands, other coastal wetlands in Ecoregions 5E, 6E and 7E, fish habitat, significant woodlands and significant valley lands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Nature Trail

Means an area *used* for walking, hiking, cross-country skiing, nature appreciation and similar non-motorized recreational travel.

Negative Impacts

Means:

In regard to *fish habitat*, the harmful alteration, disruption or destruction of *fish habitat*, except where it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity.

1. In regard to water, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground

water features, and their related hydrologic functions, due to single, multiple or successive *development* or site alteration activities; and

2. In regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive *development* or site alteration activities.

Non-Complying

Means any *existing building, structure* or *lot* which does not comply with one or more of the *zone regulations* 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 Use

Means a *use, building* or *structure that* does not contain a *dwelling unit*.

Non-residential Zone

Means a C1, C2, C3, C4, C5, I, M1, M2, WMF, MX, MIN, OS or EP *zone*.

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

Nursery - see **Commercial Greenhouse, Nursery or Garden Centre**

Nutrient Unit

Means an amount of nutrients that give a fertilizer replacement value of the lower of 43 kilograms of nitrogen, or 55 kilograms of phosphate as nutrient (as defined in Ontario Regulation 267/03 made under the *Nutrient Management Act*) and correlates to the number of types of livestock for a given *nutrient unit*.

Obnoxious Uses

Means substances or wastes which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment (i.e., materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological) and which are not otherwise permitted under an environmental compliance approval issued under the *Environmental Protection Act*.

Occupancy Permit

Means a permit issued under the authority of the *Planning Act* (Section 34 [6]) by the *Chief Building Official* which indicates that the proposed *use* of land or any *building* or *structure* on any such land is in conformity with this By-law.

Office

Means a *commercial premise used* for conducting the affairs of businesses, professions, services, industries, governments, or like activities.

On-farm Diversified Uses

Means uses that are secondary to the principal *agricultural use* of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, *home based businesses*, *agri-tourism uses*, a *micro-brewery*, an on-farm retail shop or café, a *farm produce outlet*, a farm event venue (i.e., *barn dance*, *wedding venue*, *hay and sleigh ride*) and *uses* that produce value-added agricultural products (i.e., *farm-based bakery*, *preserves and fish or meat products*).

Open Space

Means the open, unobstructed space on a *lot* from the ground to the sky 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. This definition shall not include a storage use located in a *building*, a *salvage yard*, a *parking area*, a *loading space* or a *parking space* or an area used for *outdoor display*.

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 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 and may include therein a beach, playground, play field, athletic field, field house, community centre, bleachers, skateboard facility, 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*, *fair ground*, and *conservation area*, and associated *accessory uses*.

Park Model Trailer - see **Dwelling - Park Model Trailer**

Parking Area

Means an open area of land, **accessory** to a *permitted use*, not located on a public **street**, *private road* or *lane* which is used for the parking of *motor vehicles*, non-motorized vehicles (e.g., *bicycles*, *horse carriage*), boat trailers, snowmobiles, all-terrain vehicles and recreational equipment that are accessory or incidental to uses in all **zones**, and shall not include a *parking lot - commercial*, a *lot* for the sale or lease of *motor vehicles* or the storing of impounded or wrecked vehicles.

Parking Lot, Commercial - see **Commercial Parking Lot**

Parking Space

Means an area used for the temporary parking of one *motor vehicle* or one horse and buggy.

Parking Space, Barrier Free

Means a *parking space* for the temporary parking of a *motor vehicle* used by a handicapped or disabled person [see photo].



Patio

Means a surfaced, open space of land at grade adjacent to a *residential* or *commercial use* which is *used*, in a residential setting, as an extension to the interior of the home for private entertainment or leisure activities and is uncovered. In a commercial setting, means an outdoor eating area *accessory* to a *restaurant* where, on a seasonal basis, food and/or refreshments prepared on the *premises* are consumed.

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 *commercial premise* wherein a personal service is performed. This definition may include but not limited to a barber shop, beauty salon, esthetician, optician, shoe repair, photographic store, *laundromat* or a *dry-cleaning distribution station* but excludes a manufacturing or fabrication of goods for sale.

Pet Grooming Establishment

Means a *premise* wherein cleaning, clipping and grooming services are provided for domestic pets, but shall not include an *animal shelter* or *kennel*.

Pit

Means land or land under water from which *aggregate* as defined *herein* is being or has been excavated in order 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 *Corporation*, or an excavation incidental to the construction of any public works.

Place of Amusement

Means a *commercial premise* wherein amusement facilities are provided such as a video arcade, arcade, billiard or pool room.

Place of Assembly

Means a *building* specifically set aside for and primarily engaged in the operation of arts and craft shows, trade fairs, fashion shows, public meetings, banquets, conference meetings, civic, political, social or religious activities, a private club or a fraternal organization and similar activities.

Place of Worship

Means a building or an open area primarily dedicated to religious worship but may be used for other supportive uses such as a centre for the arts, a community hall, an *accessory residential use*, a library and similar uses but does not include a manse or rectory where established on a separate *lot*.

Playground

Means a *park* or part thereof which is equipped with active recreational facilities oriented to children [see also **Park**].

Porch or Veranda

Means a single *storey* roofed *structure* which is structurally dependent on and projecting from a *dwelling* with walls that are open and unenclosed and may contain mesh screening for insects and is used only as an outdoor unwinterized living area but does not include a *deck* as defined.

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.

Premise

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

Principle Use

Means the primary purpose for which a *lot, building or structure* is *used* or intended to be *used*.

Printing and Processing Service Shop

Means a *commercial premise used* by one or more *persons* who are employed in customer service, graphic design and production and conducting of an activity specifically undertaken to aid individuals or an industrial or commercial office with a variety of branding and publishing of printing products including but not limited to stationary, maps, guidelines, pamphlets, flyers or similar products and may include document finishing, laminating, packaging, receiving and distribution.

Private Club - see **Club, Private**

Private Garage - see **Garage, Private**

Private Road

Means a private right-of-way over private property which affords access to two (2) or more abutting **lots** or a road created through the registration of a plan of condominium, but does not include a *street* established or maintained by a *public authority*.

Professional Office - see **Office**

Public Access Point

Means public land designated by a *public authority* and developed and maintained by the *public authority* as a public access to a navigable *water body* [see also *marine facility*].

Public Authority

Means the Municipality of Greenstone 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 Service Use

Means a *building, structure or lot used* for public services by the Municipality of Greenstone and any Boards or Commissions thereof, and any Ministry or Commission of the Governments of Ontario and Canada, any communications facility, any telephone, telecommunications or railway company, any company supplying natural gas, Hydro One Networks Inc., any conservation authority, public utilities company or similarly recognized agencies.

Public Street - see **Street**

Public Storage - see **Self Storage Facility**

Public Utility

Means a water works or water supply system, sewage works, electricity generation facilities and transmission and distribution systems, a street lighting system, a natural or artificial gas works or supply system, a transportation system, a telephone system, a scientific research system, a communications facility, and includes any lands, *buildings* or equipment required for the administration or operation of any such system and which is operated by a *public authority* or a publicly governed company or authorized by a publicly governed company.

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 *corporation*, or an excavation incidental to the construction of any public works.

Railroad Use

Means a *building, structure or use* normally associated with a railroad operation subject to the *Railway Safety Act, R.S.C. 1985, c.32 (4th Suppl.)*, as amended.

Reconstruction

Means to re-build, *erect*, place, reconstruct, relocate, repair or assemble a previously *existing building or structure* to a habitable or useable condition which may include complete replacement, and may also include:

1. Any preliminary operation such as excavating, filling or draining;
2. *Altering* any existing *building or structure* by an addition, enlargement, extension or other structural change;
3. Any work which requires a building permit.

‘Reconstructed’ and ‘reconstruction’ shall have corresponding meanings. For the purpose of this definition, reconstruction/renovation/restoration may include the complete replacement of a *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, or under lease, such as health clubs, open or enclosed skating or curling rinks, open or enclosed pools, open or enclosed badminton or tennis courts, squash courts, bowling alleys, gymnasias, band shell or open theatre, and other similar uses except as otherwise specifically defined in this By-law. [See also **Bingo Hall**]

Recreational Equipment

Means a portable **structure**, vessel or vehicle that is designed and built to be carried by a **motor vehicle**, or a unit designed and built to be transported or operated under its own power or propelled power, for the purposes of providing recreation enjoyment or travel, and may include boats, boat or vehicle trailers, personal water craft, snowmobiles, all-terrain vehicles (ATVs) or other equipment used for recreational purposes and which are normally stored or parked on a **lot**.

Recreational Vehicle

Means any **motor 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. For the purposes of this definition, a **recreational vehicle** shall be considered a **structure** for the purposes of establishing **setbacks** only. A **recreational vehicle** shall not be deemed to include a **mobile home**. The definition of a **recreational vehicle** shall not be interpreted to include **recreational equipment** [see photos].



Recreational Vehicle Campground - see **Campground**

Recreational Vehicle Sales and Storage

Means a *building* and/or *lot* which are *used* for the display, storage and/or sale of boats, and *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 recycled products and other waste materials which will be transferred to another location for reuse or disposal.

Redevelopment - see **Development**

Refreshment Pavilion (Chip Wagon)

Means a *vehicle* or portable structure which may be licensed by the *municipality* and is equipped for the preparation, storage, heating, cooking, cooling or sale of foodstuffs and beverages within or from the *vehicle* or portable structure and may include exterior seating (e.g., picnic tables) but does not include any structural additions that would render the *vehicle* or *structure* immovable.

Renewable Energy System

Means a system that generates electricity, heat and/or cooling from a renewable energy source.

Renovate - see **Reconstruction**

Residential Care Facility – see **Continuum-of-Care Facility**

Residential Density

Means the number of *dwelling units* per hectare of *lot area*.

Residential Use

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

Residential Zone

Means an R1, R2, R3, or RW (Waterfront Residential) *zone*.

Restaurant

Means a *commercial premise*, 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 Outlet

Means a single *retail store* which is *accessory* to a permitted *commercial use*.

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 - see **Continuum-of-Care Facility**

Riding School - see **Equestrian Establishment**

Right-of-way - see **Easement**

Road - see **Street**, see also **Private Road**

Room, Non-Habitable

Means any room located within a *dwelling* that is not a *habitable* room, including but so as not to limit the foregoing, a laundry room, a pantry, a lobby, a stairway, a closet, a *porch*, a recreation room, a porch, a balcony, a *private garage*, an unfinished attic, a *cellar*, a boiler room and any space used for the service and maintenance of such *dwelling* or for vertical travel between *storeys*.

Rooming Unit

Means a room or rooms rented as sleeping and living quarters, without cooking facilities and may include an individual bathroom (see also *lodging house establishment*).

Row House - see **Dwelling, Row or Townhouse**

Rural Zone

Means a WMF, MX, MIN, or RU *zone*.

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 wet or dry, and may include a change/relaxation room, storage areas and a washroom but not 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.

Sawmill, Portable

Means equipment which is portable (e.g., may be drawn by a *motor vehicle*) and is *used* on a temporary basis for the cutting of saw logs.

School

Means an institutional facility for education or instruction as defined in the *Education Act* or the *Ministry of Training, Colleges and Universities Act*.

Seaplane Base

Means a type of *airport* that is located in a body of water, usually a river, bay, harbor, or lake, where seaplanes and amphibious aircraft take-off and land and may include shore-side facilities for the launching, docking, servicing, repairing or refueling of seaplanes

Seating Capacity

Means the number of persons which 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 premise* wherein items are stored in separate, secured storage areas or lockers and may include the exterior storage of *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.

Examples of sensitive land uses may include, but are not limited to: residences, day care centers, and educational and health facilities.

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.

Septage

Means untreated sanitary waste from a septic tank, privy or holding tank.

Service Outlet or Shop

Means a *commercial premise*, whether in conjunction with a *retail store* or not, used for the repair and servicing of goods, commodities, articles or materials, but not the manufacturing thereof. Automotive repairs and services are not *permitted* under this definition.

Setback

Means:

1. With reference to a *street*, the least horizontal distance between the *front lot line* and the nearest *building line*.
2. With reference to a *lot line*, means the least horizontal distance between the *lot line* and the nearest *building line*.
3. With reference to a *water body*, the least horizontal distance between the *high-water mark* and the nearest *building line*.
4. With reference to a *building, structure* or land *use* and not applicable under paragraph (1) or (2), shall mean the least horizontal distance from the *building, structure* or land *use* in question; and

5. With reference to a *private road*, shall mean the least horizontal distance between the edge of the travelled portion of the road or surveyed boundary and the nearest *building line* of any *building* or *structure*, or the limit of the *private road* as shown and measured on a survey.

Sewage Works

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

Shipping Container – see **Storage Container**

Shooting Range or Rifle Club

Means a *premise* 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 uses* and facilities.

Shoreline

Means a *lot line* or portion thereof which abuts or parallels the *high-water mark* of a *water body*. [See also **High-Water Mark**.]

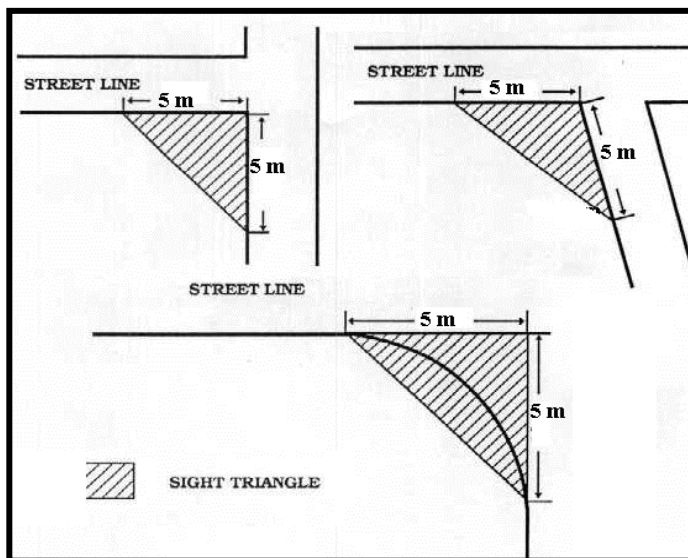
Shoreline Buffer Zone

Means a natural area, adjacent to a *shoreline*, maintained or re-established in its natural state, with the exception of minimal pruning of vegetation, the removal of trees for safety reasons, for the purpose of protecting natural habitat and water quality and minimizing the visual impact of *buildings* or *structures* on a *lot*, and may include the installation of a pathway or trail providing water access.

Sight Triangle

Means a triangular space, free of *buildings, structures* and obstructions, including vegetation, 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 [See **Figure 3.21**].

Figure 3.21: Sight Triangle



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.

Significant Habitat of Endangered and Threatened Species

Means the habitat, as approved by the province that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part of its life cycle.

Significant Wildlife Habitat

Means a *wildlife habitat* that is ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system.

Skateboard Park

Means a *building* or *structure* or part thereof or an area of land occupied by structures used in skateboarding, roller skating, rollerblading, BMX riding or other similar activities, such *structures* including ramps, half-pipes, rails, etc. A skateboard park may be part of a *park*.

Sleep Cabin - see Guest Cabin

Solar Collector

Means a device consisting of photovoltaic panels that collect solar power from the sun. A solar collector may be ground mounted or rooftop mounted or a wall mounted device [see photo].



Solar Collector, Commercial

Means a Class 3 ground mounted device with a name plate capacity of less than or equal to 10 kW consisting of photovoltaic panels that collect solar power from the sun [see photo].



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.

Solid Waste Disposal Site – see **Waste Management Facility**

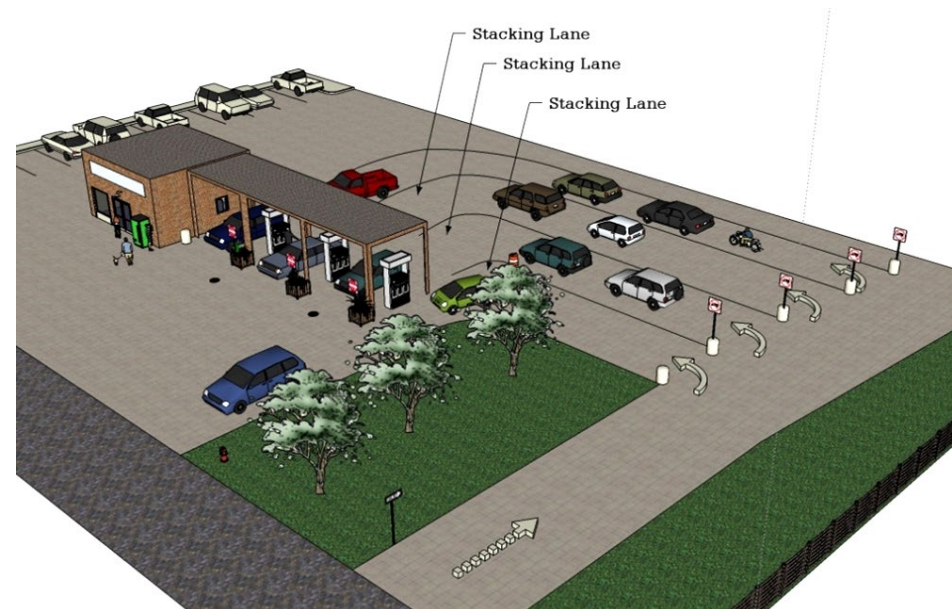
Stacking Lane

Means an on-site lane for *motorized vehicles* which accommodates vehicles using a *drive-through facility* that is separated from other vehicular traffic and pedestrian circulation. Stacking lanes may be separated by any combination of barriers, markings or signage.

Stacking Space

Means a portion of a *stacking lane* which provides standing room for *motor vehicles* in a queue for a *drive-through facility* while the occupants are awaiting service [see **Figure 3.22**].

Figure 3.22: Stacking Lanes



Storage Container

Means a pre-fabricated metal or steel ***accessory structure*** used for the transport and/or storage of storage of goods and materials but shall not include the body of a transport trailer, or strait truck box, or ***motor vehicle*** [see photos].



Storey

Means that portion of a ***building*** other than a ***cellar*** or ***basement*** included between the surface of any floor and the surface of the floor, roof deck, ceiling or roof immediately above it. [See **Figure 3.23**]

Street

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

Street Allowance

Shall have a corresponding meaning to that of ***public street*** or ***private road***.

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***.

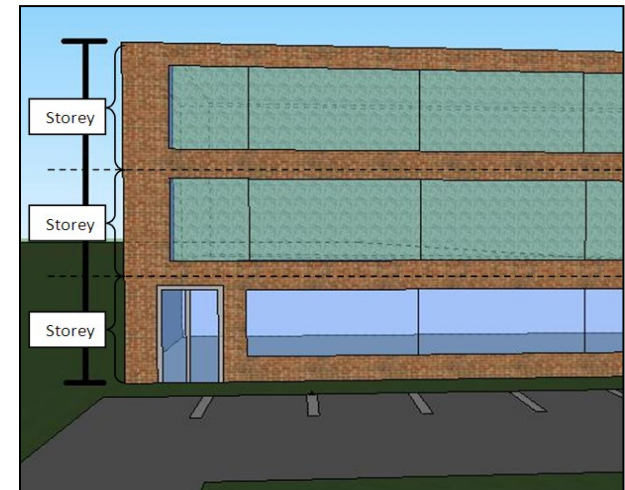


Figure 3.23: Storey

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 a *recreational vehicle*, a *sign*, a *swimming pool*, a *deck*, and an *individual on-site sewage service* (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 includes the *accessory* retail sale of articles produced on the property;
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 and may include a hot tub, inflatable pool or whirlpool but shall not include a natural dug or dammed pond intended for aesthetic or agricultural purposes.

