



**THE CORPORATION OF THE
TOWNSHIP OF EAR FALLS**

**RESTRICTED AREA (ZONING) BY-LAW
NO. 1010-02**

APPROVED NOVEMBER 6, 2002.

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**PURPOSE AND EFFECT
BY-LAW NO. 1010-02
TOWNSHIP OF EAR FALLS**

By-law No 1010-02 is a Comprehensive Zoning By-law for the Township of Ear Falls. The By-law regulates the use of all land (including residential, commercial, industrial, institutional, open space, and hazard land), buildings and structures in the Township of Ear Falls. It authorizes the uses set out in the text and prohibits any use of land or the construction or use of building not specifically authorized, unless such use was lawfully in existence on the day the By-law was passed.

Applications to change or amend the By-law may be made at any time. All such amendments, however, must be in conformity with the Official Plan for the Township of Ear Falls and must receive approval from the Council.

All measurements in the By-law are in metric units. A conversion table is provided at the back of the By-law to assist in converting the metric measurements to Imperial measurements.

The following is a brief summary of the provisions of the By-law.

Section 1 of the By-law establishes, among other matters, that the By-law applies to all lands in the Township of Ear Falls and that no land shall be used and no buildings or structures shall be used, erected, altered, or enlarged except in conformity with the By-law.

Section 2 defines a number of terms used in the By-law.

Section 3 establishes that the Zone Maps comprising of Schedules "A", "B", "C" and "D", which are part of the By-law, and that the Zone Maps are divided into a number of zones. Section 3 also provides information in respect to the interpretation of zone boundaries.

Section 4 establishes general provisions that apply to more than one zone in the By-law. These general provisions cover such matters as accessory uses, corner lot sight restrictions, lots having less than the required frontage or area, non-conforming uses, mobile homes, off-street parking, home occupations and street frontage of building lots.

Section 5 through Section 20 set out the specific land use zones of the By-law. There is a total of eighteen specific zones. For each zone there is a listing of permitted uses and a number of standards including minimum lot size, minimum lot frontage, maximum lot coverage, maximum height and minimum front, side and rear yards.

THE CORPORATION OF THE TOWNSHIP OF EAR FALLS

BY - LAW NO. 1010-02

Being a by-law to regulate land use within the Corporation of the Township of Ear Falls.

WHEREAS by Section 34 of the Planning Act, Revised Statutes of Ontario 1990, as amended, the Council of the Township of Ear Falls may pass a By-Law regulating the use of lands and buildings and the type of construction, height, bulk, location, spacing and character of buildings to be erected or altered within the Municipality or any defined area thereof;

AND WHEREAS municipal control and regulation over the use of land and the erection and use of buildings or structures is desirable in the public interest;

AND WHEREAS it is deemed necessary and expedient to pass a By-law to restrict the use which may be made of lands and buildings within the Corporation of the Township of Ear Falls.

THEREFORE, The Council of the Township of Ear Falls enacts as follows:

SECTION 1 - INTERPRETATION AND ADMINISTRATION

1.1 TITLE

This By-Law shall be known as the "Restricted Area (Zoning) By -Law of The Corporation of the Township of Ear Falls."

1.2 APPLICATION

The provisions of this By-law shall apply to all lands within the boundaries of the Municipality as now or hereafter are legally constituted.

1.3 SCOPE

No lands shall be used and no buildings or structures shall be erected, altered, enlarged or used within the Township of Ear Falls except in conformity with the provisions of this By-law, but nothing in this By-law prevents the use of any land, buildings or structures for any purpose prohibited by this By-law if such land, buildings or structures were lawfully used for such purpose on the day this By-law comes into force.

1.4 MINIMUM REGULATIONS

In interpreting and applying the provisions of this By-law, they are held to be the minimum requirements for the promotion of the health, safety, comfort, convenience, and general welfare of the inhabitants of the Municipality.

1.5 MEANING OF USE

Unless the context otherwise requires, the expressions "use" or "to use" in this By-law include anything done or permitted by the owner or occupant of any land or building, directly, indirectly, by or through any trustee, tenant, servant, or agent, acting for or with the knowledge or consent of such owner or occupant, for the purpose of making use of the said land or building.

1.6 MEANING OF SHALL

In this By-law, the word "shall" shall always be construed as mandatory.

1.7 NUMBER AND GENDER

In this By-law, unless the contrary intention appears, words imparting the singular number or the masculine gender only shall include more person, parties, or things of the same kind than one, and females as well as males, and the converse.

1.8 ADMINISTRATION

This By-law shall be administered by the Clerk and/or such other person or persons as the Council of the Township of Ear Falls designates.

1.9 LICENSES AND PERMITS

No municipal permit, certificate, or licence shall be issued where the said permit is required for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in violation of any provisions of this By-law.

1.10 APPLICATION OF OTHER BY-LAWS

Nothing in this By-law shall serve to relieve any person from the obligation to comply with the requirements of any by-law of the Municipality in force from time to time or the obligation to obtain any licence, permit, authority or approval required under any by-law of the Municipality.

1.11 VALIDITY

Should any section, clause or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

1.12 REPEAL OF EXISTING BY-LAWS

By-law 508-89 and all by-laws amending this by-law are hereby repealed.

1.13 CONTINUATION OF PROSECUTION FOLLOWING REPEAL

The passage of this By-law does not effect the right of the Corporation of the Township of Ear Falls to prosecute any violation of the previous By-law, if the violation occurred while the By-law was in effect.

1.14 APPLICATION OF OTHER LEGISLATION/REGULATIONS

When the regulations or requirements of any department of government imposed greater restrictions than the restrictions imposed by this By-law, then such greater restrictions shall control.

SECTION 2 - DEFINITIONS

For the purpose of this By-law, the definitions and interpretations given herein shall govern.

- 2.1** Accessory shall mean a use, a building or a structure that is normally incidental, subordinate and exclusively devoted to a main use, building or structure and that is located on the same lot therewith and includes a private garage and a dock.
- 2.2** Aggregate shall mean gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock, other than metallic ores, or other prescribed material under the appropriate statute.
- 2.3** Agricultural Use shall mean general farming and shall include such uses as the breeding and rearing of livestock, including poultry, fowl and fur-bearing animals, the general cultivation of land and associated production, conditioning, processing, and storing of field crops, fruits, vegetables, and horticultural crops.
- 2.4** Airport or Aircraft Landing Area, shall mean the use of land, including water, runway, or other facility designed, used or intended to be used either publicly or by any person or persons for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage, tie-down areas, hangars and other necessary buildings, structures and open spaces.
- 2.5** Alter, when used in reference to a building or structure or part thereof, shall mean to change the use or the external dimensions of such building or structure or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word "alter" shall mean to change the area frontage, or depth thereof, to change the width, depth, or area of any required yard, setback, landscaped open space, or parking area, or to change the location of any boundary of such lot with respect to a street or lane, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words "altered" or "alteration" shall have corresponding meanings.
- 2.6** Animal Hospital or Veterinary Clinic shall mean a building wherein animals, birds, and other livestock are examined and/or surgically or medically treated or kept under the care of a licensed veterinary surgeon.
- 2.7** Apartment Building shall mean a building that contains four (4) or more dwelling units which units have one or more common entrances from street level and are served by a common corridor, and the occupants of which units have the right to use in common the corridors, stairs, elevators, yards or one or more of them.
- 2.8** Areas of Natural and Scientific Interest (ANSI) shall mean areas of land and water containing natural landscapes or features which have been identified as having values related to natural heritage protection, scientific study, or education. Depending upon the features of particular areas, they may be referred to as life science or earth science sites. These areas vary in their level of significance and their vulnerability to environmental impacts.

- 2.9** Assembly Hall shall mean a building or part thereof in which facilities are provided for such purposes as meetings for civic, educational, political, recreational, religious or social purposes, and with limiting the generality of the foregoing may include such facilities as an auditorium, a banquet hall or private club.
- 2.10** Attached shall mean a building otherwise complete in itself, which depends for structural support, or complete enclosure, upon a division wall or walls shared in common with an adjacent building or buildings.
- 2.11** Automobile Body Repair Shop shall mean a building or structure used primarily for making repairs or alterations to the body or paint work or any vehicle.
- 2.12** Automobile Service Station shall mean a building or part of a building or a clearly defined space on a lot used primarily for the retail sale of lubricating oils, gasoline, diesel fuel and propane for motor vehicles and may include the sale of automobile accessories, and the servicing, repairing and storage essential to the operation of motor vehicles.
- 2.13** Automobile Wrecking Yard shall mean an area outside of an enclosed building where motor vehicles are disassembled, dismantled or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored.
- 2.14** Automotive Gas Bar shall mean the use of land, or building, or structure where vehicle fuel (not including propane), or lubricants, are offered for sale but where no provision is made for the repair or maintenance of vehicles. For the purpose of this definition, the sale of associated sundry items and the sale of prepared foods for consumption off the premises may be allowed in conjunction therewith provided the gross floor area devoted to the sale of such sundry items and prepared foods does not exceed 10.0 square metres.
- 2.15** Basement shall mean that portion of a building between two floor levels which is more than 50 percent below the ground level at the exterior walls.
- 2.16** Batching Plant, Asphalt or Concrete, shall mean an industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the productions process or of finished products manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt or concrete products.
- 2.17** Bed and Breakfast shall mean a dwelling unit, situated in a single detached, semi-detached or duplex dwelling, in which not more than three (3) bedrooms or one (1) less than the total number of bedrooms in the dwelling unit, whichever is the lesser, are used to provide overnight accommodation, for profit or gain, with or without meals, to the travelling or vacationing public.
- 2.18** Boarding and Rooming House shall mean any building or portion thereof in which the proprietor resides and supplies for hire or gain to more than two persons, exclusive of the lessee or owner thereof or members of his family, lodging, and/or meals, and excluding a

hotel, motel, hospital, home for the young or the aged, or institution, or restaurant accommodating the general public.

- 2.19** Boathouse shall mean a structure constructed for the purpose of storing boats and accessories but it shall not include a dwelling.
- 2.20** Buffer Strip shall mean an area of land intended to separate and partially obstruct the view of two adjacent land uses or properties from one another, and used for no other purpose than for the erection of a fence, or the planting and maintaining of a continuous row of natural evergreens or a continuous unpierced hedgerow of natural shrubs and the remainder of which is to be used for landscaping. A vegetal buffer shall mean an area in which natural vegetation is maintained for the purposes of providing a visual screen and sound attenuation zone between a recreational commercial enterprise and abutting land uses.
- 2.21** Building shall mean any structure, consisting of walls and a roof, which is used for shelter, accommodation or enclosure of persons, animals, equipment, goods and materials.
- 2.22** Building Area, shall mean the area of the lot within which permitted buildings or other structures may be erected, used and maintained and shall be calculated by deducting all appropriate yard areas and setbacks from the gross lot area.
- 2.23** Building, Main means the building which contains the principal use of the lot on which such building is located. In any residential zone a dwelling shall be deemed to be a main building on the lot on which it is located.
- 2.24** Bulk Sales Establishment shall mean the use of land, structure or building for the purpose of storing, buying and selling coal, fuel, oil, propane, wood, lumber, building materials, ice, and allied commodities but does not include any manufacturing, assembling, or processing uses.
- 2.25** Campground shall mean an area used for a range of overnight camping experiences, from tenting to serviced trailer sites, including accessory facilities which support the use, such as administration offices, laundry facilities, but not including the use of mobile homes or trailers on a permanent year-round basis.
- 2.26** Carport shall mean a portion of a dwelling which is a roofed enclosure designed for the storage of a motor vehicle with at least 40% of the total perimeter open and unobstructed. For the purposes of this definition, perimeter includes the main wall of the dwelling to which such carport is attached.