Tavern

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

Temporary Building

Means a *building* or *structure* intended for removal or demolition within a prescribed time as set out in a building permit.

Temporary Car Shelter

Means a prefabricated temporary **structure** usually constructed with a metal, wood or plastic frame and covered with a tarpaulin or other similar type of fabric or plastic cover **used** primarily for the storage of a **motor vehicle** or other equipment and is designed to be dismantled or removed [see **Figure 3.24**].

Top of Bank

Means the first significant lake ward break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 measured perpendicularly from the break.

Tourist Establishment

Means a **commercial premise** 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 a **commercial premise** 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 of Townhouse**

Trailer, Travel Trailer or Recreational vehicle - see **Recreational Vehicle**

Figure 3.24: Temporary Car Shelter



Trailer Park - see **Campground**

Transfer Station - see **Recycling Depot**

Triplex - see **Dwelling, Triplex**

Transportation Depot or Truck Terminal

Means land *buildings* or *structures* where commercial *vehicles* are kept for hire, rental and/or leased, or stored and/or parked for remuneration and/or from which such *vehicles* are dispatched for hire as common carriers and where such land, *structure* or *building* may be *used* for the storage and/or distribution of goods, wares, and merchandise.

Use or Used

Means the purpose for which a *lot* or a *building* or a *structure* is designed, arranged, occupied or maintained.

Use, Accessory - see **Accessory Use**

Vehicle - see **Motor Vehicle**

Veranda - see **Porch**

Veterinary Establishment - see **Animal Shelter**

Video Rental Outlet

Means a *building* or part of a *building* wherein the *principal use* is the rental of video materials (e.g., DVDs, tapes, Blu-ray discs, etc.) and may include the rental of video cassette recorders, video cameras, video games and the sale of other such items related to audio-visual entertainment.

Warehouse

Means a *commercial premise* used for the storage of general merchandise warehousing, cold storage or other storage facilities and includes a centre for distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial, institutional or professional users, and/or to other wholesalers. [See also *Self Storage Facility*]

Waste Management Facility

Means a site which is licensed or approved by the Ministry of the Environment, Conservation and Parks and/or its agents where garbage, refuse, domestic or industrial waste, excluding radioactive or toxic chemical wastes, is disposed of or dumped. This definition shall include waste transfer stations, processing sites, septage disposal, and recycling depots [see also **Recycling Depot or Transfer Station**].

Water Access Lot

Means a *lot* that is accessed by a navigable *water body*.

Water Body

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 ***commercial premise*** where metal products are joined, repaired or shaped by welding but no mass productions shall be involved.

Wellness Centre

Means a ***commercial premise*** 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***.

Wetland

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 or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and

fens. Lands being used for agricultural purposes, that are periodically "soaked" or "wet", or which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wetland - Provincially Significant

Means a wetland, or coastal wetland identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time.

Wetland - Locally Significant

Means a wetland identified as locally significant by the *municipality* using science-based evaluation procedures.

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 a collection of *wind turbines* all in the same geographical location which are used in combination for the generation of mechanical or electrical generation.

Wind Turbine

Means a non-commercial wind energy conversion *structure* consisting of a wind turbine, a tower and associated control or conversion electronics which is intended to provide electrical power for use on-site and is not intended or used to produce power for resale. The definition of wind turbine also includes vertical axis wind turbines which consist of blades rotating around a vertical motor shaft. For the purposes of this By-law, a wind turbine shall be considered an *accessory structure*.

Wind Turbine, Commercial

Means a Class 2, 3 or 4 wind facility with a name plate capacity greater than or equal to 3 kW machine designed and used for converting the kinetic energy in wind into mechanical energy or electrical energy.

Workshop - see **Custom Workshop**

Wrecking Yard - see **Salvage Yard**

Yard

Means an area of open land between a *main wall* of a *building* and a *lot line* that, except for landscaping or *accessory buildings* and projections specifically *permitted* elsewhere in this By-law, is unobstructed above grade [see **Figures 3.25 & 3.26**].

Yard, Front

Means the area between a *main wall* of a *building* and a *lot line* that, except for landscaping or *accessory buildings, structures* and *uses* and projections specifically *permitted* elsewhere in this By-law, is unobstructed above grade. [see **Figures 3.25 & 3.26**].

Figure 3.25: Yard Definitions

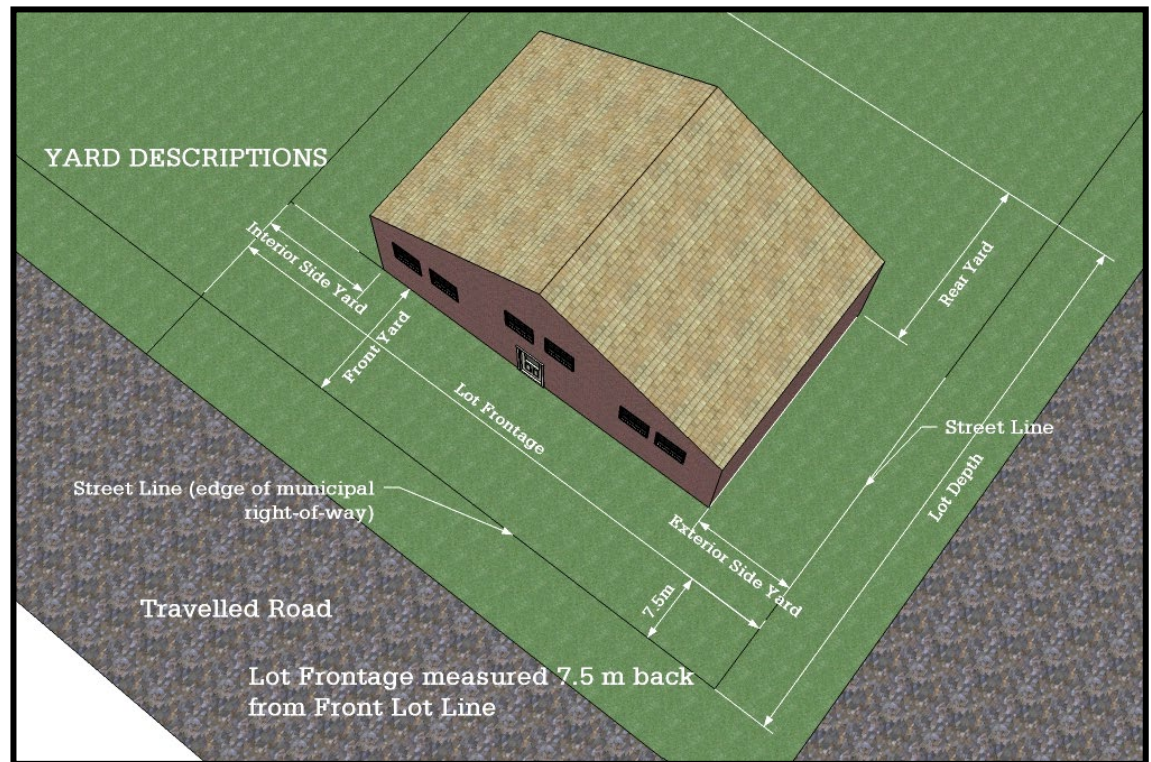


Figure 3.26: Yard Definitions

EXAMPLE OF YARD DEFINITIONS

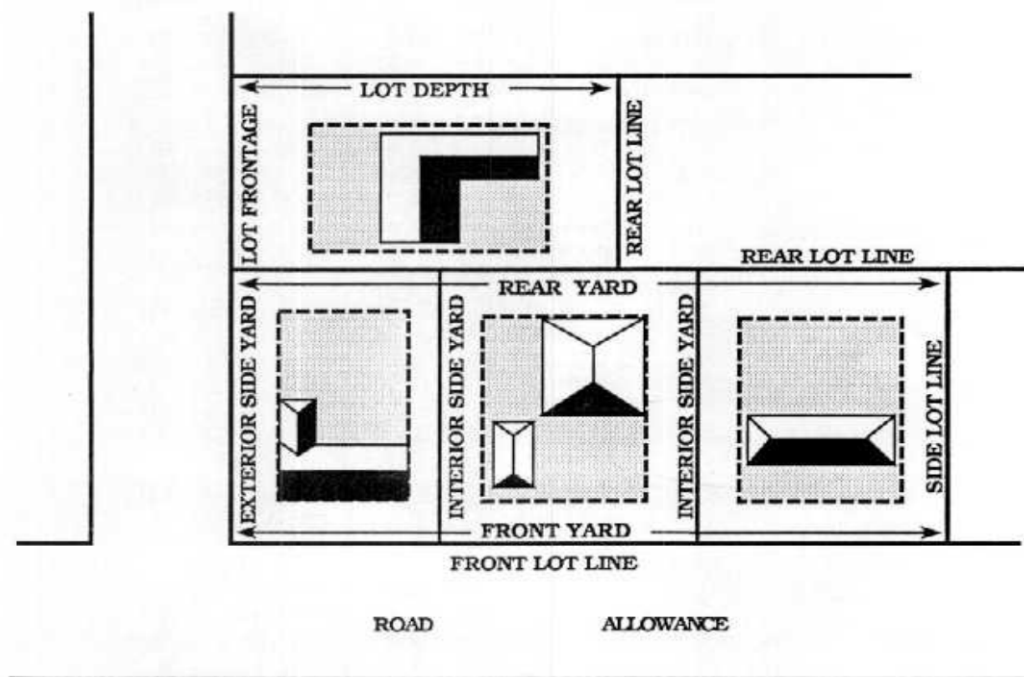
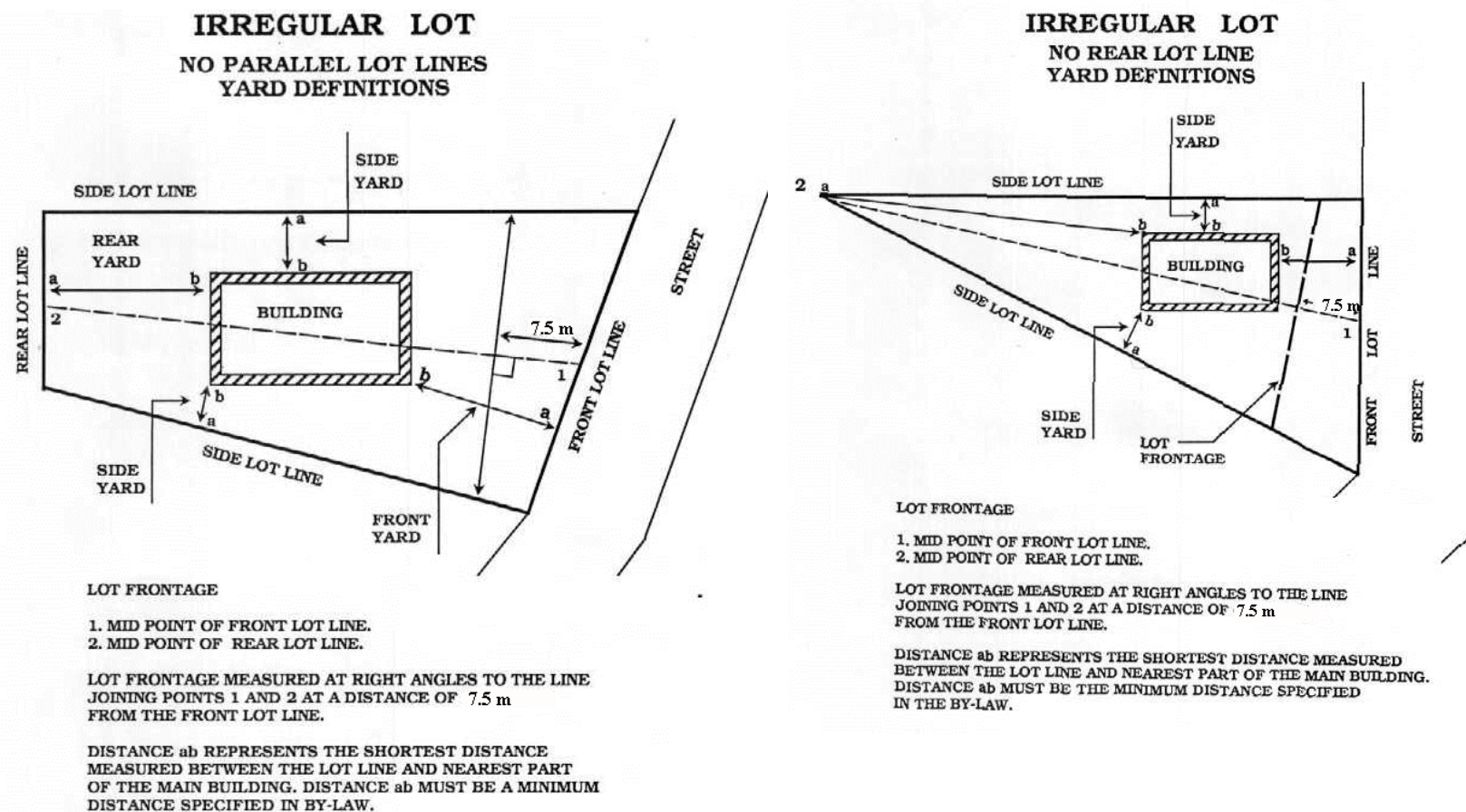


Figure 3.27: Yard Definitions



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 **Figures 3.25 & 3.26**].

Yard, Sale

Means the occasional or infrequent sale (e.g., *one or two days annually*) of household goods, clothing, furniture, tools, recreational equipment or other second-hand articles or sundry items, usually by the households on an individual property, and may include a joint sale by neighbours on the same **street** or a joint sale at a **school**, a **place of worship** or other location. [See also **flea market**]

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 **Figures 3.25 & 3.26**].

Yard, Exterior Side

Means a **side yard** adjacent to a **street** [see **Figures 3.25 & 3.26**].

Yard, Interior Side

Means a **side yard** other than an **exterior side yard** [see **Figures 3.25 & 3.26**].

Yurt

Means a circular domed tent-like **structure** usually consisting of a wooden frame covered by material and capable of being **used** on a recreational basis for temporary accommodation.

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.

Zoning Administrator

Means the officer, employee or such other person as may from time-to-time be designated by Council charged with the duty of enforcing the provisions of this By-law.

SECTION 4 GENERAL PROVISIONS

Explanatory Note

The General Provisions section of the Zoning By-law sets out regulations which apply regardless of the specific zoning (Section 5). While the zones provide site specific controls corresponding to such items as permitted uses and other restrictions, the General Provisions provide regulations more general in nature. Development must comply with all applicable provisions in the General Provisions in addition to the requirements of the specific zone regulations set out in Sections 6 through 24.

4.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

4.1.1 General

1. *Accessory uses, buildings and structures* shall be *permitted* in all *zones* as set out in the list of *permitted accessory uses* for each specific *zone*.
2. *Accessory uses, buildings and structures* shall comply with the *zoning regulations* for the *zone* in which they are *permitted*. Where there is no minimum setback or other *zone regulation* specified for a *permitted accessory building*, or *structure* the minimum yard requirement or other *zone regulation* of the applicable *zone* shall apply.
3. All *accessory uses, buildings and structures* to a permitted *principal use* or *main building* shall be located on the same *lot* and in the same *zone* as the *principle use* or *main building*.
4. *Accessory uses, buildings and structures* shall not be *erected* or established prior to the *erection* or establishment of the *main building* or *use* except for:
 - a. A *permitted* temporary building [see **Section 4.29**] during the term of an active building permit; or

- b. An *individual on-site sewage disposal system*;
 - c. A *dock*.
 - d. A *recreational vehicle* where permitted under **Section 4.22.4**.
 - e. A *detached private garage* provided construction of the primary *building* shall commence within two (2) years of the issuance of the building permit for the *detached private garage*.
5. No *accessory building* or *structure* shall be erected closer to the *front lot line* or the *exterior side lot* line than the minimum *front yard* and *external side yard* setbacks required for the *main building* except for:
- a. A shelter for use by children waiting for a school bus, if such use is located in a *rural zone*.
 - b. A *farm produce outlet* if such *structure* is located in a *rural zone*.
 - c. A freestanding *satellite dish/receiver* or *solar collector* or *wind turbine* (but not including a *communications facility*);
 - d. Recycling and waste control containers;
 - e. A *sign erected* in compliance with the *zone regulations* of this By-law or a By-law enacted under the *Municipal Act*;
 - f. *Outdoor storage* or *outdoor display* where *permitted* in this By-law;
 - g. A *temporary car shelter*;
 - h. Any landscaping *permitted* in this By-law;

- i. A gate house used for security for a gated residential complex or a *permitted non-residential use*;

For subsections (a), (b), (d) (e), (f), (g), and (i), the above *setback* shall be a minimum of 3m [9.84 ft.] from the *front lot line* or *exterior side yard lot line* or *rear lot line* in the case of a water front lot, and shall comply with the *interior side yard* and *rear yard setbacks* in the zone in which they are located.

- 6. Common *detached private garages* which are detached from the *main building* may be mutually centred on the *side lot line*.
- 7. A *green roof*, a *geothermal power facility*, a *solar collector*, an *electric vehicle recharge station* and a *wind turbine* are *permitted accessory uses* in any *zone*.
- 8. *Legal non-conforming uses* shall be permitted to have *accessory uses* with the provisions in this section of this By-law and the *zone regulations* of the applicable *zone*.
- 9. A *detached private garage* may be equipped with sanitary facilities where the sanitary facilities comply with **Section 4.31** – Water and Sewage Disposal Systems.
- 10. A *deck* is not an *accessory use* unless *detached* from a *dwelling*.
- 11. All fuel storage tanks above or below ground for any fossil 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.

4.1.2 Accessory Residential Uses

- 1. One (1) *guest cabin* or one (1) *loft-above-a-garage* above a detached garage shall be *permitted* per *lot* as an *accessory use* to a *permitted dwelling* in a Waterfront Recreational (RW) Zone provided that there is adequate sewage capacity in compliance with **Section 4.31**.
- 2. No *guest cabin* above a *detached private garage* shall be located less than 3 m [9.84 ft.] to any *interior lot line* or *rear lot line* or *main building*.

3. No *guest cabin* or *loft-above-a garage* shall be *permitted* on a *lot* occupied by a *garden suite*.
4. An *additional residential unit* shall be *permitted* as an *accessory use* to a *single detached dwelling* or a *semi-detached dwelling* or a *row* or a *townhouse dwelling* except in an R3 and RW Zone and in any other zone where the *additional residential unit* cannot be adequately serviced with an individual on-site system in compliance with **Section 4.31**. No free-standing *accessory residential use* or *additional residential unit* shall be located closer than 3 m [9.8 ft.] from any *rear lot line* or *interior side yard lot line* nor constructed on a *residential lot* having a lot area of less than 300 m² [3,229.2 ft.²].
5. A *storage container* may be used as a free standing *additional residential unit* where *constructed* in compliance with the *Building Code Act*.

See also **Section 4.1.8 Garden Suites**.

4.1.3 Bed and Breakfast Establishments

1. A *bed and breakfast establishment* shall be *permitted* as an *accessory use* to any *permitted single detached dwelling*.
2. A maximum of four (4) *guest rooms* shall be *permitted* for any one *bed and breakfast establishment*.
3. The *use* of the *dwelling* as a *bed and breakfast* establishment shall not change the residential character of the *dwelling*.
4. *Bed and breakfast establishments* shall not be subject to the *home based business* regulations of **Section 4.11** of this By-law.
5. The *bed and breakfast establishment* shall comply with any applicable requirements of the local Health Unit, the *Building Code*, and the *Fire Code*.

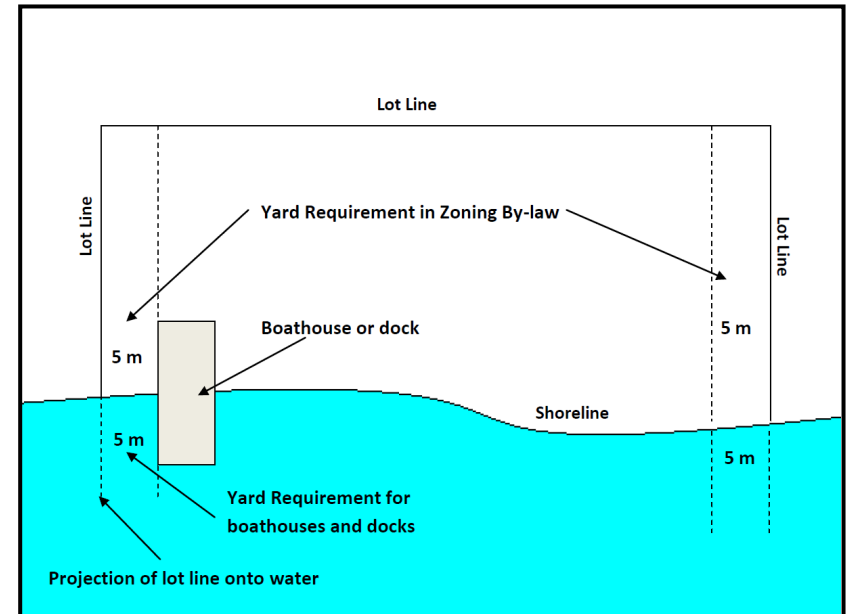
6. One (1) *sign* only not exceeding 1 m² [10.76 ft²] in surface area shall be *permitted* to advertise a *bed and breakfast establishment*. The *permitted sign* may be a freestanding *sign* in a *front* or *side yard* or may be *attached* to a wall of a *permitted building* or *structure*.
7. A breakfast service shall be made available to guests.
8. A *bed and breakfast establishment* shall comply with the applicable parking regulations of **Section 4.22** of this By-law.
9. A *bed and breakfast establishment* shall require proper licensing from the *municipality* where applicable.

4.1.4 Boat Houses

1. One (1) only single *storey* one-bay *boat house* shall be *permitted* as an *accessory use* to a *permitted seasonal dwelling* or *single detached dwelling* in an RW Zone.
2. A *boat house* shall not be *erected* closer than 5 m [16.4 ft.] from the nearest adjacent *lot line* [see **Figure 4.1**].
3. A *boat house* shall not be *used* for sleeping accommodation or human habitation.
4. A flat roofed *boat house* may be *used* as a roof-top deck or patio.
5. The provisions for *boat houses* in this section shall apply to a *marina* except **Sections 4.1.4.1, and 4.1.4.4.**

4.1.5 Docks

1. *Docks* shall be limited to floating, cantilevered or post dock construction.



2. No *dock* shall be permitted which constitutes a navigation or safety hazard.
3. In *water bodies* with a width of 150 m [492.1 ft.] or less, no *dock* shall be constructed which will exceed 20% of the width of the adjacent *water body*.
4. No *dock* with a crib area of greater than 15 m² [161.4 ft.²] shall be constructed without a valid permit issued by the Ministry of Northern Development and Mines, Natural Resources and Forestry.

4.1.6 Fences in a Residential Zone

Any *fence erected* hereafter within the *municipality* shall conform to the provisions of the Municipality's Fence By-laws #16-07 and #16-27 as enacted under the *Municipal Act*.

4.1.7 Fences in a Non-Residential Zone

Any *fence erected* hereafter within the *municipality* shall conform to the provisions of the Municipality's Fence By-laws #16-07 and #16-27 as enacted under the *Municipal Act*.

4.1.8 Garden Suites

Subject to the passing of a site-specific temporary use By-law under Section 39 of the *Planning Act*, a *garden suite* shall be permitted as an *accessory use* to a *permitted single detached dwelling* provided:

1. The minimum *lot area* conforms to the *zone* in which the *garden suites* are to be located.
2. The maximum *gross floor area* of the *garden suite* shall not exceed 50% of the *gross floor area* of the *principle dwelling* on the *lot*.
3. The maximum *height* of the *garden suite* shall be one *storey*.
4. The *garden suite* shall be located in a *rear* or *interior side yard* and shall meet the *zone regulations* for building *separation* and *lot coverage* in the *zone* in which the *garden suite* is located.
5. The minimum *setback* from a *rear lot line* or *interior side yard lot line* shall be 3 m [9.84 ft.].

6. A *garden suite* shall not be *permitted* on a *lot* occupied by an *existing guest cabin* or *loft-above-a-garage* or an *additional residential unit*. (See 4.1.2.4)

4.1.9 Pumphouse

A pumphouse may be *erected* and *used* in the *shoreline buffer zone* provided its location complies with the minimum *interior side yard setback*.

4.1.10 Storage Containers in a Residential Zone

No *person* shall place a *storage container* in any *residential zone* or on a *lot used* for a *residential use* in the Rural Zone except in accordance with the following:

1. One (1) only *storage container* shall be permitted per residential *lot*.
2. The dimensions of a *storage container* shall not exceed 6 m [19.6 ft.] in length, 2.4 m [7.8 ft.] in width or 3 m [9.8 ft.] in height.
3. No stacking of *storage containers* shall be permitted.
4. No *storage container* shall be used for human habitation except where converted to comply with the *Building Code Act* (see **Section 4.1.2.4**).
5. A *storage container* shall be located in the *rear yard* only.
6. The minimum *separation distance* of a *storage container* from any other *building* shall be 3 m [9.8 ft.].
7. A *storage container* shall comply with all other *yard setbacks* in the *zone* in which the *storage container* is located.
8. A *storage container* shall not be used for the purpose of display or advertising or as a component of a *fence*.
9. A *storage container* not exceeding the dimensions in **Section 4.1.10.2** shall be permitted in a *driveway* on a residential property for a period not to exceed five (5) days and only for the purpose of loading or unloading

household items during the process of moving, but in no case shall encroach upon a public sidewalk or create a site line obstruction to traffic.

10. A *storage container* shall not be used for the storage of fuels or hazardous materials.

11. A *storage container* shall be vented.

12. A *storage container* shall meet the applicable requirements of the *Ontario Building Code*.

4.1.11 Storage Containers in a Non-Residential or Rural Zone

1. *Storage containers* shall be permitted in a *non-residential zone* or *rural zone*.

2. One (1) only *storage container* shall be permitted per residential *lot*.

3. No *storage container* shall be used for human habitation except where converted to comply with the *Building Code Act* (see **Section 4.1.2.4**) and only where a *dwelling* is *permitted* in the zone.

4. A *storage container* shall be located in the *rear yard* only.

5. No *storage container* shall be located on a designated *parking space, aisle* or access *driveway*.

6. The minimum *separation distance* from any other *building* other than another *storage container* shall be 2 m [6.5 ft.].

7. A *storage container* shall comply with all other *yard setbacks* in the *zone* in which the *storage container* is located.

8. A *storage container* shall not be used for the purpose of display or advertising or as a component of a *fence*.

9. A *storage container* shall not be used for the storage of fuel or hazardous substances.

10. A *storage container* shall be vented.

11. Any *storage container* shall meet the requirements of the *Ontario Building Code*.

4.1.12 Swimming Pools

Any private *swimming pool* hereafter within the *municipality* shall conform to the provisions of the Municipality's Swimming Pool By-law #05-23 as enacted under the *Municipal Act*.

4.1.13 Temporary Car Shelter

1. *Temporary car shelters* shall only be located on a designated *parking space* or *driveway*.
2. The minimum *setback* of a *temporary car shelter* shall be 3 m [9.84 ft.] from a *front yard lot line* or *exterior front yard lot line* and 1.5 m [4.92 ft.] from an *interior side yard lot line*.
3. No *temporary car shelter* shall be erected so as to obstruct a *sight triangle*.

(See also **Section 4.26 Sight Triangle**.)

4.2 AUTOMOTIVE SERVICE STATION, GAS BAR, CAR WASH

Despite any other provisions contained in this By-law, for all *zones* within which an *automotive service station, gas bar* and/or *car wash* are *permitted*, the following *zone regulations* shall apply:

1. Minimum *lot frontage*..... 50 m [164 ft.]
2. Minimum *front yard*..... 15 m [49.2 ft.]
3. Minimum *exterior side yard* 15 m [49.2 ft.]
4. Minimum *interior side yard* 6 m [19.7 ft.]
5. Minimum *rear yard* 10 m [32.8 ft.]
6. Minimum *setback* from a canopy and any *lot line*..... 10 m [32.8 ft.]
7. Minimum *setback* of any pump island from any *lot line*..... 10 m [32.8 ft.]
8. Minimum entrance width for one way entrance..... 6 m [19.7 ft.]
9. Minimum width for a two-way entrance 9 m [29.5 ft.]
10. Maximum entrance width..... 12 m [39.4 ft.]
11. Minimum distance between any two entrances and/or exits 22.5 m [73.8 ft.]

12. Minimum distance between an entrance or exit and the intersecting *street lines* on a *corner lot*.....12 m [39.4 ft.]
13. Minimum number of entrances..... 2
14. All fuel storage tanks above or below ground for any fossil 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.

Example of cumulative standards: where a lot is to be developed for a commercial use and an accessory dwelling, the number of parking spaces required would include the combined total of those for the commercial use plus those for the dwelling.

4.3 BUILDINGS TO BE MOVED

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.

4.4 CHANGE OF USE

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

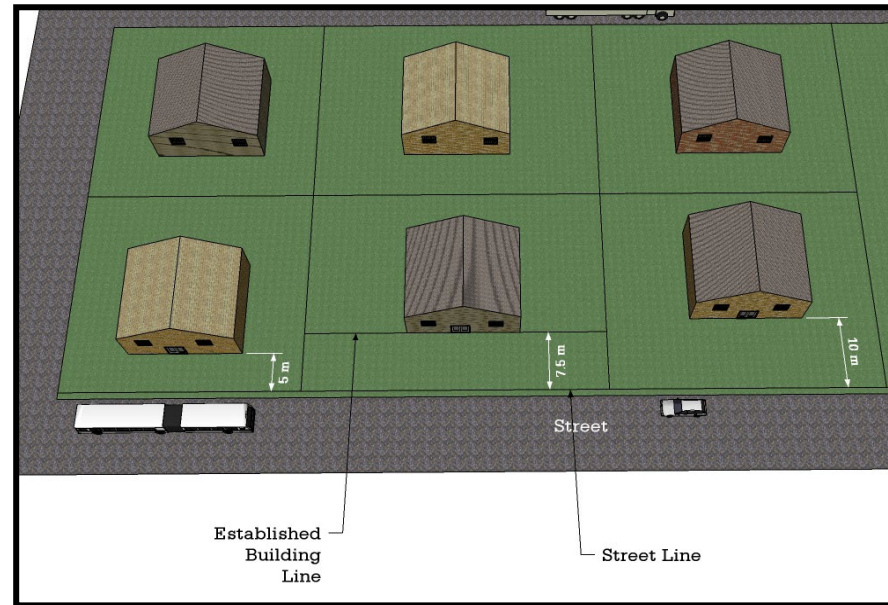
4.5 CUMULATIVE STANDARDS

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.

4.6 ESTABLISHED BUILDING LINE IN BUILT-UP AREA

Despite any other *zone regulation* of this By-law, in any *residential zone* (see **Section 5.2** for list of *zones*), the *front yard* setback for a *dwelling* to be constructed between *existing buildings* or adjacent to *existing buildings* which are separated by no more than 60 m [196.8 ft.], may be reduced to a setback equal to the average setback of the said *existing buildings* or 6 m [19.6 ft.], whichever is the greatest [see **Figure 4.2**]. An *established building line* shall not apply to any shoreline property.

Figure 4.2: Established Building Line in a Residential Zone



4.7 EXCEPTION ZONE

Where a **zone** symbol is followed by the suffix "-X" this shall mean that a specific exception is being made to one or more of the **zone regulations** of that **zone** for a specific area governed by the By-law. All other applicable provisions of the By-law shall continue to apply. A number after the "-X" (e.g., R1-X1) indicates the chronological order of the various exception **zones**.

4.8 FLOOD PLAIN

No **dwelling** shall be constructed or extended or expanded below the regulatory flood elevation of any **water body** (see **Section 4.8.3.4**) and no person shall use any land or erect, **alter** or **use** any **building** or **structure** in the **flood plain** of any **water body** except in accordance with the following provisions:

4.8.1 Permitted Uses Within the Flood Plain

1. **Buildings** or **structures** intended for flood or erosion control or slope stabilization;

2. *Conservation Use* excluding any *buildings* or *structures*;
3. *Forestry Use* excluding any *buildings* or *structures*;
4. *Parks* excluding any *buildings* or *structures*;
5. Electricity generation facilities and transmission and distribution systems;
6. *Marine Facility*;
7. *Marina*; and
8. Infrastructure incidental to a water supply or waste water treatment facility such as a water intake or sewer outfall but not including the *main building* of a water filtration plant or waste water treatment facility.

4.8.2 Prohibited Uses

Buildings and *structures* shall not be *permitted* to locate in *hazardous lands* where the *use* is:

1. An *institutional use* including hospitals, a *day nursery*, pre-schools, school nurseries, a *continuum-of-care facility*, long-term care homes and a *school*.
2. An essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, and
3. *Uses* associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

4.8.3 Flood Plain Zoning Standards

1. No *building* or *structure* shall be *erected* closer than 15 m [49.2 ft.] from the flood *elevation* or *flood line* of a *water body*.

2. Where no *flood elevation* or *flood line* has been established, the *setback* from the *top of bank* shall be 30 m [98.4 ft.].
3. Lands subject to flooding shall not be included in the calculation of the minimum *lot area*.
4. For the purposes of this By-law, the regulatory *flood elevation* for the following *waterbodies* is:
 - a. Long Lake – 313.94 m CGD [1,030 ft.].
 - b. Hardrock Creek in the area located between First Street West and First Street East – 332.5 CGD [1,090.8 ft.].
 - c. Hardrock Creek in the areas located upstream of First Street West and downstream of First Street East – 2.5 m [8.2 ft.] above the creek bottom.
 - d. Kenogamisis Lake – 331.28 m CGD [1,086.8 ft.] including a 0.93 m [3.05 ft.] wave uprush.
 - e. Lake Nipigon – 260.6 m CGD [854.9 ft.].
5. Any new *building* or *structure* or any expansion of or addition to any *buildings or structures permitted* in the *flood plain* shall incorporate appropriate engineered construction techniques which reduce or eliminate the risks of flood damage or damage from unstable slopes.

4.9 FRONTAGE ON A STREET

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 and meets the minimum *lot frontage* on a (public) *street*.

4.9.1 Exceptions

Despite the above, access to a *lot* shall be permitted:

1. For a *permitted use* located on an *existing private road, easement* or a *private road* located in a registered condominium.

2. For a resource related *use* located on Crown Land.
3. For a *communications facility*.
4. For a *public utility*.
5. For a *wayside pit or quarry*.
6. For a *water access lot* or an island.
7. For any passive outdoor recreational *use* or activity such as skiing, snowmobiling, hiking, mountain biking or similar activities.
8. For a farm field
9. For mineral exploration, and
10. Where all other applicable *zone regulations* are met.

4.9.2 Exception for Existing Agreements

1. Despite **Section 4.9.1** where a development or subdivision agreement exists between the *Municipality* and a land *owner* and 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.
2. Despite **Section 4.9.1**, where a legal right-of-way or a registered on title and provides for a right-of-way to an *existing lot* which is developed for a *single detached dwelling* or *seasonal dwelling*, such uses shall be deemed to comply with the provisions for access of this By-law.

3. Despite **Section 4.9.1**, where an agreement entered into with the *Municipality* for access via an unopened road allowance is registered on title and provides for an *easement* to an *existing lot* which is developed or intended to be *used* for a *permitted use*, such *uses* shall be deemed to comply with the provisions for access of this By-law.
4. In addition to all the requirements of the Corporation, all development adjacent to any Provincial Highway is also subject to the requirements and permits of the Ministry of Transportation.

4.10 GROUP HOMES

A *group home* shall be *permitted* in all *residential zones* provided the *lot* is located on an improved *street* only and not a *private road*.

4.11 HOME BASED BUSINESSES

4.11.1 Scope of Permitted Home Based Businesses

The following *home based businesses* shall be *permitted* in any *zone* where a *home based business* is *permitted*:

1. Professional and consulting services including but not limited to an architect, engineer, financial advisor, accountant, consultant, legal services, physician, teleworker.
2. Instructional services include but not limited to music lessons, dance, art, academic tutoring.
3. Home craft businesses including but not limited to quilter, potter, jeweler, painter/visual artist, small scale assembler, woodworking.
4. A *day nursery* or *private home day care*.
5. Distribution sales office, mail order sales or on-line sales and services including but not limited to cosmetics, clothing or small household appliances provided the product or service delivery is primarily from an off-site *non-residential* location.

6. Offices for contractors and trades (i.e., plumber, electrician).
7. Repair services including but not limited to small appliances, computers but not including auto repair and similar services.
8. High technology uses including but not limited to internet services, office call center services, desktop publishing, computer hardware and software development.
9. *Personal service establishment* including but not limited to a hairdresser, barber, massage therapist, aesthetician.
10. Sale of bait for recreational fishing purposes.
11. *Pet grooming establishment*, but not including overnight keeping of animals.
12. A *catering establishment*.
13. A *Studio*.
14. Seed sales.
15. Gun repairs.
16. The sale of firewood.
17. The repair of household appliances.
18. A *farm produce outlet*.
19. A *restaurant, clinic*, any retail or wholesale store or vending outlet, *animal shelter*, multiple chair hairdresser or barber, *place of amusement, funeral parlour*, small engine repair, automobile repair, *tourist establishment*, workshop, *storage yard, machine shop, auto repair garage*, convalescent home, mortuary, a *cannabis retail store or*

dispensary or a *licensed cannabis production facility* or any *use* that cannot be categorized under subsection 4.11.1 shall not be permitted as a *home based business*. A *kennel* may be established as a *home based business* where it meets the requirements of **Section 4.13**;

4.11.2 Zone Regulations for Home Based Businesses

1. The *home based business* shall be clearly *accessory* to the main *permitted residential use*.
2. A maximum of two (2) *home based businesses* shall be *permitted* in a *dwelling*.
3. The residential external character of the *dwelling* shall not be changed.
4. The business(es) may be conducted entirely within the *dwelling* or may be conducted in an *accessory building* provided that the *home based business* does not occupy more than 140 m² [1,506 ft.²] of the *accessory building* or *structure*. The *home based business(es)* shall cumulatively not occupy more than 25% of the *net floor area* of the *dwelling*.
5. The *home based business* shall be operated by the owner or occupant of the *dwelling* on the *lot* on which the *home based business* is operated.
6. The *home based business* shall not create a public nuisance in regard to noise, traffic, parking or health safety.
7. The business (es) shall be legal and must have obtained the necessary permits or licenses from the *Corporation* and any other applicable government body having jurisdiction. Any licenses shall be deemed to expire on the 31st of December of each calendar year and shall be renewed annually.
8. No *outdoor storage* shall be *permitted* except where the *home based business* is established for the sale of firewood.
9. Only one (1) *sign* shall be *permitted* to advertise the *home based business(es)*. The *sign* shall not exceed 1 m² in surface area. The *permitted sign* may be a free-standing sign in a *front* or *exterior side yard* or may be attached to the wall of a *permitted building* or *structure*. The *sign* may be illuminated where the illumination is directed onto

the *sign* and complies with **Section 4.12** of this By-law. *Signs* may also be subject to any sign By-law enacted by the *Municipality* under the *Municipal Act*.