- 2.27** Cemetery shall mean land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried. "Cemetery" may include a structure for the purpose of the cremation of human remains and may include facilities for storing ashes of human remains that have been cremated or the interment of the dead in sealed crypts or compartments.
- 2.28** Church means a building dedicated to religious worship and may include a church hall, church auditorium, Sunday School, parish hall and church day nursery.
- 2.29** Clinic shall mean a building or structure or part thereof that is used or intended for use by physicians, dentists, chiropractors and/or drugless practitioners, or any one or more of them, as well as their staff and patients, for the purpose of consultation, diagnosis and office treatment.
- 2.30** Commercial Use shall mean the use of land, structure or building for the purposes of buying and/or selling commodities and supplying services, as distinguished from such uses as manufacturing or assembling of goods, warehousing, transport terminals, construction and other similar uses.
- 2.31** Commercial Entertainment and Recreation Establishment means an entertainment facility such as a theatre, bowling alley, billiard room or similar facility where entertainment is provided for a fee.
- 2.32** Commercial Fishing Establishment means a use which is primarily devoted to handling, storage, cleaning, cutting, cooking and freezing of fish products for wholesale and includes such accessory uses as docks, warehouses, processing plants and repair facilities for commercial fishing equipment.
- 2.33** Commercial Floor Space shall mean the sum of the areas of all floors of a building or part thereof used for commercial purposes measured between the internal faces of the exterior walls, excluding the furnace room, laundry room or washroom, stairwell or elevator shaft or any area designated or used permanently for storage space.
- 2.34** Community Centre means any tract of land, building or structure used for community activities, and not for commercial purposes, the control of which is vested with the municipality or a local board or agent thereof.
- 2.35** Condominium shall mean a building in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the appropriate statute.
- 2.36** Cottage shall have the meaning attributed to it in the definition Dwelling, Seasonal.
- 2.37** Conservation shall mean the preservation, protection and improvement of the components of the natural environment through a comprehensive management and maintenance program administered for individual or public use.

- 2.38** Conservation and Wildlife Sanctuary shall mean land left in its natural state for the purpose of providing sanctuary, habitat and breeding grounds for wild birds, animals and plant life and includes a forest reserve.
- 2.39** Contractors' Yard shall mean a yard of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.
- 2.40** Council shall mean the Council of the Corporation of the Township of Ear Falls.
- 2.41** Coverage shall mean the combined area of all buildings or structures on the lot measured at the level of the lowest storey above grade, including all porches and verandahs open or covered, but not including an outdoor swimming pool, open, unenclosed terraces and patios at grade, steps, cornices, eaves, bay windows and similar projections and open parking areas.
- 2.42** Craft Shop, shall mean a building or part thereof in which a handicraft is conducted for gain or profit, and may include sales of such handicraft.
- 2.43** Crisis Care Facility/Residence Centre shall mean a residence that is licensed or funded by the government for the short term (averaging one month or less) accommodation of three to ten persons, exclusive of staff, 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 well-being.
- 2.44** Day Care Centre shall mean an agency or institution offering or supplying group care to five or more children who have not the same parentage, for a portion or all of a day and on a regular schedule more often than once a week.
- 2.45** Development shall mean the subdivision and severance of/and, the erection or alteration of buildings and structures, and includes any improvement that can be made on/and any addition or alteration to a building or structure that has the effect of increasing the size or usability thereof. The use of the term shall be taken to include redevelopment in all cases.
- 2.46** Dock shall mean a structure on land or in the water to be used for transferring goods or passengers to or from a boat or airplane.
- 2.47** Dormitory or Student Residence shall mean a building occupied or designed to be occupied exclusively as a residence or sleeping place by one or more persons attending a school, educational or training centre, and recognized officially by that school, educational or training centre.

- 2.48** Dwelling shall mean a building, occupied or designed to be occupied exclusively as a home, residence or sleeping place by one or more persons, but shall not include hotels, boarding houses, rooming houses, motels or institutions or mobile homes unless specifically permitted .
- 2.49** Dwelling, Accessory shall mean a use, separate building, or structure, which is usually incidental subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure but not including a building or structure which is used as a dwelling unless specifically permitted.
- 2.50** Dwelling, Converted shall mean a building that has been altered on the interior to form not more than four (4) dwelling units.
- 2.51** Dwelling, Duplex shall mean a building that is divided horizontally into two (2) dwelling units each of which has an independent entrance either directly or through a common vestibule.
- 2.52** Dwelling, Double Duplex shall mean two (2) attached duplex dwellings.
- 2.53** Dwelling, Modular shall mean a dwelling unit prefabricated in one location in accordance with CSA A277 and moved onto a lot to be used as a dwelling unit but shall not include a mobile home.
- 2.54** Dwelling, Multiple or Apartment shall mean a building used, designed, or intended to be used for occupancy as four (4) or more dwelling units independently of each other.
- 2.55** Dwelling, Seasonal shall mean a single detached dwelling used essentially for recreation, rest or relaxation from time to time, throughout any season of the year, by any person or persons but not used or intended to be used continuously in excess of five months or as a permanent residence.
- 2.56** Dwelling, Semi-Detached shall mean a building that is divided vertically into two (2) dwelling units each of which has an independent entrance whether directly or through a common vestibule and which has no direct access between the two (2) units.
- 2.57** Dwelling, Single Detached shall mean one dwelling unit which is freestanding and detached from other main buildings or structures on a lot and shall include a modular home but shall not include a mobile home.
- 2.58** Dwelling, Townhouse or Rowhouse shall mean a building containing three (3) or more attached dwelling units and which has a common masonry wall dividing each of the abutting dwelling units vertically, each of which has an independent entrance from the outside.
- 2.59** Dwelling, Triplex shall mean a building that is divided horizontally into three (3) separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

- 2.60** Dwelling, Two Unit/Family shall mean a building used, designed or intended to be used for occupancy as two (2) independent dwelling units and includes a duplex dwelling or semi-detached dwelling.
- 2.61** Dwelling Unit shall mean one or more habitable rooms occupied or designated to be occupied by one or more individuals as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such individual or individuals with a private entrance from outside the building or from a common hall way or stairway inside the building.
- 2.62** Dwelling Unit, Bachelor shall mean a dwelling unit consisting of one (1) bathroom and not more than two (2) habitable rooms, providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination rooms(s).
- 2.63** Easement shall have the meaning attributed to it in the definition of Right-of-Way.
- 2.64** Emergency Shelter shall mean a facility providing temporary housing for one or more individuals who are otherwise homeless.
- 2.65** Environmental Protection Areas shall include significant river valley corridors, shorelines, wildlife and fish habitat as classified by the Ministry of Natural Resources. Such areas are sensitive natural areas which serve as important habitat and migration routes for fish and wildlife.
- 2.66** Erect includes build, construct, reconstruct, place, alter, enlarge and relocate and without limiting the generality of the foregoing, is taken to include any associated physical operation such as excavating, grading, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.
- 2.67** Existing shall mean existing as of the date of the final passing of this By-law.
- 2.68** Family shall mean an individual or group of persons, who occupy a dwelling unit and who live together as a single non-profit housekeeping unit and which may include not more than two (2) persons who receive their lodging or board, or both, or other domestic services for compensation.
- 2.69** Fill shall mean sand, gravel, earth or other materials of any composition whatsoever placed or deposited by humans.
- 2.70** Flood Plain, when used in reference to a water course, shall mean the area, usually lowlands, adjoining the channel of a river, stream or water course which has been or may be covered by flood water during a regional flood or a one-in-one hundred year flood. When used in reference to a lake, flood plain shall mean the area adjacent to a lake which would be flooded by high water levels and/or water build-up caused by high winds.

- 2.71** Floodproofing shall mean 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.
- 2.72** Floodway shall mean the channel of a watercourse and that inner portion of the flood plain where flood depths and velocities are generally higher than those experienced in the flood fringe. The floodway represents that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property.
- 2.73** Floodway Fringe shall mean all that land in a floodplain not lying within a delineated floodway. Land within a floodway fringe is subject to inundation by relatively low velocity flows and shallow water depths.
- 2.74** Floor Area means with reference to a building, the total habitable area within a building measured between the interior faces of the exterior walls or from the interior faces of common or party walls, but excluding any garage, breezeway, porch, verandah, balcony, sun room, attic, cellar or basement, unless such sunroom or enclosed porch is an integral part of the building and habitable in all seasons.
- 2.75** Forestry Use means the general raising, harvesting and storage of wood and wood products and without limiting the generality of the foregoing shall include the raising, harvesting and storage of fuelwood, pulpwood, lumber, Christmas trees and other forest products.
- 2.76** Garage, Private shall mean a building or portion of a building designed for the storage of private passenger motor vehicles wherein no service for profit is rendered; where such structure is attached to the main building, it shall be deemed to be part of the main building and not an accessory building.
- 2.77** Garage, Public or Service Station shall mean a building or structure which is used for the repair or storage of motor vehicles for remuneration; it may include an automobile body repair shop and may include a gas bar.
- 2.78** Government Offices shall mean a municipal office, court house, registry office, health and welfare centre, employment office, post office, or other office uses for the purpose of local or other government administration.
- 2.79** Grade shall mean the average level of finished surface of the ground adjacent to the exterior walls of the building or structure.
- 2.80** Granny Flat or Garden Suite shall mean an additional dwelling unit intended for the sole occupancy of one or two adult persons who are 62 years of age or over. The floor area of the attached granny flat dwelling unit shall not exceed 30 percent of the existing living area of the primary residence or 1,200 square feet in a floor area on a lot zoned residential, whichever is the lesser.

- 2.81** Gravel Pit shall mean an open land area where sand, gravel and rock fragments are mined or excavated for sale or off-tract use.
- 2.82** Ground Floor Area shall mean the total habitable area of the lowest storey of a building or structure, measured between the interior faces of the exterior walls or from the interior faces of common or party walls, but excluding any garage, breezeway, porch, verandah, balcony, sun room, attic, cellar or basement, unless such sunroom or enclosed porch is an integral part of the building and habitable in all seasons.
- 2.83** Group Home shall mean a single housekeeping unit in a residential dwelling in which three to ten person, excluding supervisory staff and the receiving family, live as a single housekeeping unit under responsible supervision consistent with the particular requirements of its residents; except in the case of Community Resource Centres where three to eighteen persons are permitted. The home shall be in compliance with municipal by-laws and shall be licensed and/or approved for funding under Provincial statutes as one of the following:
- a) Satellite Residence for Seniors, as defined in the Homes for the Aged and Rest Homes Act, as amended;
 - b) Child and Young Person's Residences, as defined in the Children and Family Services Act, as amended and the Correctional Services Act, as amended;
 - c) Approved Homes, as defined in the Mental Hospitals Act, as amended;
 - d) Halfway Houses for Alcoholics, as defined in the Charitable Institutions Act, as amended; and
 - e) Community Resource Centres, as defined in the Ministry of Correctional Services Act, as amended.
- 2.84** Guest Cabin shall mean a building without cooking facilities that is accessory to a seasonal residential dwelling and used only for purposes of sleeping accommodation.
- 2.85** Habitable shall mean designed for living, sleeping, eating or food preparation.
- 2.86** Hazard Lands shall mean lands which are or may be inappropriate for urban development by reason of having inherent or natural environmental hazards such as susceptibility to flood or erosion, poor drainage, organic soils, steep slopes, mine tailings, hazardous sites or any physical condition or limitation and which, if developed, may lead to the deterioration or degradation of the environment or cause property damage, social disruption or loss of life.

- 2.87** Height shall mean, when used with reference to a building, the vertical distance between the average elevation of the finished surface of the ground at the front of the building and the highest point of the roof exclusive of any roof construction used only as ornament or for the mechanical operation of the building including a penthouse, chimney, tower, cupola or steeple.
- 2.88** Highway Commercial Use shall mean commercial uses which rely on automobile or truck traffic, and the tourist population.
- 2.89** Highway, Road or Street shall have the same meaning attributed to it in the definition of Street.
- 2.90** Home Industry shall mean an occupation which is carried on within a detached dwelling or within an accessory building, that results in a product or service, and which is clearly secondary to the principal residential use of the lot on which the home industry is located.
- 2.91** Home Occupation shall mean the accessory use of part of a detached dwelling for an occupation or business activity that results in a product or service and which is clearly secondary to the main use of the dwelling unit.
- 2.92** Home Profession shall mean the use of a part of a dwelling unit for a service or profession by at least one of the permanent residents of such dwelling unit and which is clearly secondary to the main use of the dwelling unit. The home professions permitted in the residential areas are: legal, medical, surveying, engineering, architectural, planning, accounting, dental, optometry, chiropractor, shoe and leather working and repairs, real estate, bookkeeping and photography services and computer sales and services.
- 2.93** Hotel shall mean a tourist establishment containing five (5) or more guest rooms served by a common building entrance. Accessory uses may include accommodation for permanent staff and one or more beverage rooms, dining rooms, meeting rooms or similar uses.
- 2.94** Industrial Use shall mean the use of land, building or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing, or bulk storage of goods and related accessory uses, but excluding retail sale on the premises.
- 2.95** Industrial, Extractive shall mean land including accessory buildings and structures used for the removal, refinement and/or processing of sand, gravel, stone or other aggregate resources and includes an asphalt plant, a borrow pit, a concrete plant, a gravel pit and a stone quarry.
- 2.96** Industrial, Light shall mean any industrial use in which the building or the structure thereby occupied or employed, the process carried on, the material used or stored, the machinery employed, and the transportation of materials, goods and commodities to and from the premises will not cause injury to or prejudicially affect the amenity of the locality by reason of the appearance of such building, structure, or materials, or by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste paper, waste products, grit, or oil.