10. Parking for *home based business(es)* shall comply with **Section 4.22** of this By-law.

4.12 ILLUMINATION

Illumination of *buildings, structures* and grounds shall be *permitted* provided:

1. Illumination does not cause direct or indirect glare on a *street or private road* that may interfere with traffic or pedestrian safety.
2. Illumination does not consist of a colour or be so designed or located that it may be confused with traffic signals.
3. Illumination does not cause direct or indirect glare on land or *buildings* or *structures* on any adjacent property that creates a public health or safety issue.

4.13 KENNEL

A *kennel* shall only be *permitted* in an RU Zone. No part of any *kennel* shall be located less than 150 m [492 ft.] from an abutting or neighbouring *lot* occupied by a *sensitive land use* (e.g., *dwelling, school, hospital, etc.*) or a *lot* that permits a *residential use*. The distance separation shall be measured as the least horizontal distance from the nearest fence line of the *sensitive land use* to the *main wall* of the *kennel building* or the closest fence line of a *kennel's* dog run.

4.14 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 *hazardous lands* or *hazardous sites* unless the proponent or applicant for development can demonstrate through professionally acceptable engineering techniques that the physical constraint can be mitigated or overcome and that the requirements of the *Ontario Building Code* with respect to construction and the requirements of the *Ontario Water Resources Act* and the *Ontario Building Code* with respect to the installation of an *individual on-site sewage* and water system can be met; and
2. *Flood plains, wetlands*, lands under water, and lands between the top of the bank and a *water body* shall not be used to calculate the minimum *lot area* requirements of any *zone* in this By-law (see also **Section 4.8**).

4.15 LICENSES, PERMITS AND OTHER BY-LAWS

Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law or any other By-law in force within the *Municipality* or from obtaining any permit, license, permission, authority or approval required by this or any other By-law of the Municipality of Greenstone or by any other provincial or federal law in force from time to time.

4.16 LOADING/DELIVERY SPACE REGULATIONS

For every *building* or *structure erected* for a *commercial use, institutional use or industrial use* involving the receiving, shipping or unloading of merchandise or other goods, loading/delivery spaces shall be required in accordance with the following *zoning regulations*:

1. Minimum *loading/delivery space height* clearance 4.25 m [13.9 ft.]
2. Minimum *loading/delivery space width* 3.75 m [12.3 ft.]
3. Minimum *loading/delivery space length* 10 m [32.8 ft.]
4. Minimum *aisle* or *driveway* width leading to a loading/delivery space. 6m [19.6 ft.]
5. Minimum no. of *loading/delivery* spaces 0 for net floor area less than 200 m² [2,152.8 ft.²]
6. Minimum no. of *loading/delivery* spaces 1 for net floor area of 200 m²-1,000 m² [2,152.8 ft.² – 10,764 ft.²]
7. Minimum no. of *loading/delivery* spaces 1 for each additional 1,000 m² [10,764 ft.²]
8. All loading spaces shall be located within the property boundaries (*lot lines*) of the *lot* on which they are located.
9. Minimum *setback* of any required *loading/delivery space* from any *lot line* shall be 3 m [9.84 ft.].
10. The *loading/delivery space* regulations shall not apply to *existing buildings* or *structures*, but shall apply to any increase in the *net floor area* of an *existing building* or *structure* after the date of the passing of this By-law.

4.17 MINE HAZARD

No lands identified as having a *mine hazard* shall be used unless the *mine hazard* has been rehabilitated or measures taken to mitigate known or suspected hazards. Any required rehabilitation or mitigation measures shall be undertaken using acceptable engineering practices.

4.18 MINIMUM DISTANCE SEPARATION AND SPECIAL SETBACKS

Despite the *zoning regulations* in this By-law, no *person* shall *use* any land, *building* or *structure* unless the *use, building* or *structure* complies with the following:

4.18.1 Waste Management Facility

1. No development or land use shall be *permitted* within 30 m [98.4 ft.] of the licensed fill area of an active *waste management facility*.
2. No *waste management facility* shall be *permitted* within 30 m [98.4 ft.] from the *high-water mark* of any *water body* or *wetland*.
3. No *waste management facility* shall be *permitted* on land covered by water or in any area subject to flooding or in a *wetland*.

4.18.2 Pits and Quarries

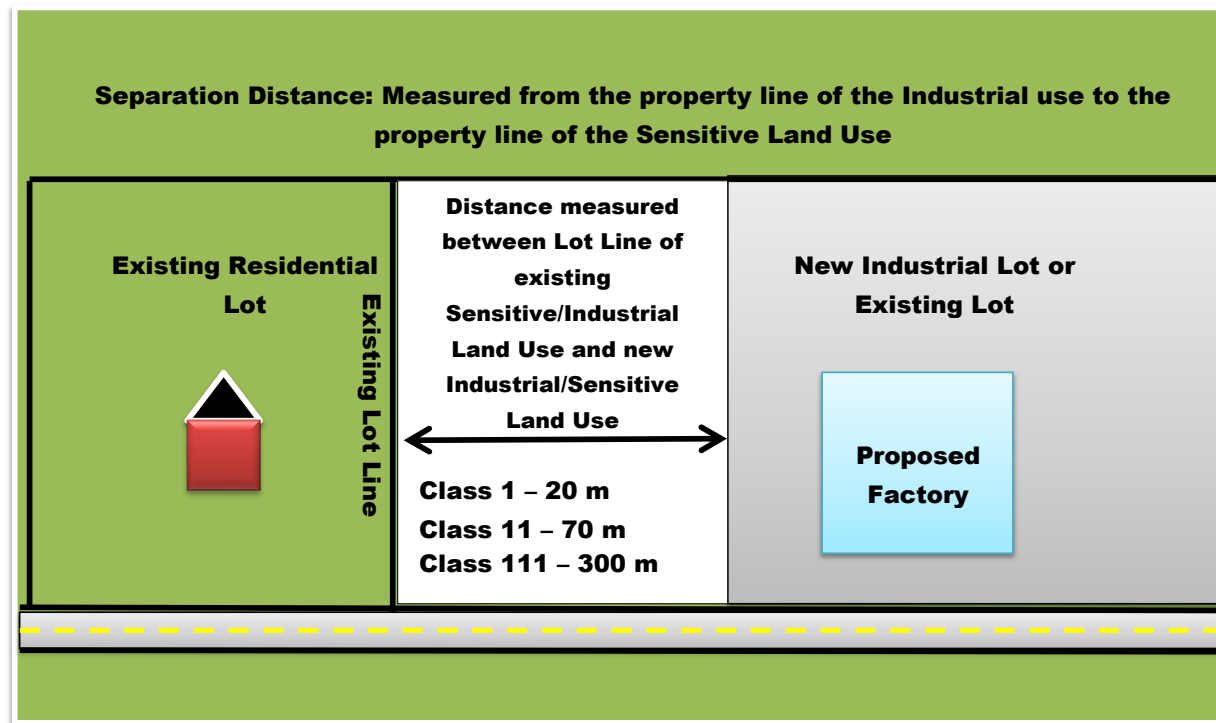
1. No *sensitive land use* shall be *permitted* within 70 m [230 ft.] of the *zone* boundary of a *pit* measured as the shortest horizontal distance between the *lot line* of the *sensitive land use* and the zone boundary of the *pit* or the nearest face of the excavation, whichever is the closest.
2. No *sensitive land use* shall be *permitted* within 300 m [984 ft.] 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.

4.18.3 Industrial Uses

1. *Class I Industrial - Light Industrial*: The minimum *separation distance* from a *sensitive land use* and a Class I Industrial use shall be 20 m [65.6 ft.] and shall be measured as the shortest horizontal distance between the *lot line* of the *sensitive land use* to the *lot line* of the Class I Industrial Use.
2. *Class II Industrial - Medium Industrial*: The minimum *separation distance* from a *sensitive land use* and a Class II Industrial use shall be 70 m [230 ft.] and shall be measured as the shortest horizontal distance between the *lot line* of the *sensitive land use* to the *lot line* of the Class II Industrial Use.
3. *Class III Industrial - Heavy Industrial*: The minimum *separation distance* from a *sensitive land use* and a Class III Industrial use shall be 300 m [984.2 ft.] and shall be measured as the shortest horizontal distance between the *lot line* of the *sensitive land use* to the *lot line* of a Class III Industrial Use or a mine.

4. Where an *industrial use* or *sensitive land use* is an *existing use* and an expansion or extension is proposed, the minimum *separation distance* for a *Class I, II or III Industry* shall be measured from the nearest *main wall* of the *building* or *structure* occupied by the *sensitive land use* and the nearest *main wall* of the *building, structure, processing area, assembly or manufacturing area* occupied by the *industrial use*.

(See diagram illustrating separation regulation.)



4.18.4 Minimum Distance Separation Formulae I and II

1. The most recent version of the *Minimum Distance Separation Formulae I and II* of the Ministry of Agriculture, Food and Rural Affairs 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 ha [2.47 ac] 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 1 ha [2.47 ac] 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 ***erection*** of a new ***dwelling*** that does not comply with the ***Minimum Distance Separation Formulae I*** where there are four or more existing non-farm uses closer to the subject ***livestock facility*** provided that the new ***dwelling*** is not constructed closer to the ***livestock facility*** than the four or more existing non-farm uses.
5. 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 (e.g., ***deck, garage, gazebo, greenhouse, picnic area, patio, shed***).
6. The ***Minimum Distance Separation Formulae I*** shall not apply to proposed non-agricultural ***uses*** within an approved settlement area.
7. The ***Minimum Distance Separation Formulae I*** shall not apply to any cemetery that is closed to further ***use*** or receives low levels of visitation.

4.18.5 Water Bodies and Shoreline Buffer Zone

1. Subject to **Section 4.8**, the minimum ***setback*** from the ***high-water mark*** for ***dwelling, a non-residential or accessory building or structure*** or an ***individual on-site sewage service*** shall be 30 m [98.4 ft.] except for a ***marine facility*** or

marina. The *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*. The *setback* from an intermittent creek may be reduced to 15 m [49.2 ft.].

2. A *shoreline buffer zone* shall be maintained between the *high-water mark* and any *permitted use, building* or *structure* except a *marine facility* in a RW, OS and RU Zone. A *shoreline buffer zone* may be interrupted to provide for an access way or pathway to a *water body* or to provide for a viewscape of the adjacent or abutting *water body* provided that a clearing of the *shoreline buffer zone* shall not exceed 9 m [29.5 ft.] on a *lot* occupied by a *residential use*, or 50% of the shoreline frontage of a *lot* occupied by a *commercial recreational use*.

4.18.6 Wetland

No *dwelling*, non-residential or *accessory building* or *structure* or an *individual on-site sewage service* shall be *permitted* within 30 m [98.4 ft.] of the boundary of a *provincially or locally significant wetland* or *fish habitat*.

4.18.7 TransCanada Pipelines

1. A minimum *setback* of 7.0 m [22.9 ft.] shall be required from any part of a *building* or *structure* from the edge of the TransCanada pipeline right-of-way.
2. A minimum *setback* of 3.0 m [9.84 ft.] shall be required from any part of an *accessory structure* from the edge of the TransCanada pipeline right-of-way/
3. A minimum *setback* of 7.0 m [22.9 ft.] from the nearest portion of a TransCanada pipeline right-of-way shall be required to any *parking area* or loading area, including any *parking spaces*, loading spaces, *stacking spaces*, bicycle parking spaces and any associated *aisle* or *driveway*.

4.18.8 Rail Corridor

No *building* or *structure* shall be *permitted* within 30 m [98.4 ft.] of the right-of-way of an active rail corridor.

4.18.9 Ministry of Transportation

The minimum *setback* from a provincial highway or highway intersection with a provincial highway for a *building, structure, sign, open storage, outdoor display*, a patrol yard or land use including a snowmobile or ATV recreational trail shall be as required by the Ministry of Transportation.

4.19 NON-COMPLYING AND NON-CONFORMING BUILDINGS AND STRUCTURES

4.19.1 Reconstruction, Enlargement of a Non-Complying Building or Structure

Nothing in this By-law shall prevent the enlargement, repair, renovation, *reconstruction*, or structural *alteration* of a *building*, or *structure* that *existed* one day prior to this By-law coming into effect, and which does not comply with the *zone regulations* or other requirements of this By-law provided:

1. The enlargement, repair, renovation, *reconstruction*, or structural *alteration* does not increase the situation of non-compliance; and
2. The enlargement, repair, renovation, *reconstruction*, or structural *alteration* does not pose a threat to public health or safety; and
3. All other applicable provisions of this By-law are complied with.

4.19.2 Non-Complying Lots

1. Despite anything else contained in 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 said lot is located, provided that no such *lot* has a *lot area* of less than 2,000 m² [21,529 ft.²] in a RW or OS or RU Zone or cannot be adequately serviced with *water and sewage services* in compliance with **Section 4.31** and provided all other applicable *zone regulations* in this By-law are complied with.
2. A *non-complying lot* that *existed* on the date of the passing of this By-law, and which does not comply with the minimum *lot frontage* and/or minimum *lot area zone regulations* of this By-law may be enlarged by a lot addition and the resultant *lot* shall be deemed to comply with all the *zone regulations* of this By-law including the minimum *lot frontage* and minimum *lot area*. All *zone regulations* applicable to any *existing buildings* on the resultant *lot* shall thereafter be deemed to comply with the *zone regulations* of this By-law.

4.19.3 Non-Conforming Uses

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 so long as it continues to be *used* for that purpose. 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 without permission from the Committee of Adjustment pursuant to the *Planning Act*. Where the *non-conforming use* ceases, the *use* will be deemed to have been discontinued.

4.19.4 Reconstruction of a Non-Conforming Use

1. Nothing in this By-law shall prevent the strengthening, restoration or *reconstruction* of any *non-conforming building* or *structure* which existed on the date of the passing of this By-law, provided that the strengthening, restoration or *reconstruction* does not increase the building height, size or volume or change the use of such *building* or *structure*, except such minor changes as may be expressly required for the restoration of the *building* or *structure* to a safe condition.
2. Nothing in this By-law shall prevent the strengthening, restoration or *reconstruction* of any *non-conforming building* or *structure* 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.

4.19.5 Prior Building Permits for a Non-Conforming Use

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, so long as 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*.

4.19.6 Road Widening Creating a Non-Complying Use

Nothing in this By-law shall prevent the *use* of any land, *building* or *structure* or the *erection* of any *building* or *structure* on a *lot* which does not comply to the minimum *lot frontage* and/or *lot area* and/or *front yard setback* and in the case of a *corner lot*, the *exterior side yard setback*, as a result of a road widening taken by the Municipality of Greenstone or the Ministry of Transportation of Ontario, provided all other *zone regulations* of this By-law are complied with.

4.20 OCCUPANCY RESTRICTIONS

Human habitation shall not be *permitted* in any of the following *buildings, structures*, or parts thereof:

1. Any *private garage* or other *building* or *structure* which is *accessory* to a *residential use* except where the *accessory building* or *structure* is converted to an *additional residential unit* in compliance with **Section 4.1.2.4** of this By-law and in compliance with the *Ontario Building Code*.
2. Any truck, bus, coach or streetcar body whether or not the same is mounted on wheels.
3. Any *dwelling* before occupancy is granted pursuant to the requirements of the *Ontario Building Code*.

4.21 OPEN STORAGE AND OUTDOOR DISPLAY

No *person* shall use any *lot* or part thereof for *open storage*, or *outdoor display* except as *permitted* by this By-law and as an area which has been specifically designed and set aside for such purpose, is fully integrated with the *principal use* of the *lot* and is in accordance with the following:

1. *Open storage* shall not be *permitted* within any required *front yard* and no closer than 5 m [16.4 ft.] to any *interior side lot line* or *rear lot line*.
2. Where *open storage* areas abut a *residential zone* (see **Section 5.2** for list of zones), the required *setback* of the *open storage* area in the non-residential zone shall be increased 10 m [32.8 ft.] and shall also be visually screened from any *residential use*.
3. An *outdoor display* area shall be *permitted* as an *accessory* use to any *permitted* commercial use, *industrial use* or *public service use* provided that the *outdoor display* area does not reduce any required *parking area* or *loading space* area required by this By-law. All *outdoor display* areas shall be setback a minimum of 3 m [9.84 ft.] from any *front lot line* or *interior side lot line*. Despite the above, seasonal sales of Christmas trees or a temporary (i.e., weekend) or a *yard sale* shall be *permitted* to occupy a designated *parking area* but shall be subject to any restrictions otherwise imposed by license or permit by the *Municipality*.

4.22 PARKING, MOTOR VEHICLES AND DRIVE-THROUGH FACILITIES

4.22.1 General

1. Except as provided herein, no *motor vehicles* shall be parked or stored in any *zone* (see **Section 5.2** for list of zones) unless the *motor vehicle* is located within a *garage, carport, driveway, parking area*, or on a *street* as *permitted* by Municipal By-law.
2. No *parking space* in a *residential zone* (see **Section 5.2** for list of zones) 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 or sticker which is currently valid (historical vehicles as defined by MTO are exempted).
3. Each standard *parking space* or *stacking space* in a *stacking lane* shall have a minimum width of 2.6 m [8.5 ft.] and a minimum length of 5.5 m [18 ft.] and each *barrier-free parking space* shall have a minimum width of 3.9 m [12.7 ft.] and a minimum length of 5.5 m [18 ft.] [see **Figure 4.3**].
4. Unless *permitted* elsewhere in this By-law, where two or more uses are *permitted* in any one *building* or *structure* on any *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.