- 2.97** Industrial, Heavy shall mean an industrial use which by reason of the process involved or the method of manufacture or the nature of the material or goods used, produced, or stored is likely to cause by reason of gas or fumes, dust, objectionable odour, noise or vibration, or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other material, a condition which prejudices the character of the neighbourhood or interferes with or may interfere with the normal enjoyment of any land, building or structure.
- 2.98** Institutional Use shall mean the use of land, buildings, or other structures for some public or social purposes and may include governmental, religious, educational, charitable, philanthropic, hospital or other similar uses.
- 2.99** Kennel shall mean any lot, building or structure on or within which four (4) or more domesticated animals are housed, groomed, bred, boarded, trained or sold and which may offer provisions for minor medical treatment but does not include a veterinary clinic or animal hospital.
- 2.100** Landfill Site shall mean a disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day.
- 2.101** Landscaping shall mean any 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 to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land, and is an area which is not be built upon.
- 2.102** Lane shall mean a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.
- 2.103** Loading Space shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise or materials used in connection with the main use of the lot or any building thereon, and which has unobstructed access to a street or lane.
- 2.104** Lot shall mean a parcel or tract of land which is capable of being legally conveyed in accordance with the Planning Act, as amended or revised from time to time.
- 2.105** Lot Area means the total horizontal area within the lot lines of a lot, excluding the horizontal area of any flood plain or marsh located on such lot.
- 2.106** Lot, Corner shall mean a lot situated at the intersection of, or abutting upon, two or more streets, provided that the angle of intersection of such streets is not more than 135 degrees and each of which is at least ten (10) metres wide.

2.107 Lot Coverage means that percentage of the lot area covered by building and structures including accessory building and structures as measured at the level of the grade.

2.108 Lot, Building shall mean the land appropriated for the exclusive use of one dwelling or a commercial or an industrial establishment.

2.109 Lot Depth shall mean the horizontal distance between the midpoints of the front and rear lot lines. Where there is no rear lot line, lot depth means the horizontal distance between the midpoint of the front lot line and the apex of the triangle formed by the side lot lines.

2.110 Lot Frontage shall mean the minimum straight line horizontal distance between the intersection of the side lot lines and the front lot line. Where the side lot lines are not parallel, the lot frontage shall be measured perpendicular to the line joining the midpoint of the front and the midpoint of the rear lot lines or apex of the triangle formed by the side lot lines at a point back from the front lot which is equal to the depth of the required front yard in that zone. Where the side lot lines are curved, the lot frontage shall be measured along the line between the interior side lot line and the intersection of the tangents to the street lines, drawn through the extremities of the front lot line and exterior side lot line.

2.111 Lot, Interior shall mean a lot other than a corner lot which is situated between adjacent lots and has access to one street.

2.112 Lot Lines shall mean the boundary lines of a lot defined as follows:

a) Front Lot Line shall mean:

- i) in the case of an interior lot, the lot line dividing the lot from the street;
- ii) in the case of a corner lot the shorter lot line abutting the street unless each lot line is of equal length in which case the front lot line shall be the lot line where the principal access to the lot is provided;
- iii) in the case of a through lot the front lot line shall be the lot line where the principal access to the lot is provided;
- iv) in the case of a lot on a navigable waterway, the lot line dividing the lot from the waterway, whether there is road access or not. Such line shall be determined by joining the points of intersection of the side lot lines and the highwater mark or the landward side of the shoreline reserve.
- v) where two or more parts of a lot abut a navigable waterway, then the shorter of these water-land interfaces shall be the front lot line.
- vi) in the case of lots in the Industrial-Airport (M2) Zone, the front lot line shall be that which abuts the apron.

b) Rear Lot Line shall mean the lot line farthest from and opposite to the front lot line.

c) Side Lot Line shall mean a lot line other than a front or rear lot line.

2.113 Lot, Mobile Home shall have the same meaning attributed to it in the definition for Mobile Home Lot.

2.114 Lot, Through shall mean a lot bounded on two opposite sides by streets each of which is at least ten (10) metres wide, provided, however, that if any lot qualifies as being both a corner lot and through lot, such lot shall be conclusively deemed to be a corner lot.

2.115 Lot, Width shall mean the distance between the side lot lines measured perpendicular to the mid-point of a line joining the mid-point of the front lot line and the mid-point of the rear lot line. When no rear lot line exists, "lot width" means the distance between the side lot lines measured perpendicular to the mid-point of a line joining the mid-point of the front lot line and the apex of the triangle formed by the side lot lines. Where the side lot lines are not parallel, the lot width shall be measured at that point from the front lot line which is equal to the required front yard depth of the zone in which the lot is situated.

2.116 Main Building shall mean the building or structure in which is conducted the principal use for which the lot is used.

2.117 Maisonette shall mean a building that is divided into three (3) or more dwelling units, each of which has independent entrances, one to a common corridor and the other directly to the outside yard adjacent to the said dwelling unit.

2.118 Manufacturing, General shall mean the use of land, buildings or structures designed for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing or storing or adapting for sale of any goods, substance, article or thing, including the storage of building or construction equipment and material, but not including any obnoxious industry, mine, pit or quarry.

2.119 Manufacturing, Light shall mean the manufacturing, assembly or processing of component parts to produce finished products suitable for retail trade and does not include food, beverage, tobacco, rubber, leather, textile and knitting, wood and metal fabricating, printing or similar industries if these operations involve stamping presses, furnaces, machinery or the emission of any air or water pollution that can be smelled, heard or otherwise perceived outside of the building.

- 2.120** Marina shall mean a building, structure or place, containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.
- 2.121** Merchandise Repair Establishment, shall mean a building or part thereof, wherein articles or goods, other than vehicles or industrial toolage, are repaired or serviced, or where replacement parts for such articles or goods are offered for sale.
- 2.122** Mobile Home shall mean a factory built dwelling unit designed as one dwelling unit, having a floor area of not less than sixty-five (65) square metres, transported or designed to be transported on its own chassis, notwithstanding that its running gear is, nor may be, removed, placed, or designed to be placed on a permanent foundation, and connected or designed to be connected to public or private services, constructed in accordance with CSA Z240 or Z241, but shall not include a modular home or travel trailer.
- 2.123** Mobile Home Park shall mean a lot or part of a lot under single management which is designed, used or intended for use for the placement of mobile homes, and which consists of two or more mobile home sites which are connected to public water supply and public sanitary sewer, or communal on-site water supply and sanitary sewage facilities and shall include any building, structure or use permitted therein by this By-law.
- 2.124** Mobile Home Site shall mean a parcel of land within a mobile home park which is serviced and intended for the placement of one mobile home.
- 2.125** Mobile Home Subdivision shall mean a parcel of land which has been planned and approved in accordance with Section 51 of the Planning Act, 1990, as amended, for the placement of mobile homes, and which consists of individually serviced lots each of which is under separate and distinct ownership, and shall include any building, structure or use permitted thereon by this By-law.
- 2.126** Modular Home shall mean a factory built dwelling unit designed as one dwelling unit, transported or designed to be transported in two or more separate and joined together to form one (1) dwelling unit and placed on a permanent foundation.
- 2.127** Motel shall mean a tourist establishment containing five (5) or more guest rooms, each guest room having a separate entrance directly from the outside of the building. Accessory uses may include accommodation for permanent staff, and one or more beverage rooms, dining rooms, or similar uses.
- 2.128** Municipality means the Corporation of the Township of Ear Falls.
- 2.129** Municipal Services shall mean public street, storm sewers, sanitary sewage, water systems and municipal hydro designed and capable of servicing a lot.
- 2.130** Natural Buffer Area shall mean an area of land left in its natural state without the cutting of trees or vegetation, and without disturbances of any kind.

- 2.131** Non-Complying shall mean a permitted use, building or structure which is existing but does not meet, comply or agree with the regulations of this By-law, in which such building, structure, or use is located.
- 2.132** Non-Conforming shall mean a use, building or structure which is existing at the time this By-law is passed by Council, but which is not permitted in the zone in which it is located.
- 2.133** Nursing Home means a building wherein lodgings with or without meals are provided for profit or gain and wherein medical treatment or nursing care may be provided for the occupants.
- 2.134** Office means a building or part thereof designed, intended, or used for the practice of a profession, the conduct of business or public administration or, where not conducted on the same lot therewith, administration or accounting in connection with an industry.
- 2.135** Open Space shall mean a park or recreation area controlled or owned by a public authority and normally open for public use.
- 2.136** Open Storage shall mean the storage of goods, merchandise or equipment in the open air and in unenclosed portions of buildings which are open to the air on one or more sides.
- 2.137** Park shall mean an area permanently devoted to recreational uses and generally characterized by its natural, historic or landscaped features and used for both passive and active forms of recreation designed to serve the resident of a neighbourhood or community.
- 2.138** Park, Public shall mean a park controlled or owned by the Municipality or a public authority and which is normally open to the public.
- 2.139** Parking Lot, or Parking Area shall mean an area for the temporary parking of vehicles and may include aisles, parking spaces and related entrance and exit lanes, but shall not include any part of a street.
- 2.140** Parking Space shall mean an area measuring three (3) metres by six (6) metres enclosed in a building, or unenclosed, and set aside for the temporary storage of a vehicle, but shall not include driveways or aisles.
- 2.141** Person shall mean any human being, any association, partnership, corporation, municipal corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

- 2.142** Personal Service Shop, shall mean a building or part thereof, wherein a personal service is performed, including, but not so as to limit the generality of the foregoing, a barber shop, a beauty salon, a shoe repair, a dry cleaning depot, a laundromat, a tailor's or dressmaking shop and photographic studio, but does not include a massage or body-rub parlour or any adult entertainment parlour as defined in The Municipal Act, as amended from time to time.
- 2.143** Pit shall mean a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an open excavation, and includes the processing thereof for commercial purposes including screening, sorting, washing, crushing, and other similar operations, together with required buildings and structures.
- 2.144** Portable Asphalt Plant shall mean a facility: (1) with equipment 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 (2) which is not permanent construction, but is designed to be dismantled and moved to another location as required.
- 2.145** Private Club shall mean a building and facilities owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.
- 2.146** Public Access Point shall mean public land designated by the Crown and developed and maintained for public access to a body of water.
- 2.147** Public Authority shall mean any Federal or Provincial agency, school board, public utility commission, transportation commission, public library board, board or parks management, board of health, board of commissioners of police, planning board or other board or commission or committee or local authority established or exercising any power or authority under any general or special statute of Ontario or Canada with respect to any of the affairs or purposes of the Municipality or any portion thereof, and includes any committee or local authority established by By-law of the Municipality.
- 2.148** Public Use or Facility means a building, structure, or equipment owned and/or operated by the Municipality, any Ministry or Commission of her Majesty in the right of Ontario or Canada, any telephone or telegraph company, or natural gas company or any railway company authorized under the Railway Act for any essential physical service within the community. This definition shall include telephone, hydro, gas, water, sanitary sewer or storm sewers any and all equipment and appurtenances normally associated therewith. This definition shall not include offices, storage yards, maintenance facilities or warehouses.
- 2.149** Public Services, shall mean the buildings, structures and other related works necessary for supplying water, gas, oil, electricity, steam, hot water, telephone services, telecommunication services, sewage collection and treatment facilities and other services provided by a public authority.
- 2.150** Quarry, shall mean a place where consolidated rock has been or is being removed by means of an open excavation, and includes the processing thereof for commercial purposes

including screening, sorting, washing, crushing, and other similar operation, required buildings and structures.

- 2.151** Recreational Facilities shall mean land, structures and equipment for outdoor and indoor sports and games but does not include a shooting gallery or rifle, pistol, skeet or trap club, an automobile race track or commercial amusement park or theatre.
- 2.152** Recreational Vehicle shall mean a motor vehicle designed to provide temporary living, sleeping and eating accommodation for one or more persons.
- 2.153** Redevelopment shall mean the removal of buildings or structures from land and the construction or erection of other buildings or structures therein.
- 2.154** Renovation shall mean the repair, strengthening or restoration of a building to a safe condition but does not include its replacement.
- 2.155** Residential Use shall mean the use of a building or structure or parts thereof as a dwelling.
- 2.156** Resort shall mean a tourist establishment that provides accommodation throughout all or part of the year and that has facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or recreational purposes.
- 2.157** Resource Management Use shall mean the preservation, protection, and improvement of the natural environment through comprehensive management and maintenance for both the individual and society's uses, both in the present and the future. Resource Management Uses also means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource.
- 2.158** Restaurant, shall mean a building or part thereof, other than a tavern, where food is prepared and offered or kept for retail sale to the public for immediate consumption either on or off the premises.
- 2.159** Retail or Service Store shall mean a building or part of a building where goods, wares, merchandise, articles or things are offered or kept for sale at retail or rental and includes storage on or about the store premises.
- 2.160** Right-of-Way, or Easement shall mean any right, liberty or privilege in, over, along or under land which a person, the public or a corporation or another entity may have with respect to any land in the Municipality.
- 2.161** Salvage Yard, shall mean a lot, building or structure used for wrecking, dismantling, storing or selling used goods, wares or material including, but not so as to limit the generality of the foregoing, rags, bottles, metals, clothing, furniture, paper, machinery, building materials, vehicles and parts thereof.