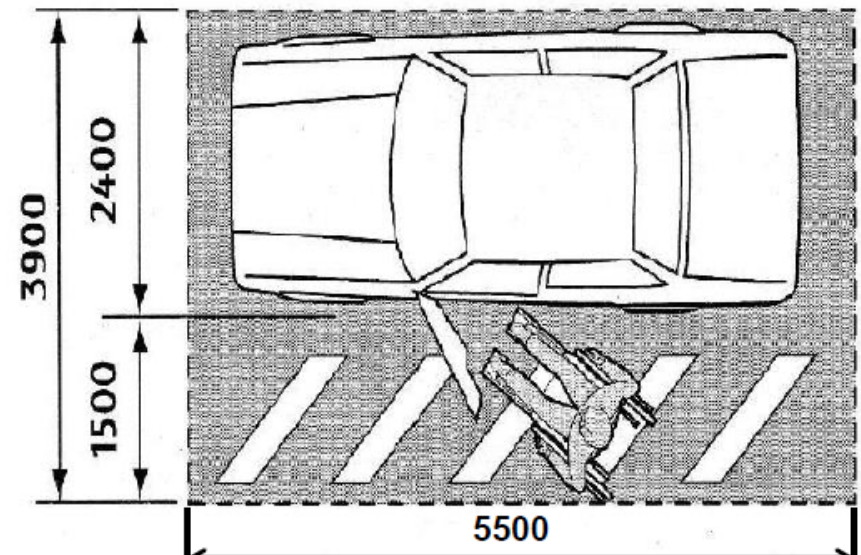
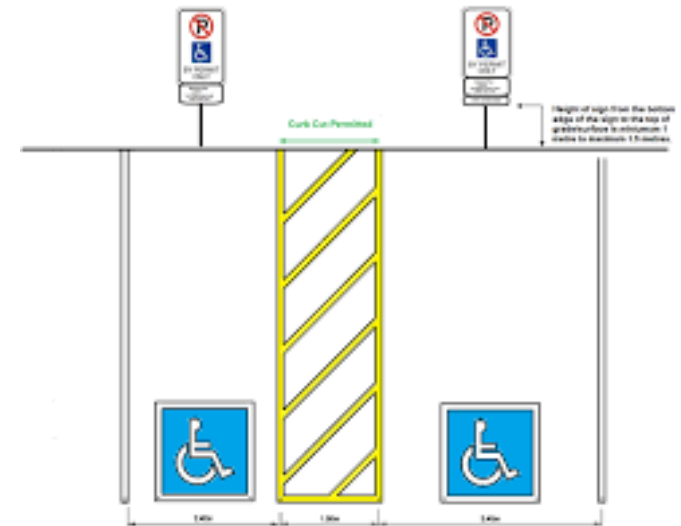


Figure 4.3: Barrier- Free Parking Space Dimensions

5. The regulations for *parking spaces* shall not apply to any *building* or *structure* in existence at the date of passing of this By-law so long as the *gross floor area*, as it existed at such date, is not increased and no change in *use* occurs. If an addition is made to the *building* or *structure* which increases the *gross floor area* or a change in *use* occurs than *parking spaces* for the addition or area changed in *use* shall be provided.
6. The following supplementary regulations for *parking spaces* for *dwelling*s in *residential zones* (see **Section 5.2** for list of zones) shall be as follows;
 - a. The *driveway* and *parking space* shall be constructed of crushed stone, asphalt paving, concrete, paver stones or similar materials.
 - b. No more than fifty percent (50%) of the area of any required *front yard* shall be used or constructed as a *driveway* or *parking space*.
 - c. No more than fifty percent (50%) of the *lot frontage* shall be used or constructed as a *driveway* or *parking space*.
7. The following supplementary regulations for a *parking area* for more than four *motor vehicles* shall be as follows:
 - a. The *parking area* shall be constructed of crushed stone, asphalt paving, concrete, paver stones, or similar materials.
 - b. Ingress and egress directly to and from every *parking space* shall be by means of a *driveway*, *lane* or *aisle* having a width of at least 6 m [19.7 ft.] for two-way traffic and 4 m [13.1 ft.] for one-way traffic where parking is angled.
 - c. A *driveway* or *lane* which does not provide ingress and egress directly to a *parking space*, shall have a minimum width of 3.5 m [11.4 ft.] where designed for one-way vehicular circulation or 6 m [19.7 ft.] where designed for two-way vehicular circulation.
8. 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.

9. Except where permitted elsewhere in this By-law, the required parking for *residential uses* of land shall be provided on the same *lot* as the *dwelling unit*. In all other *zones*, parking shall be provided on the *lot* of the *principal use* or within 100 m [328.0 ft] of the *building, structure* or *lot* it is intended to serve, subject to an agreement, deed or renewable lease which provides for same. Parking for a water access only lot or an island or part thereof shall be provided at a public access point that is secured by a legal agreement and is on the same *water body*.

10. Driveway Entrance Location

No *driveway* on a *corner lot* shall be located closer than 15 m [49.2 ft.] from the edge of the travelled road of an intersection of a local road or 20 m [65.5 ft.] from the intersection of a collector road or provincial highway.

4.22.2 Barrier Free Parking

One *barrier free parking space* shall be required for any *use* requiring 10 standard *parking spaces* or more and *barrier free parking spaces* shall be provided at a ratio of one *barrier free parking space* for each 25 *standard parking spaces* and shall be included as part of the total number of standard *parking spaces* required.

4.22.3 Drive-Through Facilities

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:

1. A *drive-through facility* shall be a *permitted use* in the C1, C2 and M1 zones.
2. A *drive-through facility* is a *principle use* in combination with another *permitted use* and shall comply with the *zone regulations* in the *zone* in which the *drive-through facility* is located.
3. The minimum dimensions of a *stacking space* in a *stacking lane* shall be 2.6 m by 5.5 m [8.5 ft. x 18 ft.].
4. No part of any *order station* shall be located closer than 10 m [32.8 ft.] from the property boundary of any property or *lot* occupied or *zoned* for a *residential use*.
5. All *drive-through facilities* shall comply with the *zone regulations* for parking as set out in **Table 4.22** of this By-law.
6. *Stacking lanes* for any *drive-through facility* shall be designed to accommodate a minimum of eight (8) *motor vehicles*.

4.22.4 Commercial Vehicle, Recreational Vehicles and Recreational Equipment

No *person* shall in any *residential zone*, *use* any *lot* for parking or storage of any commercial *motor vehicle*, *recreational vehicle* or *recreational equipment* except as follows:

1. The *owner* or occupant of any *lot*, *building* or *structure* in any *residential zone*, may *use* any attached or *detached private garage* located on the *lot* for the housing or storage of one (1) commercial *motor vehicle* operated by the *owner* or occupant and/or may also *use* any private driveway for the parking of one (1) commercial *motor vehicle* not exceeding 2,722 kg Gross Vehicle Weight (GVWR) or a Class 1 truck [6,000 lbs.] provided such commercial *motor vehicle* is not used in connection with any business or other *use* that is prohibited in this By-law.
2. In a *residential zone*, *recreational equipment* and only one (1) *recreational vehicle* may be stored on a *lot* in accordance with the following *zone regulations*:
 - a. No person shall store any *recreational equipment* or *recreational vehicle* on a *lot* or property unless a *main building* has been constructed.
 - b. An attached or *detached private garage* may be *used* for the housing or storage of any *recreational equipment* or *recreational vehicle*.
 - c. Exterior storage shall be limited to an *interior side yard* or *rear yard* of the *lot* and no part of any *recreational equipment* or *recreational vehicle* shall cross a *lot line*, and
 - d. Exterior storage of any *recreational equipment* or *recreational vehicle* shall be permitted in a *front yard* or *exterior side yard* provided:
 - The *lot* has a minimum *lot frontage* of 15 m [49.2 ft.], and
 - The *recreational equipment* or one (1) only *recreational vehicle* is stored on a driveway and does not occupy a required *parking space*, and
 - That and no part of any *recreational equipment* or a *recreational vehicle* shall cross a *lot line*.

3. Despite **section 4.22.4.2 a.**, one (1) only *recreational vehicle* may be stored on a vacant *lot* of record in an RU, or RW zone, and no vacant *lot* of record shall be actively *used* or occupied by a *recreational vehicle* in an RU, or RW zone.
4. No *lot* in any *zone* shall be *used* for the storage or *use* of a *recreational vehicle* except as a temporary use in compliance with **Section 4.29**.

4.22.5 Schedule for Parking Regulations

In any *zone*, the owner or occupant of any *building* or *structure erected*, enlarged or changed in use after the date of passing of this By-law shall provide off-street *parking spaces* in accordance with the minimum number of parking spaces set out in **Table 4.22** as follows:

Table 4.22 – Schedule for Parking Regulations	
USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Residential: <ul style="list-style-type: none"> • Accessory dwelling • Duplex Dwelling • Guest House • Mobile home • Seasonal dwelling • Semi-detached dwelling • Single-detached dwelling 	2 spaces per dwelling
Residential: <ul style="list-style-type: none"> • Apartment dwelling • Multiple-unit dwelling • Row or townhouse • Triplex dwelling 	1.5 spaces per dwelling unit, 15% of which shall be reserved as visitor parking where eight or more parking spaces are required

Table 4.22 – Schedule for Parking Regulations

USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Residential: <ul style="list-style-type: none"> • Additional residential Unit • Bachelor dwelling unit/studio • Boarding house • Dormitory • Garden suite • Lodging House Establishment • Tiny House 	<ul style="list-style-type: none"> • 1 space per dwelling unit, or 1 space per 38 m² [409 ft.²] whichever is greater • Dormitory or boarding house or lodging house establishment: 1 space per occupant
Animal Shelter	1 space per 30 m ² [322.9 ft. ²] of gross floor area
Auto body shop, auto repair shop, automotive service station, gas bar, recreational vehicle repair and garage	3 spaces per service bay plus 1 space per employee; minimum 6 spaces
Assembly hall, auction hall, auditorium, banquet facility, dance hall, entertainment establishment, stadium, theatre, bingo hall, funeral home and similar places of assembly	The greater of 1 space for every 4 seats or 1 space for every 12 m ² [129.1 ft. ²] of assembly space
Bed and Breakfast Establishment	1 space for each guest room available to the travelling public in addition to the required parking for the dwelling

Table 4.22 – Schedule for Parking Regulations

USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Building supply store, lumber yard, garden centre, nursery, equipment and vehicle storage yard	1 space for each 22 m ² [236.8 ft. ²] of gross floor area and 1 space for each 35 m ² [376.2 ft. ²] of open storage
Car Rental Agency	10 spaces minimum
Clinic, medical marijuana facility	3 spaces per medical practitioner
Convenience store	1 space per 18 m ² [193.7 ft. 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 minimum in addition to the required parking for a dwelling or if not located in a dwelling, 1 space per 38 m ² [409 ft. ²] of gross floor area
Day nursery	1 space per employee and 1 space per 5 children or 1 space for every 15 children registered or fraction thereof
Drive-through facility	1 parking space per 20 m ² [215.2 ft. ²] of gross floor area

Table 4.22 – Schedule for Parking Regulations

USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Equipment Rental Establishment, Equipment Sales Establishment, Equipment Service and Repair Establishment, automotive sales establishment	1 space per 35 m ² [376.7 ft. ²] of open storage or gross sales area plus 1 space per employee
Factory Outlet, Retail Outlet	1 space per 28 m ² [301.3 ft. ²] of gross floor area plus required spaces for an industrial use or commercial use
Garden centre and nursery	1 space per 30 m ² [322.9 ft. ²] of gross floor area
General business – retail store or service	1 space per 28 m ² [301.3 ft. ²] of gross floor area
Group Home	2 spaces plus the required parking for the dwelling
Home Based Business	A minimum of one (1) parking space and a maximum of three (3) parking spaces shall be permitted in addition to the required parking for the dwelling
Hotel, Motel, Tourist Establishment	1 space per guest unit, plus 1 space per 12 m ² [129.1 ft. ²] of gross floor area dedicated to administrative, banquet and meeting facilities

Table 4.22 – Schedule for Parking Regulations

USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES
Industrial use	1 space per 40 m ² [430.5 ft. ²] of gross floor area
Industrial Use for storage including a warehouse, cold storage facility, transportation depot or truck terminal	1 space per 75 m ² [807.3 ft. ²] of gross floor area
Place of amusement	1 space for every 4 persons that can be accommodated
Place of worship	1 space for every 5 seats, fixed or otherwise
Restaurant, Tavern	1 parking space per 10 m ² [107.64 ft. ²]
School - elementary	1.5 spaces per classroom plus 6 spaces for visitors
School - secondary or private	5 spaces per classroom plus 8 spaces for visitors

4.23 PARTS OF BUILDINGS OR STRUCTURES PERMITTED ABOVE HEIGHT LEVEL

The height regulations in this By-law shall not apply to any of the following:

- a. Air conditioning system
- b. Chimney
- c. Church spire or belfry or turret
- 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. Hydro One Networks Inc. electric transmission tower or pole
- k. Ornamental dome or clock tower
- l. Receiving and transmitting antenna
- m. *Satellite dish/receiver*
- n. Skylight
- o. *Solar collector/commercial solar collector* panels
- p. Ventilating fan or skylight
- q. Water tower or tank
- r. *Wind Turbine/commercial wind turbine*

4.24 PERMITTED PROJECTIONS

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 except that those structures listed in **Table 4.24** shall be *permitted* to project into the minimum yards required by this By-law for the following specified distances:

Table 4.24 – 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	0.75 m [2.46 ft.] into any required <i>front yard, rear yard</i> or <i>interior side yard</i>
Canopies which are at least 2.13 m (7 ft.) in vertical clearance above the <i>established grade</i> , with or without supporting posts	2 m [6.5 ft.] into any required <i>yard</i>
Canopies for entrances to apartment buildings and commercial buildings	Despite any other provisions in this By-law, a canopy or portico over a major entrance to an apartment building or commercial building may project into the required <i>yard</i> a distance equal to one-half (½) the setback of the building from the <i>street line</i>
Window and solar energy awnings	1.2 m [3.9 ft.] into any required <i>yard</i>
Steps, ramps and walkways for use by persons with disabilities	No maximum into any required <i>yard</i> provided they are no closer than 0.5 m [1.6 ft.] to any <i>lot line</i>
<i>Porch</i> , uncovered platform landing, <i>patio</i> or <i>deck</i> , balconies or steps	No maximum into any side yard provided they are no closer than 0.5 m [1.6 ft.] to any <i>lot line</i> and 3 m [9.8 ft.] into any required <i>front or rear yard</i>
Air conditioner	0.5 m [1.6 ft.] into any <i>yard</i>
Fire escapes, exterior stair cases from a building having two storeys or more above grade	1.5 m [4.92 ft.] into an <i>interior side</i> or <i>rear yard</i> only

Table 4.24 – Permitted Projections

STRUCTURE	MAXIMUM PROJECTION INTO REQUIRED YARD
Heat pump or <i>geothermal power facility</i>	1.5 m [5 ft.] into an <i>interior side yard</i> or <i>rear yard</i>
<i>Accessory building</i>	As <i>permitted</i> by and as specified in this By-law
<i>Fences</i> , hedges, shrubs, trees, freestanding walls and retaining walls, flagpoles, light standards, garden trellises, clothes lines, bicycle racks and similar <i>structures</i> or features	No maximum into any yard except with respect to the <i>zone regulations for a sight triangle</i>
<i>Solar collector, wind turbine,</i>	No maximum into any <i>rear yard</i> only provided they are no closer than 1 m [3.24 ft.] to an <i>interior side yard</i> or <i>rear yard lot line</i>
<i>Commercial Solar Collector, commercial wind turbine</i>	No maximum into any <i>yard</i> provided they are no closer than 3 m [9.8 ft.] to an <i>interior side yard</i> or <i>rear yard lot line</i> or 10 m [32.8 ft.] from a <i>street line</i>

4.25 PROHIBITED USES

The following *uses* are prohibited in any *zone*, unless otherwise permitted by this by-law:

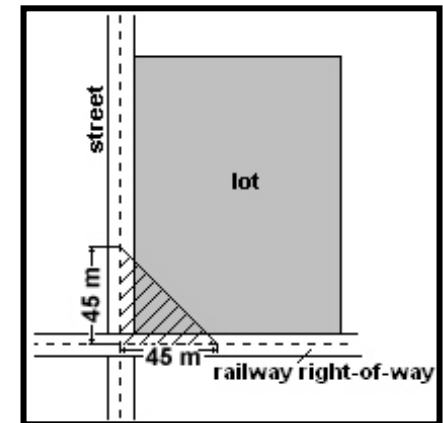
1. *Adult Entertainment Parlour* and Body Rub Parlour except as otherwise permitted in this by-law; and
2. The *use* of any *accessory building* or *structure, boathouse* or *storage container* for human habitation except as *permitted* in Section 4.1.2.4; and

3. The storage of inoperative rail cars, streetcars, buses, truck bodies or trailers without wheels; and
4. The parking or storage of commercial **motor vehicles** or inoperative farm vehicles on a vacant **lot**; and
5. The outdoor storage of partially dismantled and/or unlicensed **motor vehicles** or **recreational vehicles**, or trailers or **motor vehicle** or trailer parts; and
6. Obnoxious uses; and
7. Smelters, ethanol plants, the manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, coal oil, creosote, explosives, fireworks, glue, petroleum, tar or other gases; and
8. The bulk storage of industrial chemicals, and hazardous waste, or liquid industrial waste as defined under the *Environmental Protection Act, R.S.O., c. E.19*, as amended; and
9. The **erection** of a **building** or **structure** in a **natural heritage feature** or area (e.g., **significant wildlife habitat**, **provincially or locally significant wetland**, habitat of endangered or threatened species or **area of natural and scientific interest**, except for a directional or informational sign erected for conservation purposes.

4.26 SIGHT TRIANGLE

1. 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**.
 - d. A berm or other ground surface which exceeds the elevation of the street by more than 0.6 m [1.96 ft.].
2. For the purposes of this By-law, the following **sight triangle** distances shall apply (see definition of sight triangle for measurement of distances):
 - a. 15 m [49.2 ft.] in all commercial and industrial **zones**.
 - b. 6 m [19.6 ft.] in all other **zones**.

Figure 4.4: Sight Triangle



- c. Despite the above in any **zone** where any street crosses a railway at the same grade the railway shall be deemed to be a street and a sight distance of forty-five metres (45 m [147.6 ft.]) shall be required measured from the point of intersection of the centre line of the railway right-of-way and the street line abutting the lot [see **Figure 4.4**].

4.27 SIGNS

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

4.28 STREETS, PARKS, PLAYGROUNDS AND COMMUNITY GARDENS

In any **zone** established by this By-law, **streets**, walkways, bike paths, parks, playgrounds and **community gardens** shall be *permitted*.

4.29 TEMPORARY BUILDINGS OR STRUCTURES

1. Nothing in this By-law shall prevent the **use** of land or the use or **erection** of a **temporary building** or **structure** or a scaffold or other equipment essential to the construction in progress for which a valid building permit has been granted, but only until such time as the work has been finished or abandoned or such equipment is no longer required.
2. In addition, temporary accommodation may be permitted on a **lot** where a **building** or **structure** for which a valid building permit has been granted and is under construction provided the form of temporary accommodation is limited to a mobile, relocatable, portable or transportable **building** or **structure** or **recreational vehicle** and provided:
 - (a) Approval is obtained from the **Corporation**.
 - (b) Such temporary accommodation is removed from the **lot** immediately upon completion of construction, the issuance of an occupancy permit or abandonment of construction all of which as regulated by the *Ontario Building Code Act* and any related regulation thereto.
3. Nothing in this By-law shall prevent the **use** of land or the **use** or **erection** of a temporary sales or rental office for which a valid building permit has been issued and/or approval is obtained from the **Corporation**.
4. Nothing in this by-law shall prevent the temporary use of a **recreational vehicle** for the temporary occupancy of farm workers specifically employed for the planting or harvesting of crops provided the **recreational vehicle** complies with **Section 4.31** of this by-law.

4.30 USE BY PUBLIC AUTHORITY OR PUBLIC UTILITY

The provisions of this By-law shall not apply to the *use* of any land or to the *erection* or use of any *building* or *structure* for a *public utility* installation for the purpose of *public service use* by the Municipality of Greenstone and/or any public authority, any department of the Government of Ontario or Canada, including any Hydro One Networks Inc. facilities pursuant to the *Planning Act*, provided that where such land, *building* or *structure* is located in or abutting a *zone* in which *residential uses* of land are *permitted*:

1. No goods, materials or equipment shall be stored in the open;
2. The *lot coverage* and *setback* regulations of the *zone* in which such land, *building* or above ground *structure* is located shall be complied with;
3. Any *building erected* under the authority of this section shall not be *used* for the purpose of an *office* except for a government *building*;
4. Parking and loading requirements as contained in this By-law shall be complied with;
5. *Communications facilities* shall comply with federal government requirements for construction and safety.
6. Secondary uses, such as active and passive recreation, agriculture, *community gardens*, other utilities, and *uses* such as *parking lots* and outdoor storage that are *accessory* to adjacent lands uses, are encouraged on hydro corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of the primacy of electricity transmission and distribution facilities and that secondary uses require technical approval from Hydro One Networks Inc.

4.31 WATER AND SEWAGE DISPOSAL SYSTEMS

No *person* shall *erect* or *use* in whole or in part, any *building* or *structure* unless the *use, building* or *structure* is properly connected to approved *water and sewage systems* under the *Ontario Water Resources Act* or the *Building Code Act* unless the *use* is exempted under the *Building Code Act* or prohibited or regulated by this By-law.

4.32 ZONES APPLYING TO MORE THAN ONE PROPERTIES

Where a *lot* is divided into more than one *zone*, each such portion of the *lot* shall be used in accordance with the provisions of this By-law for the *zone* where such portion of the *lot* is located. Each such portion of the *lot* shall be considered as a separate *lot* for the purposes of determining *zone* provisions.

SECTION 5 ZONES

5.1 ZONE CLASSIFICATION

For the purposes of this By-law, the Municipality of Greenstone is divided into the following ***zones*** as named and described in the following sections, the boundaries of which are shown on the attached Schedules which are attached to and form part of this By-law. Exceptions to Zones are set out in Section 22 of this By-law and are deemed to be part of this By-law.

5.2 ZONES

Zones	
Name of Zone	Zone Symbol
Residential Zones	
Residential Low density	R1
Residential Multiple	R2
Residential Mobile Home	R3
Waterfront Residential	RW
Commercial Zones	
General Commercial	C1
Highway Commercial	C2
Resort Commercial	C3
Local Commercial	C4
Airport Commercial	C5

Industrial Zones	
Light Industrial	M1
Heavy Industrial	M2
Waste Management	WMF
Aggregate Extractive	MX
Mining	MIN
Other Zones	
Rural	RU
Institutional	I
Open Space and Restricted Open Space	OS
Environmental Protection	EP

5.3 USE OF ZONE SYMBOLS

The symbols listed in Section 5.2 may be used to refer to any of the *uses* of land, *buildings* or *structures permitted* by this By-law (including the zoning schedules) in the said *zones*, and the intent of the By-law is that the associated *zone regulations* apply.

5.4 HOLDING ZONE “H” DESIGNATION

Any *zone* classification may be placed in a Holding Zone by adding to the zone symbol the letter “h”. 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*.

Explanatory Note – Holding Zone By-laws

Holding bylaws allow future uses for land or buildings but delay development until, for example, local services such as roads are in place. The conditions for lifting the ‘h’ symbol which identifies a holding zone, are set out in the Municipality’s official plan. Once the condition has been met the ‘h’ symbol can be removed and development allowed to proceed. Only uses that are identified in the underlying zone are permitted. Removal of the ‘h’ symbol requires an amendment. Notice of the Council meeting to remove the ‘h’ symbol is required is required, however, there is no appeal of the removal of the ‘h’ symbol.

Explanatory Note – Temporary Use By-laws

Temporary use bylaws zone land or buildings for specific uses for a maximum period of three years at a time, with more extensions possible. When the temporary use of a garden suite (such as a one-unit detached residential structure containing bathroom and kitchen facilities that is additional to an existing structure and that is designed to be portable) is authorized, the temporary bylaw may allow it for a period not exceeding 20 years, with the possibility of extensions of not more than to 3 years at a time. Temporary use by-laws accordingly have a sunset clause and the by-law expires automatically at the end of the time period specified in the by-law. Extending the life of a temporary use by-law requires a zoning by-law amendment and follows the same process as any other type of zoning amendment.

5.5 INTERPRETATION OF ZONE BOUNDARIES

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

1. A boundary indicated as following a **highway, street, private road** or **lane** shall follow the centre line of such highway, street, private road or lane.
2. A boundary indicated as following a **water body** or the right-of-way of a railway or an electrical, gas or oil transmission line shall follow the centre line of such **water body** or right-of-way.

3. 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.
4. A boundary indicated as approximately following *lot lines* shown on a Registered Plan of Subdivision, or Reference Plan, or Municipality lot lines shall follow such lot lines.
5. Where a boundary is indicated as approximately parallel to a *street line* or other feature, indicated in clause (1), (2), and (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 there from shall be determined according to the scale shown on the appropriate Schedule.
6. A boundary indicated as following the limits of the *Municipality* shall follow such limits.
7. 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. 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 centre line of the closed street, lane or right-of-way.
8. 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.

5.6 PERMITTED USES AND ACCESSORY USES

1. Each *zone* lists Permitted Uses as well as *Accessory* Uses. Permitted *accessory uses* include customary *accessory* uses, *buildings* and *structures* in accordance with **Section 4.1** of this By-law, as well as other *accessory* uses listed below '**Accessory Uses** (see **Section 4.1**)' in each respective *zone*.
2. Each permitted *Accessory Use* includes a section or subsection of this By-law that should be referred to for further clarification of the requirements for that specific permitted *accessory use*.
3. Unless otherwise stated, a *Public Service Use* for Hydro One Networks Inc. and a *Public Utility* shall be permitted in any exception *zone*.

SECTION 6 RESIDENTIAL LOW DENSITY [R1] ZONE

No person shall use any land or erect, alter or use any building or structure in the Residential Low Density (R1) Zone except in accordance with the following *zone regulations*:

6.1 PERMITTED USES

6.1 – R1 Permitted Uses	
Principle Use	Accessory Use
Single Detached Dwelling Two-Unit Dwelling (including a Converted Dwelling, Duplex, Semi-detached, Accessory Apartment and Additional Residential Unit) Tiny House	<ul style="list-style-type: none"> • Additional Residential Unit (see 4.1.2.4) • Accessory use, building or structure (see 4.1.1) • Accessory Residential Use (see 4.1.2) • Bed & Breakfast Establishment (see 4.1.3) • Detached Private Garage • Fences (see 4.1.6) • Garden Suite (see 4.1.8) • Home Based Business (see 4.11) • Private Home Daycare • Storage Container (see 4.1.10) • Swimming Pools (see 4.1.12) • Temporary Car Shelter (see 4.1.13)
Group Home (see 4.10) Crisis Care Facility	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1) • Fences (see 4.1.6) • Storage Container (see 4.1.10) • Swimming Pools (see 4.1.12)
Park, Playground, Community Garden (see 4.28)	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1)
Public Service Use (see 4.30)	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1)

6.2 ZONE REGULATIONS

6.2 - R1 Zone Regulations			
	Single Detached Dwelling, Two-Unit Dwelling, Group Home, Crisis Care Facility	Non-Residential Use: Public Service Use, Park, Playground, Community Garden	Accessory Use, Building or Structure
Minimum Lot Area: 1. Municipal Water and/or Sewage System 2. Two-unit Dwelling 3. Individual On-site Water and Sewage System	1. 350 m ² [3,767.4 ft. ²] 2. 460 m ² [4,951.5 ft. ²] 3. 0.8 ha [2 ac.]	1. 350 m ² [3,767.4 ft. ²] 2. n/a 3. 0.8 ha [2 ac.] ¹	n/a
Minimum Lot Frontage: 1. Municipal Water and/or Sewage System 2. Two-unit Dwelling 3. Individual On-site Water and Sewage System	1. 10.5 m [34.4 ft.] 2. 18 m [59.0 ft.] 3. 18 m [59.0 ft.]	1. 10.5 m [34.4 ft.] 2. n/a 3. 18 m [59.0 ft.]	n/a
Minimum Front Yard	6 m [19.6 ft.]	6 m [19.6 ft.]	6 m [19.6 ft.]
Minimum Rear Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]	1.2 m [3.93 ft.]
Minimum Interior Side Yard	1.2 m [3.93 ft.]	1.2 m [3.93 ft.]	1.2 m [3.93 ft.]
Minimum Exterior Side Yard	6 m [19.6 ft.]	6 m [19.6 ft.]	6 m [19.6 ft.]

6.2 - R1 Zone Regulations			
Maximum Height	10.5 m [34.4 ft.]	10.5 m [34.4 ft.]	6 m [19.6 ft.]
Maximum Lot Coverage: 1. Municipal Water and/or Sewage System 2. Individual On-site Water and Sewage System	1. 40% 2. 10 %	1. 40% 2. 10%	1. 10% included in total 2. 2 % included in total
9. Minimum Dwelling Unit Area 10. Tiny House	1. No Minimum 2. 17.5 m ² [188 ft ²]		n/a
Maximum No. Dwellings per lot (excluding a Garden Suite or Additional Residential Unit)	1	n/a	n/a
Separation Distance between the main building and any accessory building	2 m [6.56 ft.]	2 m [6.56 ft.]	2 m [6.56 ft.]
Separation Distance between any permitted main building or accessory building and any storage container (see 4.1.10)	4 m [13.1 ft.]	4 m [13.1 ft.]	6 m [13.1 ft.]

6.2 - R1 Zone Regulations

1. *Zone regulation* does not apply to a park, playground or community garden.

6.3 ADDITIONAL REGULATIONS

1. A *garden suite* shall be subject to a Temporary Use By-law under Section 39 of the *Planning Act* and shall only be *permitted* as an *accessory use* to a *single detached dwelling*.
2. The minimum *yard* requirements may be reduced in the Low Density Residential (R1) Zone where there is an *established building line* in accordance with **Section 4.6** of this By-law;
3. Despite the Maximum Number of *dwelling units* per *lot* allowed in the Low Density Residential (R1) Zone, *additional residential units* shall be permitted in accordance with **Section 4.1.2.4**.
4. All applicable provisions of **Section 4 – General Provisions** shall apply.

6.4 ZONE EXCEPTIONS

1. R1-X1, Plan M-107, Township of Beardmore

Despite the provisions of this By-law, the following exceptions shall apply:

One *dwelling* shall be permitted on each of the following groups of lots in Plan M-107 in the R1-X1 Zone:

- Lots 29, 30 and 31;
- Lots 32, 33 and 34;
- Lots 35, 26 and 37;
- Lots 38, 39 and 40; and
- lots 41, 42 and 43.

The minimum *lot frontage* along the lane in Plan M-107 for any of the above lot groupings shall be 34.8 m [114.1 ft.].

The maximum *lot coverage* shall be 15 % for each grouping of lots.

Minimum Front Yard..... 6 m [19.6 ft.]

Minimum Interior Side Yard..... ... 1 m [3.28 ft.] min. with aggregate of 2
sides not less than 3.5 m [11.4 ft.]

except that no side yard shall be required for the interior side lot lines of Lots 30, 33, 36, 39, and 42.

Minimum Rear Yard..... 7.5 m [24.6 ft.]

Minimum Ground Floor Area..... 55 m² [592 ft.²]

Maximum Building Height..... 10.5 m [34.4 ft.]

2. R1-X2: ML TW 68, Township of Summers [By-law 665-99, Beardmore]

Despite the provisions of this By-law, the following exceptions shall apply:

On lands described as ML TW 68, township of Summers the *uses permitted* shall include those in the R1 and M1 Zones and shall henceforth be known as the R1-X2 Zone

SECTION 7 RESIDENTIAL MULTIPLE [R2] ZONE

No person shall use any land or erect, alter or use any building or structure in the Residential Multiple (R2) Zone except in accordance with the following *zone regulations*:

7.1 PERMITTED USES

7.1 – R2 Permitted Uses	
Principle Use	Accessory Use
Apartment Dwelling Boarding House Lodging House Establishment Multiple Unit Dwelling Row House or Townhouse Triplex Dwelling	<ul style="list-style-type: none"> • Additional Residential Unit to a Row House or Townhouse or Semi-Detached Dwelling (see 4.1.2.4) • Accessory use, building or structure (see 4.1.1) • Accessory Residential Use (see 4.1.2) • Detached Private Garage • Fences (see 4.1.6) • Home Based Business (see 4.11) • Storage Container (see 4.1.10) • Swimming Pools (see 4.1.12) • Temporary Car Shelter (see 4.1.13)
Group Home (see 4.10) Continuum-of-Care Facility	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1) • Fences (see 4.1.6) • Storage Container (see 4.1.10) • Swimming Pools (see 4.1.12)
Park, Playground, Community Garden (see 4.28)	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1)
Public Service Use/Public Utility (see 4.30)	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1)

7.2 ZONE REGULATIONS

7.2 – R2 Zone Regulations			
	Row or Townhouse Dwelling	Apartment Dwelling, Boarding House, Multiple Unit Dwelling, Continuum-of-Care Facility	Accessory Use, Building or Structure
Minimum Lot Area: 1. Municipal Water and/or Sewage System 2. Individual On-site Water and Sewage System	1. 350 m ² [3,767.4 ft. ²] per dwelling unit 2. 0.4 ha [1 acre] per dwelling unit	1. 300 m ² [3,229.2 ft. ²] per dwelling unit or patient suite in a Continuum-of-care facility 2. 0.4 ha [1 acre] per dwelling unit	n/a
Minimum Lot Frontage: 1. Municipal Water and/or Sewage System 2. Individual On-site Water and Sewage System	1. 10 m [32.8 ft.] per dwelling unit 2. 18 m [59.0 ft.] per dwelling unit	1. 25 m [82.0 ft.] 2. 45 m [157.6 ft.]	n/a
Minimum Front Yard	6 m [19.6 ft.]	6 m [19.6 ft.]	6 m [19.6 ft.]
Minimum Rear Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]	1.2 m [3.93 ft.]

7.2 – R2 Zone Regulations			
	Row or Townhouse Dwelling	Apartment Dwelling, Boarding House, Multiple Unit Dwelling, Continuum-of-Care Facility	Accessory Use, Building or Structure
Minimum Interior Side Yard	2 m [6.56 ft.] [see Section 7.3(1)]	4 m [13.1 ft.]	1.2 m [3.93 ft.]
Minimum Exterior Side Yard	6 m [19.6 ft.]	6 m [19.6 ft.]	6 m [19.6 ft.]
Maximum Height	10.5 m [34.4 ft.]	15 m [49.2 ft.]	6 m [19.6 ft.]
Maximum Lot Coverage	1. 40% 2. 10%	1. 40% 2. 10%	1. 10% included in total 2. 2 % included in total
Minimum Number of Dwelling Units Per Lot	3 for a Row or Townhouse Dwelling	n/a	n/a
Separation Distance between the main building and any accessory building	2 m [6.56 ft.]	2 m [6.56 ft.]	2 m [6.56 ft.]

7.2 – R2 Zone Regulations			
	Row or Townhouse Dwelling	Apartment Dwelling, Boarding House, Multiple Unit Dwelling, Continuum-of-Care Facility	Accessory Use, Building or Structure
Separation Distance between any permitted main building or accessory building and any storage container (see 4.1.10)	4 m [13.1 ft.]	4 m [13.1 ft.]	4 m [13.1 ft.]

7.3 ADDITIONAL REGULATIONS

1. The minimum *interior side yard* shall not apply to the common wall of a *row or townhouse dwelling* or *semi-detached dwelling*.
2. The minimum *yard* requirements may be reduced in the Residential Multiple (R2) Zone where there is an *established building line* in accordance with **Section 4.6** of this By-law;
3. Despite the Maximum Number of *dwelling units* per *lot* allowed in the Residential Multiple (R2) Zone, *additional residential units* shall be permitted in accordance with **Section 4.1.2.4**.
4. All applicable *zone regulations* of **Section 4 – General Provisions** shall apply.
5. For regulations governing all uses in this *zone* not identified on the R2 *zone regulations* schedule, the R1 *zone regulations* schedule shall be used.

SECTION 8 RESIDENTIAL MOBILE HOME [R3] ZONE

No person shall use any land or erect, alter or use any building or structure in the Residential Mobile Home (R3) Zone except in accordance with the following *zone regulations*:

8.1 PERMITTED USES

8.1 – R3 Permitted Uses	
Principle Use	Accessory Use
Mobile Home	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1) • Accessory Residential Use (see 4.1.2) • Bed & Breakfast Establishment (see 4.1.3) • Detached Private Garage • Fences (see 4.1.6) • Garden Suite (see 4.1.8) • Home Based Business (see 4.11) • Storage Container (see 4.1.10) • Swimming Pools (see 4.1.12) • Temporary Car Shelter (see 4.1.13)
Group Home (see 4.10)	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1) • Fences (see 4.1.6) • Storage Container (see 4.1.10) • Swimming Pools (see 4.1.12)
Park, Playground, Community Garden (see 4.28)	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1)
Public Service Use/Public Utility (see 4.30)	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1)

8.2 ZONE REGULATIONS

8.2			
	Mobile Home, Group Home	Non-Residential Use: Public Service Use, Park, Playground, Community Garden	Accessory Use, Building or Structure
Minimum Lot Area: 1. Mobile Home Park 2. Mobile Home Site with Municipal Water and/or Sewage System 3. Mobile Home Site with Individual On-site Water and Sewage System	1. 3 ha [7.4 ac.] 2. 350 m ² [3,767.4 ft. ²] 3. 0.4 ha [1 ac.]	See regulations from R1 Zone	n/a
Minimum Lot Frontage: 1. Mobile Home Park 2. Mobile Home Site with Municipal Water and/or Sewage System 3. Mobile Home Site with Individual On-site Water and Sewage System	1. 135 m [443 ft.] 2. 10 m [32.8 ft.] 3. 15 m [49.2 ft.]		n/a
Minimum Front Yard	6 m [19.6 ft.]		6 m [19.6 ft.]
Minimum Rear Yard	6.0 m [19.6 ft.]		1.2 m [3.93 ft.]
Minimum Interior Side Yard	2 m [6.56 ft.]		1.2 m [3.93 ft.]

8.2			
	Mobile Home, Group Home	Non-Residential Use: Public Service Use, Park, Playground, Community Garden	Accessory Use, Building or Structure
Minimum Exterior Side Yard	7.5 m [24.6 ft.]		7.5 m [24.6 ft.]
Maximum Height	6 m [19.6 ft.]		6 m [19.6 ft.]
Maximum Lot Coverage per Mobile Home Site	40%		10% included in total
Maximum No. Dwellings per Mobile Home Site	1		n/a
Separation Distance between the main building and any accessory building	2 m [6.56 ft.]		2 m [6.56 ft.]
Separation Distance between any permitted main building or accessory building and any storage container (see 4.1.10)	4 m [13.1 ft.]		3 m [13.1 ft.]

8.3 ADDITIONAL REGULATIONS

1. All applicable provisions of **Section 4 - General Provisions** shall apply.
2. An *additional residential unit* is not a *permitted use* to any *residential use* in the R3 Zone.