- 2.162** Sawmill Complex shall mean buildings, kilns, studmills, planermills, and other manufacturing facilities, indoor and outdoor storage facilities or area for raw materials, logs, chips, and finished lumber or other manufactured products, outdoor storage facilities or areas of waste products such as bark, steam or other power plants, parking, repair and storage facilities for trucks and other necessary vehicles and equipment, and any structures appurtenant to the foregoing.
- 2.163** School shall mean any school established and maintained by the local educational authority or any other authority recognized under Provincial legislation.
- 2.164** Seaplane Base, shall mean the use of land, buildings, or structures for the purposes of docking, storing or repairing seaplanes and for the supplying of associated services.
- 2.165** Seasonal Residential shall mean the same as defined in Dwelling, Seasonal herein.
- 2.166** Senior Citizen's Home shall mean any building or structure containing dwelling units exclusively for senior citizens sponsored and administered by any public agency or any service club, church, or other non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription or donation, or by any combination thereof, and may include accessory uses such as club and lounge facilities.
- 2.167** Sensitive Land Uses shall mean 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 include: residences, day care centres, and educational and health facilities.
- 2.168** Service Shop means any building or part thereof where appliances, equipment and machinery are sold, service or repaired and includes building trades establishments but excludes any manufacturing processing or wholesaling.
- 2.169** Setback shall mean the horizontal distance between the nearest part of any main wall of any building or structure and the centre line of a street allowance measured at right angles to such centre line.
- 2.170** Setback from Water shall mean the horizontal distance between the normal or controlled high water mark of any navigable waterway and the nearest part of any main wall of any building or structure.
- 2.171** Shooting Range shall mean any place, establishment or area where rifles, pistols or guns are used for recreational purposes.
- 2.172** Shopping Centre shall mean a building or group of buildings planned, designed, developed or managed as a unit, having off street parking provided on the same lot, and which building or buildings contain one or more retail stores, services, and offices.

2.173 Shoreline shall mean a lot line or portion thereof which abuts the high water mark of a water body.

2.174 Sign shall mean any device designed to inform or attract the attention of persons not on the premises on which the sign is located, provided however that the following shall not be included in the application of the regulations herein:

- a) Signs not exceeding one square foot in area and bearing only property numbers, postbox numbers, names of occupants of premises, or other identification of premises not having commercial connotation;
- b) Flags and insignia of any government except when displayed in commercial promotion;
- c) Legal notices;
- d) Identification, informational, or directional signs erected or required by government bodies;
- e) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights; and
- f) Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

2.175 Storey shall mean that portion of a building:

- a) which is situated between the surface of any floor and the surface of the floor next above it and if there is no floor above it, that portion between the surface of any floor and the ceiling above it, and
- b) which is more than 50 percent above the average finished grade, and
- c) which has a height of not less than two (2) metres and includes an attic having not less than two (2) metres headroom for at least 50 percent of the attic floor area.

2.176 Street means public highway or public road under the jurisdiction of either the Municipality or the Province of Ontario, used for vehicular and pedestrian travel, including the entire area within the right-of-way with or without provision made for curbs, sidewalks and paved gutters. This definition shall not include a lane or private right of way.

2.177 Structure shall mean anything that is erected, built or constructed of parts joined together and which is fixed to or supported by the soil but not a terrace, patio, sign, boundary wall, light standard, fence, deck or vehicle.

2.178 Tavern shall mean a building where alcoholic beverages are sold to be consumed on the premises and shall include all such buildings operating or liable to be licensed under the Liquor Licence Act, as amended or revised from time to time.

- 2.179** Tent and Trailer Park shall mean a parcel of land under single ownership which has been planned for the placement of travel trailers and/or tents on a short term or overnight accommodation basis, and which consists of a group of not less than 10 individually improved sites for the location of such trailers or tents, and includes services and facilities normally incidental and subordinate to such a use including common washroom lavatory and bathing facilities, indoor and/or outdoor recreation areas, and an entrance kiosk.
- 2.180** Tourist Commercial Establishment shall mean any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided.
- 2.181** Tourist Outfitter's Establishment shall mean an establishment which operates throughout all or part of a year which may or may not furnish 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.
- 2.182** Tourist Commercial Outfitter's Base shall mean a commercial establishment which operates on a seasonal basis and which acts as a base for the reception, equipping, supplying and transport by float plane of persons destined for recreational sites elsewhere. It does not include facilities for the repair of aircraft and is not a seaplane base.
- 2.183** Tower shall mean a structure situated on a non-residential site that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.
- 2.184** Toxic or Noxious Substance shall mean any solid, liquid, or gaseous matter, including but not limited to gases, vapours, dusts, fumes, and mists containing properties which by chemical means are inherently harmful and likely to destroy life and impair health, or capable of causing injury to the well-being of persons or damage to property.
- 2.185** Trail System shall mean an area used for hiking, horseback riding, cross country skiing or other similar forms of non-motorized recreational travel.
- 2.186** Trailer shall mean any vehicle so constructed that it is suitable for being attached to or carried on a motor vehicle for the purpose of being drawn or propelled by its own motive power, and capable of being used for living, sleeping or eating accommodation of persons notwithstanding that such vehicle is jacked up or in a state not ready for travel. A trailer, by this definition is intended for recreational or seasonal use, not for permanent year-round residence and shall not include a mobile home.
- 2.187** Transmission Tower shall mean a structure, over twenty (20) metres in height, designed and erected for the purpose of transporting or carrying hydro electric power in quantities equal to, or greater than, 100,000 volts.

- 2.188** Trucking or Transport Depot shall mean a building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include a bonded or sufferance warehouse.
- 2.189** Use when used as a noun, shall mean the purpose for which a lot or building or structure or any combination thereof is designed, arranged, occupied or maintained. When used as a verb, "use" shall mean to put to such purpose.
- 2.190** Vehicle includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, motorized snow vehicle and any vehicle drawn, propelled or driven by any kind of power.
- 2.191** Vehicle Repair Shop, shall mean an establishment, or part thereof, which contains facilities for the repair and maintenance of vehicles on the premises, and in which vehicle accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but does not include an automobile body repair shop wherein the repairing or painting of vehicle bodies constitute the primary activity.
- 2.192** Waste Disposal Area/Site means an approved place where garbage, refuse or domestic waste is dumped, destroyed or stored in suitable containers.
- 2.193** Watercourse shall mean any natural or manmade depression with well-defined banks and a bed below the surrounding land serving to give direction to a current of water either continuously or intermittently and having a drainage area of at least two square kilometres.
- 2.194** Wayside Pit or Quarry means a temporary open excavation made for the removal of soil, earth, clay, marl, sand, gravel, rock or mineral, opened and used by a public road authority or a forest products company operating under the authority of a Ministry of Natural Resources permit solely for the purpose of a particular project or contract of road construction.
- 2.195** Yard means an open area of land, other than a court, on the same lot with a main building or structure, unoccupied and unobstructed except as otherwise provided or required, by this By-law, and located between the main wall of the main building and one of the lot lines of the said lot.
- a) "Yard, Front" means a yard extending across the full width of the lot between the front lot line and the nearest main wall of the main building on such lot.
 - b) "Yard, Rear" means a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the main building on such lot.
 - c) "Yard, Exterior Side" means a yard extending from the front yard to the rear yard and from a side lot line abutting a flanking street on a corner lot to the nearest point of any building or structure on the lot or the nearest open storage use on the line.

- d) "Yard, Interior Side" means a yard extending from the front yard to the rear yard and from a side lot line which does not abut a street to the nearest point of any building or structure on the lot or the nearest open storage use on the lot.
- e) "Yard, Required" shall mean the minimum yard required by the regulations of this By-law, irrespective of the location of any main wall.

2.196

Zone shall mean a portion of the Municipality within which certain uses of land and buildings are permitted and certain other uses of land and buildings are prohibited or within which certain yards and other spaces are required or within which certain lot areas are established or within which certain height limits are prescribed for buildings or within which a combination of such aforesaid regulations shall apply, all as set forth and specified in this By-law. Zone shall also mean a designated area of land use shown on a Schedule to this By-law.

SECTION 3 - ZONES AND ZONING MAP

3.1 ESTABLISHMENT OF ZONES

For the purposes of this By-law, the maps hereto annexed as Schedules "A" "B", "C" and "D", shall be referred to as the "Zoning Maps of the Township of Ear Falls" and the said zoning maps shall be divided into the following zones:

Zone	Symbol
First Density Residential Zone	R1
Multiple Residential Zone	R2
Mobile Home Residential Zone	RM
Rural Residential Zone	RR
Seasonal Residential Zone	RS
General Commercial Zone	C1
Highway Commercial Zone	C2
Resort Commercial Zone	CR
Industrial Zone	M1
Airport Industrial Zone	M2
Extractive Industrial Zone	M3
Waste Disposal Zone	M4
Open Space Zone	OS
Institutional Zone	I
Hazard Land Zone	HL
Environmental Protection Zone	EP
Natural Resources Zone	NR
Rural Zone	RU

3.2 USE OF ZONE SYMBOLS

The symbols listed in Section 3.1 shall be used to refer to land, buildings, and structures and the uses thereof permitted by this By-law in the said zones, and wherever in this By-law the word "Zone" is used, preceded by any of the said symbols, such zones shall mean any area within the Township of Ear Falls delineated on the zoning maps and designated therein by the said symbol. Where the zone symbol designating certain lands as shown on the zoning maps is followed by a dash and a number (C1-1 for example), the special provisions may be found reference to that part of the By-law which deals with the particular zone. Lands zoned as such shall be subject to all regulations of the zone except as otherwise provided by the special provisions.

3.3 INTERPRETATION OF ZONE BOUNDARIES

Where any uncertainty exists as to the location of the boundary of any of the said zones as shown on the zoning maps, the following shall apply:

- a) unless otherwise shown, the boundary of the zones as shown on the zoning maps are the centre lines of the road allowance, or lot lines and the projection thereof;

- b) where zone boundaries are indicated as approximately following lot lines shown on a registered plan of subdivision, such lot lines shall be deemed to be the said boundary;
- c) where zone boundaries are indicated approximately parallel to the line of any street and the distance from such street is not indicated, such zone boundaries shall be construed as being parallel to such street and the distance there from shall be determined by the use of the scale shown on the zoning maps;
- d) unless otherwise indicated, a street, lane, right-of-way, or watercourse included on the zoning map, is included within the zone of the adjoining property on either side thereof; and where such street, lane, right-of-way, or watercourse serves as a boundary between two or more different zones, a line midway in such street, lane, right-of-way, or watercourse and extending in the general direction of the long division thereof is considered the boundary between zones unless specifically indicated otherwise;
- e) in the event a dedicated street, lane, or right-of-way shown on the map is closed, the property formerly in said street, lane, or right-of-way shall be included within the zone of the adjoining property on either side of the said closed street, lane, right-of-way, and zoning boundary shall be the former centre line of said closed street, lane, or right-of-way;
- f) where any zone boundary is left uncertain after application of the preceding provisions, then the boundary line shall be determined to the scale on the zoning maps in the office of the Clerk;
- g) wherever it occurs, the municipal limit of the Township of Ear Falls is the boundary of the zone adjacent to it.

SECTION 4 - GENERAL PROVISIONS

4.1 APPLICATION

The provisions of this section apply in all zones except as may be indicated otherwise.