SECTION 9 WATERFRONT RESIDENTIAL [RW] ZONE

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

9.1 PERMITTED USES

9.1 – RW Permitted Uses	
Principle Use	Accessory Use
Single Detached Dwelling Seasonal Dwelling	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1) • Accessory Residential Use (see 4.1.2) • Bed & Breakfast Establishment (see 4.1.3) • Detached Private Garage • Dock (see 4.1.5) • Fences (see 4.1.6) • Garden Suite (see 4.1.8) • Guest Cabin (see 4.1.2) • Home Based Business (see 4.11) • Loft-above –a-garage (see 4.1.2) • Marine Facility • Storage Container (see 4.1.10) • Swimming Pools (see 4.1.12) • Temporary Car Shelter (see 4.1.13)
Group Home (see 4.10)	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1) • Fences (see 4.1.6) • Storage Container (see 4.1.10) • Swimming Pools (see 4.1.12)
Park, Playground, Community Garden (see 4.28)	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1)
Public Service Use/Public Utility (see 4.30)	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1)

9.2 ZONE REGULATIONS

9.2 – RW Zone Regulations			
	Single Detached Dwelling, Seasonal Dwelling, Group Home	Non-Residential Use: Public Service Use, Park, Playground, Community Garden Use	Accessory Use, Building or Structure
Minimum Lot Area	0.8 ha [1.97 acres]	n/a	n/a
Minimum Lot Frontage:	61 m [200 ft.]	n/a	n/a
Minimum Front Yard with water frontage	30 m [98.4 ft.]	30 m [98.4 ft.]	30 m [98.4 ft.]
Minimum Front Yard with no water frontage	6 m [19.6 ft.]	6 m [19.6 ft.]	6 m [19.6 ft.]
Minimum Rear Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]	1.2 m [3.93 ft.]
Minimum Interior Side Yard	1.5 m [4.92 ft.]	1.5 m [4.92 ft.]	1.5 m [4.92 ft.]
Minimum Interior Side Yard: Guest House or Garden Suite	n/a	n/a	6 m [19.6 ft.]
Minimum Exterior Side Yard	6 m [19.6 ft.]	6 m [19.6 ft.]	6 m [19.6 ft.]
Maximum Height	10.5 m [34.4 ft.]	10.5 m [34.4 ft.]	6 m [19.6 ft.]
Maximum Lot Coverage	10%	10%	2% not included in total

9.2 – RW Zone Regulations			
Maximum No. Dwellings per lot (excluding a Garden Suite)	1	n/a	n/a
Maximum Gross Floor Area	n/a	n/a	112 m ² [1,205.5 ft. ²]
Separation Distance between the main building and any accessory building	2 m [6.56 ft.]	2 m [6.56 ft.]	2 m [6.56 ft.]
Separation Distance between any permitted main building or accessory building and any storage container (see 4.1.10)	4 m [13.1 ft.]	4 m [13.1 ft.]	4 m [13.1 ft.]

9.3 ADDITIONAL REGULATIONS

1. All applicable *zone regulations* of **Section 4 – General Provisions** shall apply. (See 4.18.5 for *water body* setbacks.)
2. A *Group Home* shall only be permitted on an improved *street*.
3. Frontage on a *street* shall be exempted for a *water access lot* and an island (see 4.9).
4. No *development* shall be permitted on any island zoned RW or for a *water access lot* unless provision is made for public access on the same *water body* and that provision is made for main land parking.
5. An *additional residential unit* is not a *permitted use* to any *residential use* in the Waterfront Residential (RW) Zone.

SECTION 10 GENERAL COMMERCIAL (C1) ZONE

No person shall use any land or erect, alter or use any building or structure in the General Commercial (C1) Zone except in accordance with the following *zone regulations*:

10.1 PERMITTED USES

10.1 – C1 Permitted Uses		
Principle Commercial Uses		
<ul style="list-style-type: none"> • Animal Day Care Establishment • Animal Shelter • Antique Store • Arcade • Auction Hall • Bake Shop • Bakery • Bank and Financial Institution • Bait Fish Sales Establishment • Bed and Breakfast Establishment • Bingo Hall • Brewery or Winery • Catering Establishment • Clinic • Commercial Parking Lot • Convenience Store • Custom Workshop • Day Nursery 	<ul style="list-style-type: none"> • Drive-Through Facility • Dry Cleaning or Laundry Outlet • Entertainment Establishment • Farmer's Market • Fitness Centre • Funeral Home • Hotel • Laundromat • Marina • Microbrewery • Mixed Use Building • Motel • Museum • Office • Park, Community Garden • Personal Service Establishment • Pet Grooming Establishment • Pet Shop • Place of Assembly 	<ul style="list-style-type: none"> • Place of Amusement • Printing and Processing Service Shop • Private Club • Private School • Public Service Use/Public Utility (see 4.30) • Recreational Commercial Establishment • Restaurant • Retail Outlet • Retail Store • Service Outlet or Shop • Shopping Centre • Studio • Tavern • Taxi Stand • Tourist Establishment • Tourist Outfitters Establishment • Video Rental Outlet • Wellness Centre
Accessory Uses		
Permitted Commercial Use	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1) • Drive-through Facility (see 4.22.3) • Fence (see 4.1.7) 	

	<ul style="list-style-type: none"> • Parking Area • Storage Container (see 4.1.11)
Permitted Residential Use	<ul style="list-style-type: none"> • Accessory Dwelling Unit including a mobile home • Home Based Business (see 4.11)

10.2 ZONE REGULATIONS

10.2 – C1 Zone Regulations

	Permitted Use	Accessory Use, Building or Structure
Minimum Lot Area: 1. Municipal Water and/or Sewage System 2. Individual On-site Water and Sewage System	1. 350 m ² [3,767.4 ft. ²] 2. 0.8 ha [2.47 acres]	n/a
Minimum Lot Frontage: 1. Municipal Water and/or Sewage System 2. Individual On-site Water and Sewage System	1. 15 m [49.2 ft.] 2. 30 m [98.4 ft.]	n/a
Minimum Front Yard	Established building line or 3.0 m [9.84 ft.] where none	Established building line or 3.0 m [9.84 ft.] where none

10.2 – C1 Zone Regulations

Minimum Rear Yard	6 m [19.6 ft.]	1 m [3.28 ft.] or 5 m [16.4 ft.] if the lot abuts a residential or institutional zone.
Minimum Interior Side Yard: 1. Existing built-up downtown 2. Other locations including drive-through facility 3. Lot abutting residential or institutional zone	1. Nil 2. 3 m [9.84 ft.] 3. 5 m [16.4 ft.]	Nil or 5 m [16.4 ft.] if the lot abuts a residential or institutional zone.
Minimum Exterior Side Yard	Established building line or 3.0 m [9.84 ft.] where none	Established building line or 3.0 m [9.84 ft.] where none
Maximum Height	15 m [49.2 ft.]	15 m [49.2 ft.] except a storage container
Maximum Lot Coverage	80%	10% included in total
Separation Distance between the main building and any accessory building	3m [9.84 ft.]	3m [9.84 ft.]

10.3 ADDITIONAL REGULATIONS

1. All applicable *zone regulations* of **Section 4 – General Provisions** shall apply.
2. Residential uses shall be restricted to the second storey or to the rear of in a *mixed-use building*.

3. Residential uses shall not be permitted in a commercial building where ***hazardous substances*** are used for business purposes including but not limited to paints, cleaning fluids, gasoline and petroleum products or any highly flammable, toxic or explosive product.

10.4 EXCEPTION ZONES

1. Notwithstanding the provisions of Sections 4.25 and 10.1 of this By-law, an ***adult entertainment parlour*** shall be a ***permitted use*** on lands described as PLAN M104 N PT LOT 127 TO 129 PCL 6569, known locally as 107 3rd St. N., Geraldton.

SECTION 11 HIGHWAY COMMERCIAL [C2] ZONE

No person shall use any land or erect, alter or use any building or structure in the Highway Commercial (C2) Zone except in accordance with the following *zone regulations*:

11.1 PERMITTED USES

11.1 – C2 Permitted Uses		
Principle Commercial Uses		
<ul style="list-style-type: none"> • Ambulance Facility • Animal Shelter • Auction Hall • Auto Body Shop • Automotive Sales Establishment • Auto Repair Garage • Automotive Service Station • Bait Fish Establishment • Brewery or Winery • Building Supply Store • Car Wash • Clinic • Commercial Greenhouse, Nursery or Garden Centre • Commercial Solar Collector (see 4.24) • Commercial Wind Turbine (see 4.24) • Communications Facility (see 4.9.1 & 4.22.2) • Commercial Parking Lot Convenience Store • Drive-Through Facility 	<ul style="list-style-type: none"> • Existing Retail Store • Farmer's Market • Funeral Parlour • Furniture Store • Gas Bar • Hotel • Laundromat • Motel • Office • Personal Service Establishment • Public Service Use/Public Utility (see 4.29) • Recreational Commercial Establishment • Recreational Vehicle Sales, and Storage 	<ul style="list-style-type: none"> • Restaurant • Self-Storage Facility • Service Outlet or Shop • Shopping Centre • Studio • Tavern • Tourist Establishment • Tourist Outfitters Establishment • Wholesale Establishment • Vehicle Compound • Video Rental Outlet • Warehouse
Accessory Uses		

11.1 – C2 Permitted Uses	
Permitted Commercial Use	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1) • Drive-through Facility (see 4.21.3) • Fences (see 4.1.7) • Parking Area • Storage Container (see 4.1.11)

11.2 ZONE REGULATIONS

11.2 – C2 Zone Regulations		
	Permitted Use	Accessory Use, Building or Structure
Minimum Lot Area: 1 Municipal Water and/or Sewage System 2 Individual On-site Water and Sewage System	1. 1,000 m ² [10,764.2 ft. ²] 2. 0.8 ha [2.47 acres]	n/a
Minimum Lot Frontage	30 m [98.4 ft.]	n/a
Minimum Front Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]
Minimum Rear Yard	7.5 m [24.6 ft.]	1 m [3.28 ft.] or 5 m [16.4 ft.] if the lot abuts a residential zone.
Minimum Interior Side Yard	3m [9.84 ft.] or 7.5 m [24.6 ft.] if the lot abuts a residential or institutional zone.	1 m [3.28 ft.] or 5 m [16.4 ft.] if the lot abuts a residential zone.
Minimum Exterior Side Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]
Maximum Height	15 m [49.2 ft.]	15 m [49.2 ft.] except a storage container

11.2 – C2 Zone Regulations

Maximum Lot Coverage:		
1 Municipal Water and/or Sewage System	50%	10% included in total
2 Individual On-site Water and Sewage System		
Separation Distance between the main building and any accessory building	3 m [9.84 ft.]	3 m [9.84 ft.]

11.3 ADDITIONAL REGULATIONS

1. All applicable provisions of **Section 4 – General Provisions** shall apply.
2. Residential uses shall not be permitted in a commercial building where ***hazardous substances*** are used for business purposes including but not limited to paints, cleaning fluids, gasoline and petroleum products or any highly flammable, toxic or explosive product.

SECTION 12 RESORT COMMERCIAL [C3] ZONE

No person shall use any land or erect, alter or use any building or structure in the Resort Commercial (C3) Zone except in accordance with the following *zone regulations*:

12.1 PERMITTED USES

12.1 – C3 Permitted Uses	
Principle Use	Accessory Use
<ul style="list-style-type: none">• Adventure Game• Driving Range• Golf Course• Marina• Marine and Recreational Vehicle Sales and Service• Park• Shooting Range• Tourist Establishment• Tourist Outfitters Establishment	<ul style="list-style-type: none">• Accessory use, building or structure (see 4.1)• Storage Container (see 4.1.11)
<ul style="list-style-type: none">• Campground	<ul style="list-style-type: none">• Accessory Dwelling• Accessory use, building or structure (see 4.1)• Convenience Store• Restaurant• Storage Container (see 4.1.11)
<ul style="list-style-type: none">• Public Service Use/Public Utility (see 4.30)	<ul style="list-style-type: none">• Accessory use, building or structure (see 4.1)• Fences (see 4.1.7)

12.2 ZONE REGULATIONS

12.2 – C3 Zone Regulations		
	Commercial Use	Accessory Use, Building or Structure
Minimum Lot Area	2 ha [4.94 acres] ¹	n/a
Minimum Lot Frontage:	60 m [196.8 ft.]	n/a
Minimum Front Yard	10 m [32.8 ft.]	10 m [32.8 ft.]
Minimum Front Yard with Shoreline Frontage	30 m [98.4 ft.] ²	30 m [98.4 ft.]
Minimum Rear Yard	10 m [32.8 ft.]	10 m [32.8 ft.]
Minimum Interior Side Yard	10 m [32.8 ft.]	10 m [32.8 ft.]
Minimum Exterior Side Yard	10 m [32.8 ft.]	10 m [32.8 ft.]
Maximum Height	10.5 m [34.4 ft.]	10.5 m [34.4 ft.] except a storage container
Maximum Lot Coverage	20%	2% included in total
Separation Distance between the main building and any accessory building	3 m [9.84 ft.]	3 m [9.84 ft.]
1. Minimum Lot Area not applicable to a park or public service use. 2. See 4.18.5.1 for setback for Marina.		

12.3 ADDITIONAL REGULATIONS

1. All applicable provisions of **Section 4 – General Provisions** shall apply.

12.4 EXCEPTION ZONES

1. Despite the provisions of Section 12.2, to the contrary on lands described as 464 Highway 11 more particularly described as PCL 27268 SEC TBF; LOCATION CL 13189 UNSURVEYED TERRITORY PT 1 55R12038; DISTRICT OF THUNDER BAY, the said lands shall be deemed to comply with the zone regulations of Sections 12.1 – 12.3 including a shoreline setback of 10.0 m [32.8 ft.].

SECTION 13 LOCAL COMMERCIAL (C4) ZONE

No person shall use any land or erect, alter or use any building or structure in the Local Commercial (C4) Zone except in accordance with the following *zone regulations*:

13.1 PERMITTED USES

13.1 – C4 Permitted Uses	
Principle Use	Accessory Use
<ul style="list-style-type: none"> • Clinic • Convenience Store • Dry Cleaning or Laundry Outlet • Office • Video Rental Outlet 	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1) • Accessory Dwelling Unit • Detached Private Garage • Fences (see 4.1.6) • Home Based Business (see 4.11) • Private Home Daycare • Storage Container (see 4.1.10) • Swimming Pools (see 4.1.12) • Temporary Car Shelter (see 4.1.13)
<ul style="list-style-type: none"> • Public Service Use/Public Utility (see 4.30) 	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1) • Fences (see 4.1.7)

13.2 ZONE REGULATIONS

13.2 – C4 Zone Regulations		
	Commercial Use	Accessory Use, Building or Structure including an Accessory Dwelling Unit
Minimum Lot Area	350 m ² [3,767.4 ft. ²]	n/a
Minimum Lot Frontage:	10.5 m [34.4 ft.]	n/a

13.2 – C4 Zone Regulations		
Minimum Front Yard	6 m [19.6 ft.]	6 m [19.6 ft.]
Minimum Rear Yard	7.5 m [24.6 ft.]	1.2 m [3.93 ft.]
Minimum Interior Side Yard	1.2 m [3.93 ft.]	1.2 m [3.93 ft.]
Minimum Exterior Side Yard	6 m [19.6 ft.]	6 m [19.6 ft.]
Maximum Height	10.5 m [34.4 ft.]	10.5 m [34.4 ft.] except a storage container
Maximum Lot Coverage	40%	10% included in total
Separation Distance between the main building and any accessory building	3 m [9.84 ft.]	3 m [9.84 ft.]
Maximum No. Dwelling Units	n/a	1

13.3 ADDITIONAL REGULATIONS

1. All applicable provisions of **Section 4 – General Provisions** shall apply.

SECTION 14 AIRPORT COMMERCIAL (C5) ZONE

No person shall use any land or erect, alter or use any building or structure in the Airport Commercial (C5) Zone except in accordance with the following *zone regulations*:

14.1 PERMITTED USES

14.1 – C5 Permitted Uses	
Principle Use	Accessory Use
<ul style="list-style-type: none">• Airport• Aircraft Landing Area	<ul style="list-style-type: none">• Accessory use, building or structure (see 4.1)• Meteorological services• Aircraft fuel, including bulk fuel storage, maintenance and repair services• Facilities for storage and distribution of freight, goods and supplies• Evacuation and firefighting-related facilities• Air-related business and passenger services including ticketing, waiting lounge, baggage handling• Restaurant• Retail store• Car rental establishment• Administration and staging uses• Warehouse and storage facilities• Aeronautic related training and educational facilities
<ul style="list-style-type: none">• Public Service Use/Public Utility (see 4.29)	<ul style="list-style-type: none">• Accessory use, building or structure (see 4.1)

14.2 ZONE REGULATIONS

14.2 – C5 Zone Regulations		
	Commercial Use	Accessory Use, Building or Structure including an Accessory Dwelling Unit
Minimum Lot Area	50 ha	n/a
Minimum Lot Frontage:	300 m [984 ft.]	n/a
Minimum Front Yard	30 m [98.4 ft.]	30 m [98.4 ft.]
Minimum Rear Yard	30 m [98.4 ft.]	30 m [98.4 ft.]
Minimum Interior Side Yard	30 m [98.4 ft.]	30 m [98.4 ft.]
Minimum Exterior Side Yard	30 m [98.4 ft.]	30 m [98.4 ft.]
Maximum Height	15 m [49.2 ft.]	15 m [49.2 ft.] except a storage container
Maximum Lot Coverage	n/a	n/a

14.3 ADDITIONAL REGULATIONS

1. All applicable provisions of **Section 4 - General Provisions** shall apply.
2. Airports including water-based air services shall be permitted subject to meeting the applicable requirements of Transport Canada.

SECTION 15 LIGHT INDUSTRIAL (M1) ZONE

No person shall use any land or erect, alter or use any building or structure in the Light Industrial (M1) Zone except in accordance with the following *zone regulations*:

15.1 PERMITTED USES

15.1 – M1 Permitted Uses	
Principle Use	Accessory Use
Industrial Uses: <ul style="list-style-type: none"> • Animal Day Care Establishment • Bakery • Bulk Fuel Depot • Building Supply Store • Class I Industrial Use • Commercial Solar Collector • Communications Facility (see 4.9.1 & 4.22.2) • Construction Yard or Contractors Yard • Custom workshop • Equipment and Vehicle Storage Yard, Industrial • Machine Shop • Printing and Processing Service Shop • Recycling Station or Transfer Depot • Research Laboratory • Warehouse • Welding Shop • Wind Farm, Commercial Wind Turbine • Workshop 	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1) • Fences (see 4.1.7) • Office • Storage Container (see 4.1.11)
Commercial and Other Uses: <ul style="list-style-type: none"> • Auto Body Shop • Auto Repair Garage • Commercial Fisheries Use or Fish Hatchery • Commercial Greenhouse • Dry Cleaning or Laundry Plant • Drive-through Facility • Equipment Rental Establishment 	

15.1 – M1 Permitted Uses	
Principle Use	Accessory Use
<ul style="list-style-type: none"> • Office • Public Service Use/Public Utility (see 4.30) • Restaurant • Retail outlet • Service Outlet • Transportation Depot or Truck Terminal 	

15.2 ZONE REGULATIONS

15.2 – M1 Zone Regulations		
	Industrial Use	Accessory Use, Building or Structure
Minimum Lot Area: <ol style="list-style-type: none"> 1. Municipal Water and/or Sewage System 2. Individual On-site Water and Sewage System 	<ol style="list-style-type: none"> 1. 1,350 m² [14,531.7 ft.²] 2. 0.8 ha [2.47 acres] 	n/a
Minimum Lot Frontage	30 m [98.4 ft.]	n/a
Minimum Front Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]
Minimum Rear Yard	15 m [49.2 ft.] or 20 m [65.6 ft.] where the yard abuts a residential zone	3 m [9.84 ft.] or 15 m [49.2 ft.] where the yard abuts a residential zone
Minimum Interior Side Yard	6 m [19.7 ft.] or 15 m [49.2 ft.] where the yard abuts a residential zone	3 m [9.84 ft.] or 15 m [49.2 ft.] where the yard abuts a residential zone

15.2 – M1 Zone Regulations		
	Industrial Use	Accessory Use, Building or Structure
Minimum Exterior Side Yard	10 m [32.8 ft.]	10 m [32.8 ft.]
Maximum Height	35 m [114.8 ft.]	15 m [49.2 ft.] except a storage container
Maximum Lot Coverage	65%	10% included in total
Separation Distance between the main building and any accessory building	3 m [9.84 ft.]	3 m [9.84 ft.]