4.2 ACCESSORY USES

Accessory uses, building or structures, are permitted in any yard, in any zone, subject to the provisions of this By-law for the particular zone in which said building, structure, or use is located, and provided that the accessory building, structure or use:

- a) shall not be used for human habitation, except where a residential use is a permitted accessory use;
- b) shall not be built closer to the front lot line or exterior side lot line than the minimum distance required by this By-law for the main building on the lot;
- c) shall not be located in the front yard or the exterior side yard in the case of a corner lot;
- d) shall not be built closer to the street than the main building is to that street except in the case of through lots and through lots deemed to be corner lots where the accessory building shall not be closer to the street line at the rear lot than the required front yard set-back for adjacent lot;
- e) shall not be built closer than 1.0 metre to any lot line except:
 - i) that common semi-detached private garages or carports may be centred in the mutual side lot line;
 - ii) that where a lot line abuts a lane an accessory building or structure may be located not less than 2.0 metres from the said lane; and
- f) shall not exceed 10 percent coverage of the total lot area. This shall be included in the maximum lot coverage for the zone;
- g) shall not exceed 4.5 metres in height, or contain more than one storey, except that where a dwelling unit is a permitted accessory use it shall not exceed 6.0 metres in height, or contain more than two storeys;
- h) shall not be built within 2.0 metres of the main building;
- i) shall not be considered as an accessory building or structure if attached to the main building in any way; and
- j) shall not be considered an accessory building or structure if located completely underground.

4.3 ACCESSORY DWELLING UNITS

No commercial building wherein gasoline, petroleum products or any other highly flammable, toxic or explosive products are handled in quantity shall have attached dwelling units. Where such dwelling units exist and the use of the commercial establishment changes to a use involving the aforementioned products, the said dwelling units shall cease to be occupied as dwelling units.

4.4 AUTOMOBILE SERVICE STATIONS AND GAS BARS

Notwithstanding any other provisions of this By-law, where a lot is used for an automobile service station or gas bar the following regulations shall apply:

- | | | |
|----|----------------------|------------|
| a) | Interior Lot | Corner Lot |
| | Minimum lot frontage | 45 metres |
| | Minimum lot depth | 38 metres |
- b) No portion of any pump island shall be located closer than 6 metres from the streetline of any street;
- c) The minimum distance from the intersection of two street lines to the nearest ingress or egress ramp shall not be less than 9 metres;
- d) The maximum width of a curb ramp at the street line shall not be more than 7 metres;
- e) The minimum distance between ramps shall not be less than 9 metres.

Notwithstanding any other provisions of this By-law, where a lot is used for a fuel supply station, the regulations of the Gasoline Handling Act shall apply.

4.5 BED AND BREAKFAST

A bed and breakfast is permitted in any zone which permits a single detached dwelling, a semi-detached dwelling or a duplex dwelling as a main use, in accordance with the following regulations:

- a) the operation of a bed and breakfast shall be incidental and secondary to the main use as a dwelling unit;
- b) the operation of a bed and breakfast shall not change the character or in any way alter the exterior appearance of the dwelling;
- c) the bed and breakfast shall be operated only a person or persons whose principal residence is the dwelling unit containing the bed and breakfast;

- d) one (1) parking space shall be provided for every two (2) bedrooms used to provide accommodation to the travelling or vacationing public, in addition to the parking spaces required for the dwelling unit, in accordance with the following regulations:
 - i) such parking space(s) shall have minimum rectangular dimensions of 2.4 metres by 6.0 metres;
 - ii) such parking space(s) shall be located on the same lot as the bed and breakfast; and
 - iii) such parking space(s) may be located in tandem with the parking spaces required for the dwelling unit;
- e) the operation of a bed and breakfast is not permitted in conjunction with the rental of accommodations to roomers or boarders; and
- f) one (1) non-illuminated identification sign with a maximum size of 0.2 square metres mounted on the wall of the dwelling is permitted.

4.6 BUFFER STRIPS

- a) A buffer strip shall be used for no other purpose than for the erection of a fence or the planting of a continuous row of natural evergreens or natural shrubs, not less than 1.5 metres high at planting, immediately adjacent to the lot line or portion thereof along which such buffer strip is required hereunder; the remainder of the strip shall be landscaped and planted with ornamental shrubs, flowering shrubs, flower beds or a combination thereof;
- b) Where a buffer strip is required in any zone, it shall be of a minimum width as specified in the regulations for that zone;
- c) A buffer strip shall be located within the zone for which it is required; and
- d) A buffer strip may form part of any required landscaped open space, but shall be provided in addition to any required yard.

4.7 COMMERCIAL ACCESSORY USES

Notwithstanding any other provision of this By-law, where a commercial use is permitted as an accessory use in an industrial zone, it shall be located within the main building or within 2.0 metres of the main building, shall not exceed 40 % of the total floor area of the main building and shall not exceed a maximum floor area of 278 square metres.

4.8 CORNER LOT SIGHT RESTRICTIONS

Notwithstanding any other provisions of this By-law, on any corner lot in all zones except in a commercial zone, no fence, building or structure shall be erected and no hedge, shrub or foliage shall be planted or maintained to a height greater than 0.8 metres in height above

grade of the centre line of the street that abut the lot, within a triangular area bounded by street lines and a line joining points on the street lines a distance of 6.0 metres from the point of intersection.

4.9 CORNER LOTS IN ANY RESIDENTIAL ZONE

- a) Where a main building is erected upon a corner lot, such main building shall be located:
 - i) not less than 7.5 metres from the front lot line; and
 - ii) not less than 3 metres from the flank of the lot for a one-storey dwelling and not less than 3.5 metres for a 1-1/2 storey or 2-storey dwelling.
- b) Notwithstanding Section 4.2 (b), where an accessory building is erected on a corner lot, no part of it shall be nearer the front lot line or flank of the lot than the aforesaid distances set out above. Where an accessory building is built on a corner lot, it shall be located in the rear yard or the interior side yard.
- c) An attached garage, if it is attached in accordance with the definition of an "attached accessory building", shall be considered as part of the main building and all provisions prescribed by this By-law as applicable to residential zones shall apply.

4.10 DANGEROUS USES

No land, building or structure shall be used in the Township of Ear Falls for the industrial manufacture or distribution of coal oil, rock oil, fuel oil, burning fluid gas, naphtha, benzene, gasoline, dynamite, dualene, nitro-glycerine, gunpowder, petroleum products or other combustible or inflammable or liquid material which is likely to create danger to health, or danger from fire or explosion except as otherwise specifically provided for in this By-law.

4.11 DWELLING UNIT, FLOOR AREA

- a) No person shall erect or use a dwelling unit which does not have a minimum floor area of 65.0 square metres.
- b) Notwithstanding the above, the minimum floor area of a group home shall be 23.0 square metres plus an additional 7.0 square metres for each resident, exclusive of staff or receiving family.
- c) Within a commercial zone, a minimum of 18.5 square metres of open space shall be provided for the exclusive use of each dwelling unit either at ground level or on the roof of the building. Such open area shall not form part of any required parking area or loading space.

4.12 EXISTING VACANT LOTS

An existing vacant lot having less than the minimum frontage, depth or area required by this By-law may be developed for all uses in the appropriate zone provided:

- a) all other regulations of this By-law are satisfied;
- b) such lots are serviced by public water supply and public sanitary sewer disposal facilities or alternatively meet the requirements of the authority having jurisdiction;
- c) such lots have a minimum frontage of 12.0 metres on a road or street.

4.13 GROUP HOMES AND CRISIS RESIDENCES

Notwithstanding any other provisions in the By-law, no group home or crisis residence shall be located closer than 200.0 metres from another group home or crisis residence, and the minimum floor area of a group home or crisis residence shall be 23.0 square metres plus an additional 7.0 square metres for each resident exclusive of staff or receiving family.

4.14 HAZARD LANDS FLOOD ELEVATION

- a) For Lac Seul and all areas upstream of the Ear Falls Dam, all shoreline below elevation 358.03 metres GSC shall be designated as Hazard Lands; and
- b) For Pakwash Lake and the English River downstream of the Ear Falls Dam, all shoreline below elevation 348.47 metres GSC shall be designated as Hazards Lands.

4.15 HEIGHT

The height regulations shall not apply to any ornamental dome, chimney, hydro towers, communications tower, storage silo, barn, cupola, steeple, church spire, water storage tank, elevator enclosure, flag pole, television or radio antenna, ventilators, sky lights, windmills or solar collectors, and fire lookout towers.

4.16 HOME INDUSTRIES, HOME OCCUPATIONS AND HOME PROFESSIONS

Where a home occupation or home industry is permitted in a particular zone, it shall:

- a) have at least one permanent resident of the dwelling unit engaged in the business. Not more than one additional person shall be employed therein.
- b) have no external display or advertisement other than a non-illuminated sign which is a maximum size of 0.2 square metres;
- c) have no external storage of materials, containers or finished products;
- d) not change the character of the dwelling as a private residence or create or become a nuisance due to such matters as noise, smell, hours of operation or traffic generation;

- e) in the case of a home occupation, such operation shall not occupy more than 25 percent of the floor area of the dwelling unit including in the floor area any area used as living quarters and any basement area used for home occupation;
- f) in the case of a home occupation, any and all parts of the home occupation shall be confined to the dwelling unit on the lot;
- g) not exceed more than one home occupation or home profession or home industry per dwelling unit or lot;
- h) there shall be no goods, wares, or merchandise other than those produced on the premises, offered or exposed for sale or rent on such premises;
- i) in the case of a home industry, be conducted in whole or in part in an accessory building except for the clerical and office functions of such home industry which may be conducted in the dwelling unit; and
- j) provide adequate off-street parking in accordance with the provisions of By-law.

4.17 LAND WITHOUT BUILDINGS

Where land is used for or in connection with any use but without any buildings or structures thereon, all yards required by the By-law on a lot in the respective use zone shall be provided and maintained as yards and the applicable regulations shall apply, except where the land or lot is used for gardening or open space purposes not prohibited by this By-law in such use zone.

4.18 LOADING SPACES

No person shall erect or use any building or structure in any commercial or industrial zone which involves the movement of goods, merchandise, or materials unless loading spaces are provided and maintained on the site in accordance with the following provisions:

- a) one loading space shall be provided for every 278.0 square metres or fraction thereof of the total floor area;
- b) loading spaces shall have dimensions not less than 3.0 metres wide by 7.5 metres long; and
- c) loading spaces shall not have less than 4.5 metres of vertical clearance.

Where in this By-law, loading spaces are required or permitted, the following standards shall apply:

- a) adequate driveway space to permit the safe manoeuvring, loading, and unloading of vehicles on the lot such that they do not cause an obstruction or a hazardous condition on adjacent streets or sidewalks;

- b) adequate drainage facilities in accordance with requirements of the Municipality;
- c) surfacing of loading spaces and approaches shall be surfaced in accordance with the requirements of the Municipality;
- d) illumination of loading spaces so arranged as to be diverted away from any adjacent residential, institutional, or open space zone; and
- e) location of loading spaces to be restricted to the rear yard where a lot has access at both the front and rear to a street or road.

4.19 MAIN BUILDING ON A LOT

No person shall erect more than one dwelling unit on a lot unless specifically allowed in that Zone. No person shall erect more than one (1) main building on a lot except for:

- a) commercial and industrial buildings located in commercial and industrial zones;
- b) farm related buildings located on an active farm.

4.20 MINIMUM DISTANCE SEPARATION

No residential, institutional, commercial, industrial or recreational *use*, located on a separate *lot* and otherwise permitted by this By-law shall be erected or enlarged unless it complies with the Minimum Distance Separation (MDS I) formula calculated using Schedule E to this By-law.

In addition, notwithstanding any other *yard* or *setback* provision in this By-law, no livestock facility shall be erected or enlarged unless it complies with the Minimum Distance Separation Formula (MDS II) calculated using Schedule F to this By-law.

4.21 MOBILE HOMES

Mobile homes shall only be permitted where specifically listed as permitted within a particular zone, provided they conform to CSA B Z24 or Z421, the current Ontario Building Code and a building permit has been obtained for their location.

4.22 NON-COMPLYING USE

Where an existing building is located on a lot having less than the minimum frontage or area required by this By-law, or having less than the minimum setback, front yard, or rear yard required by this By-law, the said building may be enlarged, reconstructed, repaired or renovated provided that:

- a) the enlargement, reconstruction, repair or renovation does not further reduce a setback, front yard, side yard, or rear yard having less than the minimum required by this By-law; and

- b) all other applicable provisions of this By-law are complied with.

4.23 NON-CONFORMING USES

- a) The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of final passing of this By-law, providing such use has been continuous since that date, and provided that it does not subsequent to that date become more non-conforming,

NOR

to prevent the erection or use for the purpose prohibited by this By-law of any building or structure, the plans for which have, prior to the date of the passing of the By-law, been approved by the Municipality, 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 erection of such building or structure is commenced within one year after the date of the passing of the By-law and such building or structure is completed forthwith after the erection thereof is commenced and provided the permit has not been revoked under the Building Code Act.

- b) Where, for any reason, the use of land, building or structure for a use not permitted by this By-law, but which was in existence on the day of the passing of this By-law, has ceased and is not resumed within a 12 month period of the date of ceasing, such non-conforming use shall not be resumed, and any future use of the land, building or structure shall be in conformity with the provisions covering the zone in which the land, building or structure is located.

Where any lot existing on the date of the passing of this By-law is made conforming due to expropriation or dedication for public use, then said lot shall be deemed to conform with this By-law with respect to those provisions made non-conforming by metric conversion, expropriation or dedication for public use and the said provisions shall not apply to prevent the use of such lot, or the erection, alteration or use of a permanent building or structure thereupon, provided that the use of land remains the same, in accordance with all other provisions of this By-law, and the nature of the non-conformity is not increased.

No part of any existing lot shall be reduced in area or frontage by the conveyance or alienation of any portion of the lot so as to create a situation of non-conformity or increase the degree of non-conformity with this By-law, except where any such a reduction is caused by the conveyance or acquisition of part of the lot by the Public Authority, the lot or any building or structure located upon the lot shall be deemed to remain in conformity with this By-law.

If a non-conforming building is damaged or destroyed by fire or other causes to an extent of more than 75% of the value of the building above its foundation, the building shall not be repaired or rebuilt except in conformity with the provisions of this By-law.

4.24 NON-COMPLYING/NON-CONFORMING USES: STRENGTHENING AND

RESTORATION

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any use provided, in the case of a non-complying use, such does not further reduce a setback or yard not in compliance with the By-law or, in the case of a non-conforming use, such does not enlarge a use not permitted by this By-law.

4.25 OBNOXIOUS USES

Nothing in this By-law shall be construed to permit the use of land or the erection or use of a building or structure for any purpose:

- a) that is or is likely to become a nuisance or offensive:
 - i) by the creation of noise or vibrations; or
 - ii) by reason of the emission of gas, fumes, dust or objectionable odour; or
 - iii) by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter or other such material.
- b) which by its nature or by the materials used therein is declared under the Public Health Act, as amended or revised, or any regulations thereunder to be a noxious or offensive trade, business or manufacture.

4.26 OCCUPANCY OF PARTIALLY COMPLETED BUILDINGS

No building, except in the case of an apartment building, shall be occupied before the main side walls and roof have been erected and the external siding and roofing have been completed, and sanitary conveniences installed, and where applicable, kitchen and heating facilities have been installed and an occupancy permit has been issued by the Municipality. Any dwelling unit in an apartment building may be occupied provided that all of the above conditions are satisfied notwithstanding the fact that one or more of the dwelling units have not been completed.

4.27 PARKING REQUIREMENTS

For every type of building listed below which is erected, altered, or enlarged in any zone after the passing of this By-law, off-street parking shall be provided and maintained in that zone in accordance with the following provisions:

TYPE OF USE	MINIMUM PARKING REQUIRED
Senior Citizen Dwelling	0.5 spaces per unit.
All Other Dwellings	1.5 spaces per unit.
Boarding house, rooming house and tourist home	one parking space for every room which may be offered for rent.

Auditoriums, theatres, arenas, community centres, or private clubs	where there are fixed seats, one parking space for every 5 seats or for 3.0 metres of benchspace; where there are no fixed seats, one parking space for each 9.0 square metres of floor area devoted to public use.
Schools	one parking space for each teaching staff member, plus one additional parking space for each 20.0 square metres of auditorium space.
Churches	one parking space for every 5 seats or 6.0 metres of benchspace to its maximum seating capacity.
Hotels, Motels and Taverns	one parking space per rental unit, plus one additional parking space for each 9.0 square metres of floor area devoted to public uses such as restaurants.
Medical Clinics and Offices	3 parking spaces each or 1 parking space for each 28.0 square metres of floor area, whichever is greater.
Industrial Uses	one parking space for each 93.0 square metres of floor area, or for each five employees, whichever is greater.
Retail or Service Stores or Offices	one parking space for each 28.0 square metres of floor area.

TYPE OF USE	MINIMUM PARKING REQUIRED
Shopping Centre	One off-street parking space for each 25.0 square metres of rentable floor area.
A Tent and Trailer Park	one parking space per site.
Home Industry, Home Occupation or Home Profession	One off-street parking space for each 28.0 square metres of floor area devoted to said use in addition to that required for the dwelling.
Group Homes/Crises Residences	One and one-quarter parking spaces per receiving family and one parking space for each staff person on duty at any time, plus one parking space for each two beds or each 37.0 square metres or part thereof, whichever is the greater.
All Other Uses Not Specified Above	1 parking space for each 28.0 square metres of floor area.

Where in this By-law parking area are required or permitted, all drainage, surfacing and illumination shall be constructed in accordance with the requirements of the Municipality. Each parking space and driveway connecting the parking area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles.

A parking space shall be an area of land suitable for the parking of a vehicle being not less than 18.5 sq. metres in area and 3.0 metres in width and shall include adequate access to a public road.

Access to all required parking spaces for institutional, commercial and industrial uses shall be provided by means of unobstructed driveways and aisles at least 7 metres in width. Access to parking spaces for all other uses shall be provided by means of unobstructed driveways and aisles at least 3 metres in width.

When a building or structure, other than a single unit residence, has insufficient parking spaces on the date of passing of this By-law to comply with the requirement herein, no addition may be build and no change of use may occur, unless the parking requirements are met for the entire use.

4.28 PERMITTED ENCROACHMENTS IN YARDS

Every part of any yard required by this By-law shall be open and unobstructed by any structure, other than a fence, from the ground to the sky, provided, however, that accessory buildings shall be permitted in accordance with subsection 4.2 and that those structures listed in the following table shall be permitted to project into the yards indicated for the distances specified:

STRUCTURE	YARD IN WHICH PROJECTION IS PERMITTED	MAX PROJECTION FROM MAIN WALL PERMITTED
Sills, belt courses, cornices, eaves, gutters chimneys or pilasters	Any yard	0.5 metres
Fire escapes and exterior staircases	Rear and side yard only	1.5 metres
Window bays	Any yard	1.0 metres
Balconies	Front and rear yards only for all types of dwellings except apartment buildings	2.0 metres
Open, roofed porches not exceeding one storey in height; covered terraces	Any yard	2.5 metres including eaves and cornices
Signs, garden trellises, light standards and similar accessories	Any yard	N/A
Clothes poles	Rear yard	N/A
Decks	Any yard	2.5 metres into the side yard and front_yard, but must maintain a 1 metre setback from any lot line

4.29 PERMITTED PUBLIC USES

Notwithstanding anything else in this By-law, the provisions of this By-law shall not apply to the use of any land or to the erection or use of any building or structure for the purpose of public service by the Dominion of Canada, Province of Ontario, Corporation of the Township of Ear Falls, Ontario Hydro, utility companies, or by any local Board thereof as defined by the Municipal Act, or as revised or amended from time to time, provided that:

- a) the lot coverage, setback and yard requirements prescribed for the zone in which such land, building or structure is located are complied with;

- b) no goods, material, or equipment are stored in the open in a residential zone, or within 60.0 metres of a residential zone;
- c) any building erected in a residential zone under the authority of this paragraph is designed and maintained in general harmony with residential buildings of the type permitted in the said residential zone; and
- d) any parking and loading regulations are complied with.

4.30 PROHIBITED USES

It shall be prohibited to use any land or to erect and use any building or other structure in any zone for the purposes of wrecking yards, automobile yards, a waste disposal site or processing facility, a pit or quarry, the collection of rags, junk, refuse, or scrap metal unless such uses are specifically listed as permitted uses within a particular zone.

4.31 REDUCTION OF LOT AREA

- a) No lot shall be reduced in area, either by the conveyance or alienation of any portion thereof, or otherwise, so that any building or structure on such lot shall have a lot coverage or a ground floor area that exceeds, or a front yard, rear yard, side yard, frontage or lot area that is less than that permitted by this By-law for the zone in which such lot is located; and
- b) If any such reduction in the area of a lot occurs, no structure located on the lot shall be used until the requirements of this By-law applicable thereto are complied with.

4.32 RESIDENTIAL LOT DEPTH

Notwithstanding anything else in this By-law, a lot in a residential zone shall have a minimum frontage to depth ratio of 1:2, provided however, such a lot shall not have a depth which is more than five (5) times the frontage of the lot.

4.33 SERVICES REQUIRED

No person shall erect or use any building or structure unless the requirements of the Northwestern Health Unit and the Ministry of the Environment are met for the supply of potable water and the collection and treatment of sanitary sewage and other wastes.

4.34 SETBACKS ON ALL ROADS

Notwithstanding any other provisions of this By-law, a building or structure in any zone on a public road allowance which is less than 20 metres wide, shall be set back 10 metres plus the required minimum front yard for that zone measured from the centre line of the road allowance.

In addition to municipal requirements, all development adjacent to Provincial highways is also subject to the Ministry of Transportation of Ontario's requirements and permits.

4.35 SETBACKS FROM NON-NAVIGABLE WATERCOURSES, HAZARD LANDS AND MUNICIPAL SURFACE DRAINS

Notwithstanding any other provisions of this By-law, a building in any zone is required to be no nearer than 7.5 metres from the top of the bank or any watercourse, or municipal drainage ditch, permanent or intermittent, which is not navigable. In the case of hazard lands, no part of any building shall be constructed closer than 7.5 metres to the nearest point of the area to which the hazardous condition is deemed to exist.

4.36 SHORELINE SETBACKS

Notwithstanding any other provision of this By-law, no person shall erect a habitable building or structure in any zone:

- a) within 30 metres of the high water mark of any lake or river; or
- b) within 15 metres of the top of bank of any watercourse other than a lake or river.

4.37 SPECIAL TEMPORARY USES

Nothing in this By-law shall prevent the use of land or the use or erection of a building or structure for:

- a) a scaffold or other temporary building or structure incidental to construction in progress on premises for which a building permit has been granted, until such time as the work has been finished abandoned;
- b) a sign having an area of not more than 4.5 square metres incidental to construction in progress on premises for which a building permit has been granted, until such time as work has been finished or abandoned;
- c) a carnival, circus or festival or other public gathering, each of which is held not more than twice per year, in the commercial, institutional or open space zones; or
- d) a farmer's market held not more than two (2) days per week in any zone.

4.38 STREET FRONTAGE REQUIRED

No person shall erect any building or structure unless the lot upon which such building or structure is to be erected, except as otherwise specifically permitted in this By-law, has lot frontage upon a street which is open and maintained by the Municipality, the Province of Ontario or some other road authority, in such a manner so as to permit its use by vehicular traffic, provided that a building or structure may be erected upon a lot within a registered plan of subdivision in accordance with the provisions of a subdivision agreement in respect of such plan of subdivision notwithstanding that the streets within such plan of subdivision have not been assumed and are not being maintained by the Municipality.

Notwithstanding anything to the contrary in this clause, Seasonal Residential (RS) Zone uses and hunting and fishing camps are permitted where public road frontage is not available provided the lot has navigable water access or deeded access over private lands as of the date of passing of this By-law.

4.39 STRUCTURES IN WATER

A dock or boathouse not exceeding 20 metres in length may be permitted appurtenant to a lot where the permitted use of said lot would also permit a dock or boathouse as an accessory structure. Where such structures are permitted they are exempt from the setbacks and yards for other accessory uses in Section 4.2 but shall not be closer than 3.0 metres to the extension of the side lot line where it meets the shoreline for a distance of 30 metres

4.40 TEMPORARY CONSTRUCTION USES

The temporary use of buildings and structures incidental and necessary for lawful construction work will be permitted in all zones, but only for so long as the same are necessary for construction work.

4.41 TRUCK, BUS AND COACH BODIES OR TRAILERS OR TENTS USED FOR HUMAN HABITATION

- a) Except as expressly permitted by this By-law no truck, bus, railroad car, caboose, coach or streetcar body shall be used for human habitation whether the same is mounted on wheels or not.
- b) Except as expressly permitted by this By-law the use of tents and trailers for human habitation is prohibited provided, however, that this provision shall not prevent the use of tents or trailers for children's play or for picnics, or for the occasional accommodation of guests in any residential zone.

4.42 WATERCOURSE MANAGEMENT AND CONSERVATION USES

Works related to watercourse management and conservation shall be permitted in any zone.

4.43 WAYSIDE PITS AND WAYSIDE QUARRIES

A wayside pit or a wayside quarry shall be permitted in any Zone, with the exception of the Hazard Land (HL) Zone and the Environmental Protection (EP) Zone.