15.3 ADDITIONAL REGULATIONS

1. All applicable provisions of **Section 4 - General Provisions** shall apply. (See 4.18.3 for minimum separation distances for industrial uses).
2. The *building setback* shall be exempted for that portion of any *lot* that abuts a railroad right-of-way.
3. A *residential use* is not permitted in the M1 Zone.

15.4 EXCEPTION ZONES

1. Notwithstanding the provisions of Section 15.1 of this By-law, an *animal pound* shall be a *permitted use* on lands described as PLAN M273 PT BLK C RP 55R2459 PART 7, known locally as 109 Hamel Avenue, Longlac.

SECTION 16 HEAVY INDUSTRIAL (M2) ZONE

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

16.1 PERMITTED USES

16.1 – M2 Permitted Uses	
Principle Use	Accessory Use
Industrial Uses: <ul style="list-style-type: none"> • Class I, II and III Industrial Use • Asphalt Plant, Batch Plant • Bakery • Bulk Fuel Depot • Bulk Storage Yard • Communications Facility (see 4.9.1 & 4.23.2) • Construction Yard or Contractor's Yard • Electrical Generation or Cogeneration Facility • Equipment and Vehicle Storage Yard, Industrial • Logging Hauler • Lumber Yard • Retail and Supply Services for Mining and Forest Products • Railroad Use • Salvage Yard • Sawmill and Planing Mill • Service Shop • Transportation Depot or Truck Terminal • Tree Nursery • Warehouse • Welding Shop • Weigh scale • Wind Farm, Commercial Wind Turbine • Workshop 	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1) • Office • Storage Container (see 4.1.11)

16.1 – M2 Permitted Uses	
Principle Use	Accessory Use
Commercial and Other Uses: <ul style="list-style-type: none"> • Auto Body Shop • Auto Repair Garage • Commercial Fisheries Use or Fish Hatchery • Commercial Solar Collector • Commercial Greenhouse • Public Service Use/Public Utility (see Section 4.30) 	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1) • Office • Storage Container (see 4.1.11)

16.2 ZONE REGULATIONS

16.2 – M2 Zone Regulations		
	Industrial Use	Accessory Use, Building or Structure
Minimum Lot Area: <ol style="list-style-type: none"> 1. Municipal Water and/or Sewage System 2. Individual On-site Water and Sewage System 	1. 1,350 m ² [14,531.7 ft. ²] 2. 0.8 ha [2.47 acres]	n/a
Minimum Lot Frontage	30 m [98.4 ft.]	n/a
Minimum Front Yard	15 m [49.2 ft.]	15 m [49.2 ft.]
Minimum Rear Yard	15 m [49.2 ft.]	3 m [9.84 ft.] or 15 m [49.2 ft.] where the yard abuts a residential zone
Minimum Interior Side Yard	15 m [49.2 ft.]	3 m [9.84 ft.] or 15 m [49.2 ft.] where the yard abuts a residential zone
Minimum Exterior Side Yard	15 m [49.2 ft.]	15 m [49.2 ft.]
Maximum Height	35 m [114.8 ft.]	15 m [49.2 ft.] except a storage container

16.2 – M2 Zone Regulations		
	Industrial Use	Accessory Use, Building or Structure
Maximum Lot Coverage	65%	10% included in total
Separation Distance between the main building and any accessory building	3m [9.84 ft.]	3 m [9.84 ft.]

16.3 ADDITIONAL REGULATIONS

1. All applicable provisions of **Section 4 – General Provisions** shall apply.
2. The *building setback* shall be exempted for that portion of any lot that abuts a railroad right-of-way.
3. All *salvage yards* shall be developed, operated or closed in compliance with the *Environmental Protection Act*. Where a salvage yard abuts a *residential zone* or a *residential use* or a *sensitive land use* on an adjacent *lot*, the wrecking yard shall be adequately screened on all sides either naturally or by artificial means (e.g., berm, fence, vegetation or a combination thereof) such that no portion of the operation including any storage area can be seen from a public road or from any other property.
4. A *residential use* is not permitted in the M2 Zone.

16.4 EXCEPTION ZONES

1. M2-X1, Beardmore

Despite the provisions of this By-law, the following exceptions shall apply:

Permitted Uses

- An accessory dwelling

SECTION 17 WASTE MANAGEMENT [WMF] ZONE

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

17.1 PERMITTED USES

17.1 – WMF Permitted Uses	
Principle Use	Accessory Use
<ul style="list-style-type: none"> Sewage Works including a waste water stabilization pond Waste Management Facility Recycling Depot or Transfer Station Public Service Use/Public Utility (see 4.30) 	<ul style="list-style-type: none"> Accessory use, building or structure (see 4.1) Storage Container (see 4.1.11)

17.2 ZONE REGULATIONS

17.2 – WMF Zone Regulations		
	Industrial Use	Accessory Use, Building or Structure
Minimum Lot Area	10 ha [24.7 acres]	n/a
Minimum Lot Frontage	120 m [393.7 ft.]	n/a
Minimum Front Yard	30 m [98.4 ft.]	30 m [98.4 ft.]
Minimum Rear Yard	30 m [98.4 ft.]	30 m [98.4 ft.]
Minimum Interior Side Yard	30 m [98.4 ft.]	30 m [98.4 ft.]
Minimum Exterior Side Yard	30 m [98.4 ft.]	30 m [98.4 ft.]
Maximum Height	15 m [49.2 ft.]	15 m [49.2 ft.] except a storage container

17.3 ADDITIONAL REGULATIONS

1. No *Waste Management Facility* shall be operated without and except in conformity with a currently valid *Environmental Compliance Approval* issued by the Ministry of the Environment, Conservation and Parks.
2. All applicable provisions of **Section 4 – General Provisions** shall apply. (See 4.18.1 for minimum separation distances for waste management facilities.)
3. A *residential use* is not permitted in the WMF Zone.

SECTION 18 AGGREGATE EXTRACTIVE (MX) ZONE

No person shall use any land or erect, alter or use any building or structure in the Aggregate Extractive (MX) Zone except in accordance with the following *zone regulations*:

18.1 PERMITTED USES

18.1 – MX Permitted Uses	
Principle Use	Accessory Use
<ul style="list-style-type: none"> Mineral Aggregate Operation Pit Portable Asphalt Plant Public Service Use/Public Utility (see 4.30) Quarry Wayside Pit Wayside Quarry 	<ul style="list-style-type: none"> Accessory use, building or structure (see 4.1) Office Storage Container (see 4.1.11)

18.2 ZONE REGULATIONS

18.2 – MX Zone Regulations		
	Mineral Aggregate Operation, Pit, Quarry	Accessory Use, Building or Structure
Minimum Lot Area	4 ha [9.88 acres]	n/a
Minimum Lot Frontage	200 m [656 ft.]	n/a
Minimum Front Yard and Minimum Exterior Side Yard abutting a street to face of excavation	30 m [98.4 ft.]	30 m [98.4 ft.] or 3 m for an advertising sign, security fence or entrance gate
Minimum Shoreline Setback		

18.2 – MX Zone Regulations		
	Mineral Aggregate Operation, Pit, Quarry	Accessory Use, Building or Structure
Minimum Rear or Interior Side Yard	14 [49.2 ft.] or 30 m where lot line abuts a lot occupied or zoned for a residential use	

18.3 ADDITIONAL REGULATIONS

1. All applicable provisions of **Section 4 – General Provisions** shall apply. (See **Section 4.18.2** for minimum separation distances for *pits* and *quarries*.)
2. Any *mineral aggregate operation, pit* or *quarry* shall comply with any By-law passed under the *Municipal Act* governing a *mineral aggregate operation, pit* or *quarry*.
3. No person shall pile aggregate, top soil, overburden or locate any processing plant or place or build or extend any *building* or *structure*:
 - a. Within 30 m [98.4 ft.] from the *lot line* of the site.
 - b. Within 90 m [295.2 ft.] from any *lot line* that abuts an existing residential dwelling or land zoned for residential use.
4. Earth berms intended to screen adjoining lands from the operations on site shall be located no closer than 3 m [9.84 ft.] from any lot line.
5. No *mineral aggregate operation* shall operate except in compliance with a valid license issued under the *Aggregate Resources Act*, as amended.
6. No *portable asphalt plant, wayside pit* or *wayside quarry* shall operate without a valid *Environmental Compliance Approval*.
7. *Development* may be serviced with *individual on-site water services* and *individual on-site sewage services*.
8. A *residential use* is not permitted in the MX Zone.

SECTION 19 MINING [MIN] ZONE

No person shall use any land or erect, alter or use any building or structure in the Mining (M5) Zone except in accordance with the following *zone regulations*:

19.1 PERMITTED USES

19.1 – MIN Permitted Uses	
Principle Use	Accessory Use
<ul style="list-style-type: none"> • Mineral exploration and prospecting • Mineral Aggregate Operation • Mineral Mining Operation (mine and mining) and closure • Supporting infrastructure; for example, water supply and waste disposal facilities, electricity generation facilities and transmission and distribution systems, natural gas facilities, roads • On-site storage, stock piling and storage of raw materials, finished products and overburden • Tailings and waste rock storage • Explosive storage and emulsion facilities • On-site Smelting and processing • Asphalt and Concrete Batch Plant • Pit or Quarry • Storage buildings and storage containers • Warehouse • Forestry Use • activities associated with the progressive rehabilitation of the Mining Lands or the closure of a mine • Public Service Use/Public Utility (see 4.30) 	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1) • Accessory uses essential to mineral extraction operations (e.g., administration offices, weigh scales, assay office, power plant, lunch room, security facilities, mechanical/maintenance building for servicing heavy equipment, renewable energy uses and facilities, drill core storage, on-site fuel storage and dispensing facilities, communication towers and facilities) and including only an accessory dwelling unit required for security or administration of mining operations.

19.2 ZONE REGULATIONS

19.2 – MIN Zone Regulations		
	Industrial Use	Accessory Use, Building or Structure
Minimum Lot Area	5 ha [12.3 ac.]	n/a
Minimum Lot Frontage	30 m [98.4 ft.]	n/a
Minimum Front, Rear, Interior and Exterior Side Yards	<ul style="list-style-type: none"> • 10 m [32.8 ft.] • Pit or Quarry – in accordance with Section 4.18.2 	

19.3 ADDITIONAL REGULATIONS

1. All applicable provisions of **Section 4 – General Provisions** shall apply. (See 4.18.3 for minimum separation distances for industrial uses.)
2. All mines and mining operations shall be developed, operated or closed in compliance with the *Mining Act* and the *Environmental Protection Act*.
3. *Pits* and *quarries* shall be operated in accordance with **Section 18**.
4. *Development* may be serviced with *individual on-site water services* and *individual on-site sewage services*.
5. A *residential use* is not permitted in the M5 Zone.

SECTION 20 RURAL (RU) ZONE

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*:

20.1 PERMITTED USES

20.1 – RU Permitted Uses		
Principle Use		Accessory Use
Residential Uses: <ul style="list-style-type: none"> • Single Detached Dwelling • Seasonal Dwelling • Mobile Home • Group Home (see 4.10) • Crisis Care Facility • Tiny House 		<ul style="list-style-type: none"> • Additional Residential Unit (see 4.1.2.4) • Accessory use, building or structure (see 4.1.1) • Accessory Residential Use (see 4.1.2) • Bed & Breakfast Establishment (see 4.1.3) • Detached Private Garage • Fences (see 4.1.7) • Garden Suite (see 4.1.8) • Home Based Business (see 4.1.2) • Storage Container (see 4.1.11) • Swimming Pools (see 4.1.12)
Rural Uses: <ul style="list-style-type: none"> • Agriculture Use • Agriculture Related Use • Ambulance Facility • Animal Day Care Establishment • Animal Shelter • Cemetery • Conservation Use • Equestrian Establishment • Greenhouse • Fairground • Fish Farming 	<ul style="list-style-type: none"> • Forestry Use • Hobby Farm • Kennel • Logging Operation • Marine Facility • Outdoor Recreation • Park • Pet Cemetery • Portable Asphalt Plant • Portable Concrete Plant • Public Service Use/Public Utility (see Section 4.30) • Shooting Range or Rifle Club • Wayside Pit or Quarry • Wildlife Management 	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1.1) • Fences (see 4.1.7) • Accessory Dwelling to an Agricultural Use or Hobby Farm • Farm Produce Outlet accessory to an Agricultural Use • Home Based Business (see 4.1.1) • Storage Container (see 4.1.11)

20.2 ZONE REGULATIONS

20.2 - RU Zone Regulations		
	All Uses	Accessory Use, Building or Structure
Minimum Lot Area: 1. Residential Use 2. All Other Uses	1. 0.8 ha [2 acres] 2. 2 ha [4.94 acres]	n/a
Minimum Lot Frontage: 1. Residential Use 2. All Other Uses	1. 45 m [147.6 ft.] 2. 100 m [328.0 ft.]	n/a
Minimum Front Yard	10 m [32.8 ft.]	10 m [32.8 ft.]
Minimum Rear Yard	10 m [32.8 ft.]	3m [9.84 ft.]
Minimum Interior Side Yard	3m [9.84 ft.]	3m [9.84 ft.]
Minimum Exterior Side Yard	10 m [32.8 ft.]	10 m [32.8 ft.]
Maximum Height	10.5 m [34.4 ft.]	6 m [19.6 ft.] except a storage container
Maximum Lot Coverage: 1. Residential Use 2. All Other Uses	1. 5% 2. 5%	1. 1% included in total 2. 2%
Maximum Number of Dwellings (excluding a Garden Suite)	1	n/a

20.3 ADDITIONAL REGULATIONS

1. All applicable provisions of **Section 4 – General Provisions** shall apply.
2. Any *commercial wind farm* and *commercial solar collector* shall meet any applicable provincial regulations.
3. The minimum *separation distance* between the main wall of a *kennel* and/or a dog run associated with a *kennel* and the main wall of an *existing dwelling* on an adjacent *lot* shall be 150 m [492 ft.] (see also 4.13)
4. *Development* may be serviced with *individual on-site water services* and *individual on-site sewage services*.

SECTION 21 INSTITUTIONAL (I) ZONE

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

21.1 PERMITTED USES

21.1 – I Permitted Uses
Institutional Uses

21.1 – I Permitted Uses	
<ul style="list-style-type: none"> • Ambulance Facility • Arena • Art Gallery • Band Shell • Bingo Hall • Cemetery • Clinic • Community Centre • Community Garden • Continuum-of-Care Facility • Court House and Detention Centre • Crisis Care Facility • Curling Rink • Day Nursery • Fire Hall • Fitness Centre • Government Services • Hospital • Institutional Use • Library • Municipal Administration Complex • Municipal Animal Compound 	<ul style="list-style-type: none"> • Museum • Nursing Station • OPP Detachment Office • Park • Place of Assembly • Place of Worship • Playground • Post Office • Provincial and federal offices • Public Art Gallery • Public Service Use/Public Utility (see 4.30) • School • Skateboard Park • Splashpad • Swimming pool • Tourist information centre • Training and rehabilitation Centre • Vehicle Compound
Accessory Uses	
Permitted Institutional Use	<ul style="list-style-type: none"> • Accessory use, building or structure (see 4.1) • Fences (see 4.1.7) • Heliport • Parking Area • Storage Container (see 4.1.11)

21.2 ZONE REGULATIONS

20.2 - I Zone Regulations		
	Institutional Use	Accessory Use, Building or Structure
Minimum Lot Area:		
1. Municipal Water and/or Sewage System	1. 460 m ² [4,951.5 ft. ²]	n/a
2. Individual On-site Water and Sewage System	2. 0.8 ha [2 acres]	
Minimum Lot Frontage:	18 m [98.4 ft.]	n/a
Minimum Front Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]
Minimum Rear Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]
Minimum Interior Side Yard	3 m [9.84 ft.]	3 m [9.84 ft.]
Minimum Exterior Side Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]
Maximum Height	15 m [49.2 ft.]	15 m [49.2 ft.] [34.4 ft.] except a storage container
Maximum Lot Coverage	40%	10% included in total
Separation Distance between the main building and any accessory building	3 m [9.84 ft.]	3 m [9.84 ft.]

21.3 ADDITIONAL REGULATIONS

1. All applicable provisions of **Section 4 – General Provisions** shall apply.

SECTION 22 OPEN SPACE [OS] ZONE

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*:

22.1 PERMITTED USES

22.1 – OS Permitted Uses		
Principle Use		Accessory Use
Open Space Uses: <ul style="list-style-type: none"> • Archeological Resource • Boat Launch • Built Heritage Resource • Cemetery • Conservation Use • Community Garden • Cultural Heritage Landscape • Forestry use • Golf Course • Outdoor rink • Park, Playground • Public Service Use. Public Utility (see 4.30) • Recreational Facilities • Skateboard Park • Ski Hill • Sports Field 		<ul style="list-style-type: none"> • Accessory use, building or structure including an information kiosk, interpretation center, food concession or refreshment pavilion (see 4.1)

22.2 ZONE REGULATIONS

22.2 - OS Zone Regulations		
	Open Space Use	Accessory Use, Building or Structure
Minimum Lot Area	n/a	n/a
Minimum Lot Frontage	n/a	n/a

22.2 - OS Zone Regulations		
Minimum Lot Depth	n/a	n/a
Minimum Front Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]
Minimum Rear Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]
Minimum Interior Side Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]
Minimum Exterior Side Yard	7.5 m [24.6 ft.]	7.5 m [24.6 ft.]
Maximum Height	10 m [32.8 ft.]	10 m [32.8 ft.]

22.3 ADDITIONAL REGULATIONS

1. All applicable provisions of **Section 4 – General Provisions** shall apply.

SECTION 23 ENVIRONMENTAL PROTECTION (EP) ZONE

No person shall use any land or erect, alter or use any building or structure in the Environmental Protection (EP) Zone except in accordance with the following *zone regulations*:

23.1 PERMITTED USES

23.1 – EP Permitted Uses	
Principle Use	Accessory Use
Environmental Protection Uses: <ul style="list-style-type: none">• Agricultural Use• Conservation Use• Community Garden• Flood Control Infrastructure• Forestry use• Public Service Use/Public Utility (see 4.30)	<ul style="list-style-type: none">• Accessory use excluding any buildings or structures except infrastructure incidental to a water supply or waste water treatment facility such as a water intake or sewer outfall but not including the main building of a water filtration plant or waste water treatment facility• Buildings or structures intended for flood or erosion control or slope stabilization

23.2 ZONE REGULATIONS

1. Existing setbacks for existing uses shall apply.

23.3 ADDITIONAL REGULATIONS

1. All applicable provisions of **Section 4 – General Provisions** shall apply.

Page 200