4.44

YARD AND OPEN SPACE PROVISIONS FOR ALL ZONES

No part of a yard or other open space required abutting any building for the purpose of complying with the provisions of this By-law shall be included as part of a yard or other open space similarly required for another building.

SECTION 5 - RESIDENTIAL ZONE 1 (R1) REGULATIONS

No person shall within any Residential Zone 1 (R1) use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

5.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) one single detached dwelling, one duplex dwelling, one semi-detached dwelling or one modular home,
- b) home industries, home occupations and home professions
- c) crisis residences and all types of group homes as defined under Section 2.84 herein
- d) accessory uses

5.2 MINIMUM LOT AREA

- a) single detached dwellings 558.0 square metres
- b) modular homes 558.0 square metres
- c) duplex dwellings, semi- detached dwellings 325.0 square metres per dwelling unit

5.3 MINIMUM LOT FRONTAGE

- a) single detached or modular homes 17.0 metres
- b) duplex dwellings, semi-detached dwellings 21.5 metres

5.4 MINIMUM FRONT YARD 7.5 metres

5.5 MINIMUM REAR YARD METRES 9.0 metres

5.6 MINIMUM SIDE YARDS

- a) No one side yard shall be less than 1.0 metre and the aggregate of the two side yards shall not be less than 4.0 metres.
- b) No side yard shall be required for a semi-detached dwelling along the common vertical wall separating one dwelling unit from an adjoining dwelling unit.

5.7 MAXIMUM HEIGHT 10.5 metres

5.8 MAXIMUM LOT COVERAGE 35 %

5.9 SEPARATION DISTANCE FOR A GROUP HOME

No group home shall be located closer than 200.0 metres from the boundary of a lot of any other group home.

5.10 MINIMUM SETBACK FROM WATER

- | | | |
|----|--|-------------|
| a) | docks, boathouses, pumphouse, and saunas | nil |
| b) | all other cases | 30.0 metres |

5.11 SITE SPECIFIC PROVISIONS

SECTION 6 - MULTIPLE RESIDENTIAL ZONE (R2) REGULATIONS

No person shall within any Multiple Residential Zone (R2) use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

6.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) the following residential uses:
 - 1) boarding houses, rooming houses or tourist homes
 - 2) townhouse or rowhouse dwellings
 - 3) triplex buildings
 - 4) double duplexes
 - 5) apartment buildings
- b) home occupations and home professions
- c) crisis residences and a group homes
- d) senior citizen dwellings
- e) dormitories or student residences
- f) accessory uses

6.2 MINIMUM LOT AREA

- | | | |
|----|---------------------------------|---|
| a) | triplex or double duplex | 232.0 square metres per dwelling unit |
| b) | townhouse or rowhouse dwellings | 232.0 square metres per dwelling unit |
| c) | apartment buildings | 250.0 square metres for each of the first 4 dwelling units and 90.0 square metres for each additional dwelling unit thereafter |
| d) | boarding house, rooming house | 557.0 square metres for the first or tourist home 10 rooms capable of being occupied and 46.0 square metres for each additional room thereafter |

6.3 MINIMUM LOT FRONTAGE

- | | | |
|----|--|---------------------|
| a) | townhouse or townhouse dwelling | 7.5 metres per unit |
| b) | apartment buildings, boarding house, rooming house, double duplex, triplex or tourist home | 30.0 metres |

6.4 MINIMUM FRONT YARD 7.5 metres

6.5 MINIMUM SIDE YARD 3.0 metres

No side yard shall be required for a townhouse or rowhouse dwelling between the common vertical wall dividing one dwelling unit from the adjoining dwelling unit.

6.6 MINIMUM EXTERIOR SIDE YARD 7.5 metres

6.7 MINIMUM REAR YARD 10.5 metres

6.8 MAXIMUM HEIGHT 3 storeys or 10.5 metres

6.9 MINIMUM LOT COVERAGE 35 %

6.10 MINIMUM SETBACK FROM WATER

- | | | |
|----|--|-------------|
| a) | docks, boathouses, pumphouse, and saunas | nil |
| b) | all other cases | 30.0 metres |

6.12 SITE SPECIFIC PROVISIONS

SECTION 7 - MOBILE HOME RESIDENTIAL (RM) ZONE REGULATIONS

No person shall within any Mobile Home Residential Zone (RM) use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

7.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) one mobile home, or one modular dwelling on one lot
- b) one mobile home on a mobile home site in a mobile home park
- c) home occupations and home professions
- d) accessory buildings and structures

7.2 MINIMUM LOT AREA 558.0 square metres

7.3 MINIMUM LOT FRONTAGE 15.0 metres

7.4 MINIMUM FRONT YARD 7.5 metres

7.5 MINIMUM SIDE YARD

1.0 metre on either side where there is an attached private garage, or
1.0 metre on one side and 3.0 metres on the other side where there is no attached private garage.

7.6 MINIMUM EXTERIOR SIDE YARD 7.5 metres

7.7 MINIMUM REAR YARD 6.0 metres

7.8 MAXIMUM HEIGHT 4.5 metres

7.9 MAXIMUM COVERAGE 30 %

7.10 SITE SPECIFIC PROVISIONS

SECTION 8 - RURAL RESIDENTIAL (RR) ZONE REGULATIONS

No person shall within any Rural Residential Zone (RR) use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

8.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) one single detached dwelling or one modular home on one lot
- b) home industries, home occupations and home professions
- c) crisis residences and group homes
- d) accessory uses, buildings and structures

8.2 MINIMUM LOT AREA 1.0 hectare

8.3 MINIMUM LOT FRONTAGE 45.0 metres

8.4 MINIMUM FRONT YARD 10.0 metres

8.5 MINIMUM SIDE YARD

- a) waterfrontage only 10.0 metres
- b) all other areas 7.5 metres

8.6 MINIMUM REAR YARD 7.5 metres

8.7 MAXIMUM HEIGHT 10.5 metres

- a) Maximum Height of Accessory Buildings 4.5 metres

8.8 MAXIMUM LOT COVERAGE 20 %

8.9 MINIMUM SETBACK FROM WATER

- a) docks, boathouses, pumphouse, and saunas nil
- b) all other cases 30.0 metres

8.10 SETBACK FROM A NAVIGABLE WATERWAY

The setback from a navigable waterway can be reduced to 15 metres from the 30 metres setback if it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions of the immediate area and if the shoreline reserve is not a factor.

8.11 SITE SPECIFIC PROVISIONS

SECTION 9 - SEASONAL RESIDENTIAL (RS) ZONE REGULATIONS

No person shall within any Seasonal Residential (RS) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

9.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) one single detached residential dwelling on one lot
- b) one single detached seasonal residential dwelling on one lot where the lot has waterfrontage only
- c) accessory buildings and structures

9.2 MINIMUM LOT AREA

- a) With water frontage 0.4 hectares
- b) With no water frontage 1.0 hectares

9.3 MINIMUM LOT FRONTAGE 45.0 metres

9.4 MINIMUM FRONT YARD 10.0 metres

9.5 MINIMUM SIDE YARD

- a) in the case of water- frontage only 10.0 metres
- b) all other cases 7.5 metres

9.6 MINIMUM REAR YARD 7.5 metres

9.7 MAXIMUM HEIGHT 7.5 metres

9.8 MAXIMUM COVERAGE 15 %

9.9 MINIMUM SETBACK FROM WATER

- a) docks, boathouses, pump- houses and saunas nil
- b) all other cases 30.0 metres

9.10 GUEST CABIN

One guest cabin having a gross floor area not exceeding 25 square metres may be erected and used on the same lot as a seasonal residential dwelling.

9.11 SITE SPECIFIC PROVISIONS

SECTION 10 - TOWNSITE COMMERCIAL (C1) ZONE REGULATIONS

No person shall within any Townsite Commercial (C1) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

10.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) accessory uses, buildings and structures
- b) any retail or service stores or shops
- c) general or professional offices and clinics
- d) banks and other financial institutions
- e) restaurants or taverns or fast food outlets
- f) clubrooms or private clubs
- g) commercial entertainment or recreational establishments
- h) personal service shops
- i) gift shops or craft industries/shops
- j) bake shops or bakeries
- k) tourist outfitters establishments
- l) bus depots, transportation terminals or taxi service establishments
- m) Brewer's Retail or LCBO outlets

10.2 MINIMUM LOT AREA 232.0 square metres

10.3 MINIMUM LOT FRONTAGE 5.0 metres

10.4 MAXIMUM FRONT YARD Nil

10.5 MINIMUM REAR YARD

- a) where a rear yard abuts a lane or public street 2.0 metres
- b) all other cases 3.0 metres

10.6 MAXIMUM HEIGHT 12.0 metres

10.7 MAXIMUM COVERAGE 100.0 %

10.8 MINIMUM BUFFER STRIP WIDTH ALONG AND ADJACENT TO ANY RESIDENTIAL ZONE 2.0 metres

10.9 SITE SPECIFIC PROVISIONS

SECTION 11 - HIGHWAY COMMERCIAL (C2) ZONE REGULATIONS

No person shall within any Highway Commercial (C2) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

11.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) any retail or service store or shop not engaged in manufacturing on the premises unless such manufacturing is accessory to the retail business, does not exceed 50 percent of the floor area and the products manufactured are primarily for sale at retail on the premises
- b) restaurants or taverns or fast food outlets
- c) hotels or motels, tourist cabins/homes or tourist commercial establishments
- d) gas bars, service stations, commercial or public garages, or other establishments for the servicing, towage and sale or rental of motor vehicles or boats or other motorized products
- e) personal service shops
- f) commercial entertainment or recreational establishments
- g) bake shops or bakeries
- h) tourist outfitters establishments
- i) bus depots, transportation terminals or taxi service establishments
- j) marinas
- k) merchandise repair establishments
- l) gift shops or craft industries/shops
- m) animal hospitals or veterinary clinics or grooming shops
- n) plumbing, electrical or builders supply outlets
- o) accessory residential dwelling units
- p) accessory uses, buildings and structures

11.2	MINIMUM LOT AREA	1,395.0 square metres
11.3	MINIMUM LOT FRONTAGE	23.0 metres
11.4	MINIMUM FRONT YARD	25.0 metres
11.5	MINIMUM SIDE YARD	4.5 metres
11.6	MINIMUM REAR YARD	7.5 metres
11.7	MAXIMUM HEIGHT	10.5 metres
11.8	MAXIMUM LOT COVERAGE	50 %

11.9 BUFFER STRIP

Where a commercial zone abuts a residential, institutional or open space zone, a buffer strip shall be provided along the abutting lot lines having a minimum width of 2.5 metres in compliance with clause 4.6 of this By-law.

11.10 DWELLING UNITS

No commercial building wherein gasoline, petroleum products or any other highly inflammable, toxic or explosive products are handled in quantity shall have contiguous dwelling units. Where such dwelling units exist and the use of the commercial establishment changes to a use involving the aforementioned products the said dwelling units shall cease to be occupied as dwelling units.

11.11 SITE SPECIFIC PROVISIONS

1. Notwithstanding the provisions of subsection 11.4, the minimum front yard on those lands shown as C2-1 shall be 4.5 metres. In all other respects the provisions of the Highway Commercial (C2) Zone shall apply.

SECTION 12 - RESORT COMMERCIAL (CR) ZONE REGULATIONS

No person shall within any Resort Commercial (CR) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

12.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) hotels, motels, tourist cabins or tourist commercial establishments
- b) one restaurant and one tavern on one lot
- c) gift shops or craft industries/shops or souvenir shops
- d) transportation terminals
- e) tourist commercial outfitter's base
- f) tent and trailer parks
- g) marinas and docks
- h) campgrounds
- i) resorts
- j) tourist outfitter's establishments
- k) one seaplane base on one lot
- l) accessory buildings and structures
- m) accessory residential dwelling units
- n) accessory retail stores or shops

12.2 MINIMUM LOT AREA 1.0 hectare

12.3 MINIMUM LOT FRONTAGE 45.0 metres

12.4 MINIMUM FRONT YARD 7.5 metres

12.5 MINIMUM SIDE YARD 4.5 metres

12.6 MINIMUM REAR YARD 9.0 metres

12.7 MAXIMUM HEIGHT 10.5 metres

12.8 MAXIMUM LOT COVERAGE 35 %

12.9 BUFFER STRIP

Where a commercial zone abuts a residential, institutional or open space zone, a buffer strip shall be provided along the abutting lot lines having a minimum width of 2.0 metres in compliance with Section 4.6 of this By-law.

12.10 TENT AND TRAILER PARKS/RV CAMPGROUNDS

Requirements for travel trailers and recreational vehicle campgrounds permitted in the Resort Commercial Zone are established as follows:

- a) Minimum trailer or vehicle site area 180 square metres
- b) Minimum distance between trailer or vehicle sites 5 metres
- c) Minimum distance between trailer or vehicle site and a lot line 3 metres
- d) Minimum distance between a trailer or vehicle site and a street 15 metres
- e) Maximum number of trailers or vehicles on a lot 20

12.11 Hunting, fishing and summer camps, tourist lodges, hotels, housekeeping cabins and marinas may be constructed on lots having water access only.

12.12 SITE SPECIFIC PROVISIONS

1. All uses, buildings and structures, and the provisions of the Resort Commercial (CR) Zone shall apply on those lands shown as CR-1, except that commercial overnight accommodation is not permitted. In all other respects the provisions of the Resort Commercial (CR) Zone shall apply.
2. Notwithstanding the provisions of subsection 4.39, buildings and structures can be erected on those lands shown as CR-1, having frontage on a privately-owned and maintained road, provided that all other pertinent provisions shall of the Resort Commercial (CR) Zone shall apply.

SECTION 13 - INDUSTRIAL (M1) ZONE REGULATIONS

No person shall within any Industrial (M1) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

13.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) industrial uses
- b) automobile wrecking yards or scrap metal yards
- c) automobile service stations and/or repair shops
- d) contractor's yards and establishments
- e) general manufacturing
- f) public works yards
- g) bulk sales establishments
- h) forestry
- i) aggregate storage facilities
- j) light industrial workshops
- k) trucking depots
- l) equipment sales and service establishments
- m) blacksmith or welder's shops
- n) carpenter or joiner's shops
- o) concrete products factories
- p) warehouses
- q) forest products processing plants
- r) a railway yard, contractor's yard, or an autobody shop
- s) machine shops
- t) processing plants
- u) hydro distribution or generating stations
- v) sewage treatment plants and water treatment plants
- w) building supply establishments
- x) boat building and repair shops
- y) service and repair shops
- z) business, professional and administrative offices as accessory uses
- aa) accessory buildings and structures including a single detached dwelling or a dwelling unit for one caretaker or one person and his family employed in the manufacturing and industrial operations or uses permitted in this subsection.
- bb) lumber yards
- cc) commercial uses as an accessory use
- dd) buildings and structures associated with transportation, communications and utility yards and terminals
- ee) sawmills
- ff) dog pounds

13.2 MINIMUM LOT AREA

- a) Lots without Municipal piped water and without Municipal sewage disposal 2 hectares
- b) Lots with Municipal piped water and with Municipal sewage disposal 2,000 square metres

13.3 MINIMUM LOT FRONTAGE

- a) Lots without Municipal piped water and without Municipal sewage disposal 60 metres
- b) Lots with Municipal piped water and with Municipal sewage disposal 30 metres

13.4 MINIMUM FRONT YARD

- a) where the industrial zone fronts on a street opposite a residential zone, institutional zone, or open space zone, or directly abuts said zones 15.0 metres
- b) all other cases 7.5 metres

13.5 MINIMUM SIDE YARD

- a) where the side yard fronts on a street opposite a residential zone, institutional zone, or open space zone, or directly abuts said zones 15.0 metres
- b) all other cases 4.5 metres

13.6 MINIMUM REAR YARD

- a) where the rear yard fronts on a street opposite a residential zone, institutional zone, or open space zone, or directly abuts said zones 15.0 metres
- b) all other cases 9.0 metres

13.7 MAXIMUM LOT COVERAGE 50 %

13.8 BUFFER STRIP

Where an industrial zone abuts a residential, institutional or open space zone, a buffer strip shall be provided along the abutting lot lines having a minimum width of 10.0 metres in compliance with Section 4.6 of this By-law.

13.9 AUTOMOBILE WRECKING YARDS AND SCRAP METAL YARDS

Where land is used for the purposes of an automobile wrecking yard, or scrap metal yard or similar use, the storage of derelict automobiles, scrap metal, junk, or similar materials shall not be carried out in that part of the land designated herein as the "required front yard", "required side yard", or "required rear yard", and a natural or artificial screen or buffer shall be provided to obscure the subject property from the street on which the lands abut and from any opposite or adjoining properties to the side or rear of the subject property.

13.10 DWELLING UNITS

No building or part thereof shall be used for human habitation, except in the case of a dwelling erected for the sole use of a watchman or employee, whose residence on the premises is essential to the industrial use. Such shall conform to all the requirements as set forth in Section 5 herein.

13.11 SEPARATION DISTANCES

A separation distance of 20 metres for new light industrial uses and a 1,000 metres for new heavy industrial uses shall be provided between these uses and other sensitive land uses.

13.12 SITE SPECIFIC PROVISIONS

1. Notwithstanding the provisions of Section 13, the following provisions shall apply to those lands shown as M1-1:

Permitted Uses, Buildings and Structures

- a) forestry
- b) lumber yards
- c) manufacturing
- d) transportation, communications and utility yard and terminals
- e) storage or warehouse
- f) sawmill complex and other buildings related to forestry uses
- g) equipment service buildings
- h) accessory uses, buildings and structures

Minimum Lot Area 75 hectares

Minimum Lot Frontage 30.5 metres

Minimum Front Yard 10 metres

Minimum Side Yard	30 metres
Minimum Rear Yard	50 metres
Maximum Height	25 metres
Maximum Lot Coverage	45%
Natural Buffer Area	50 metres along the rear lot line or easterly boundary of this specific property.

In all other respects the provisions of the Industrial (M1) Zone shall apply.

2. Notwithstanding the definition of Front Lot Line in subsection 2.113, on those lands shown as M1-1, the Front Lot Line shall be deemed to be the lot line abutting a portion of the former CNR rail line approximately between Mile 45 and Mile 45.5, which rail line is described as Part 5 on Plan KR-1716. In all other respects the provisions of the Industrial (M1) Zone shall apply.

SECTION 14 - AIRPORT INDUSTRIAL (M2) ZONE REGULATIONS

No person shall within any Airport Industrial (M2) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

14.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) aerodromes
- b) transportation, communications and utility yards and terminals
- c) aircraft repairs, storage and rentals
- d) warehousing
- e) airport services
- f) car rental establishments
- e) accessory buildings, structures and uses

14.2 MINIMUM LOT AREA 1,600 square metres

14.3 MINIMUM LOT FRONTAGE 25 metres

14.4 MINIMUM FRONT YARD 7.5 metres

14.5 MINIMUM SIDE YARD 3.0 metres

14.6 MINIMUM REAR YARD 9.0 metres

14.7 MAXIMUM HEIGHT 10.5 metres

14.8 MAXIMUM LOT COVERAGE 50%

14.9 MINIMUM FLOOR AREA 10 square metres

14.10 The provisions of Section 4.39 do not apply to the Airport Industrial (M2) Zone.

14.11 SITE SPECIFIC PROVISIONS

SECTION 15 - EXTRACTIVE INDUSTRIAL (M3) ZONE REGULATIONS

No person shall within any Extractive Industrial (M3) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

15.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) pits and quarries for extracting sand, clay, gravel, earth, stone, shale, peat and amethyst
- b) stockpiling of sand, clay, gravel, earth, stone, shale, peat and amethyst
- c) processing accessory to the above including screening, sorting, washing, and crushing
- d) mines and mineral exploration
- e) accessory buildings, structures and uses

15.2 MINIMUM LOT AREA 5 hectares

15.3 MINIMUM LOT FRONTAGE 30 metres

15.4 MINIMUM FRONT YARD 30 metres

15.5 MINIMUM SIDE YARD 20 metres

15.6 MINIMUM REAR YARD 20 metres

15.7 MAXIMUM HEIGHT 20 metres

15.8 MAXIMUM LOT COVERAGE 50%

15.9 MINIMUM FLOOR AREA 10 square metres

15.10 OTHER PROVISIONS

- a) No excavation, building, equipment, or stockpile shall be located within 120 metres of a building used for residential, recreational, institutional or commercial purposes.
- b) No excavation, building, equipment or stockpile shall be permitted within 45 metres of a provincial highway or within 30 metres of any road or road allowance or adjoining property, except a property zoned Industrial.
- c) Where an M2 Zone abuts a Residential, Institutional, Commercial or Open Space Zone, a buffer strip of not less than 10 metres shall be required along the abutting lot line(s).

15.11 SEPARATION DISTANCES

- a) a separation distance of 1,000 metres shall be provided between new heavy industrial uses and a dwelling, daycare centre, school or outdoor recreational use.
- b) a separation distance of 300 metres shall be provided between new or existing dwelling, daycare centre, school or outdoor recreational use and a new or existing sand and gravel pit, 500 metres for a new or existing sanitary landfill site, and 1,000 metres for an extractive use where blasting or stone crushing occurs.

15.12 SITE SPECIFIC PROVISIONS

SECTION 16 - WASTE DISPOSAL INDUSTRIAL (M4) ZONE REGULATIONS

No person shall within any Waste Disposal Industrial (M4) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

16.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) a municipally owned and operated landfill site
- b) a hauled sewage system
- c) an industrial waste treatment or waste storage facility
- d) a municipal sewage treatment facility
- e) buildings, structures and uses accessory to the above, but not used for human habitation

16.2 MINIMUM LOT AREA 5 metres

16.3 MINIMUM LOT FRONTAGE 100 metres

16.4 MINIMUM FRONT YARD 30 metres

16.5 MINIMUM SIDE YARD 30 metres

16.6 MINIMUM REAR YARD 15 metres

16.7 MAXIMUM HEIGHT 10 metres

16.8 OTHER PROVISIONS

- a) No disposal site shall be located within 500 metres of a building used for residential, recreational, institutional or commercial purposes.
- b) No disposal site shall be located within 60 metres of any road or road allowance except a road serving the disposal site, or within 90 metres of an adjoining zone except a property zoned M3 or within 30 metres of the high water mark of any watercourse, lake or pond.
- c) Where an M3 abuts a Residential, Institutional, Commercial or Open Space Zone, a buffer strip of not less than 10 metres shall be required along the abutting lot line(s).
- d) a separation distance of 1,000 metres shall be provided between new heavy industrial uses and a dwelling, daycare centre, school or outdoor recreational use.

16.9 SITE SPECIFIC PROVISIONS

SECTION 17 - OPEN SPACE (OS) ZONE REGULATIONS

No person shall within any Open Space (OS) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

17.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) public and private parks including playgrounds, picnic facilities, sports fields, tennis courts, docks and golf courses
- b) conservation, wildlife management, horticulture
- c) accessory uses, buildings and structures

17.2 MINIMUM FRONT YARD 7.5 metres

17.3 MINIMUM SIDE YARD 7.5 metres

17.4 MINIMUM REAR YARD 7.5 metres

17.5 MAXIMUM BUILDING HEIGHT 12.0 metres

17.6 MAXIMUM LOT COVERAGE 5 %

17.7 SITE SPECIFIC PROVISIONS

SECTION 18 - INSTITUTIONAL (I) ZONE REGULATIONS

No person shall within any Institutional (I) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

18.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) institutional uses
- b) crisis residences and all types of group homes as defined under Section 2.84 herein
- c) hospitals and clinics
- d) schools and other educational institutions
- e) churches, church halls and religious institutions
- f) libraries and other cultural institutions
- g) Federal, Provincial and Municipal government offices
- h) fire control buildings
- i) police stations and firehalls
- j) arenas
- k) community centres and assembly halls
- l) cemeteries and mausoleums
- m) public water and sewage pumping stations
- n) nursing homes
- o) recreation facilities owned and operated by a public authority
- p) accessory buildings and structures

18.2	MAXIMUM LOT COVERAGE	50 percent
18.3	MINIMUM LOT AREA	1,500 square metres
18.4	MINIMUM LOT FRONTAGE	30 metres
18.5	MINIMUM FRONT YARD	7.5 metres
18.6	MINIMUM EXTERIOR SIDE YARD	7.5 metres or half the height of building, whichever is greater
18.7	MINIMUM INTERIOR SIDE YARD	4.5 metres
18.8	MINIMUM REAR YARD	7.5 metres
18.9	BUFFER STRIP	

Where an institutional zone abuts a residential, or open space zone a buffer strip shall be provided along the abutting lot lines having a minimum width of 2.0 metres in compliance with Section 4.6 of this By-law.

18.10 SITE SPECIFIC PROVISIONS

1. Notwithstanding the provisions of Section 18.4 the minimum frontage on those lands shown as I-1 is 22.5 metres, and the minimum number of parking spaces shall be 17. In all other respects the provisions of the Industrial (I) Zone shall apply.

SECTION 19 - HAZARD LAND (HL) ZONE REGULATIONS

No person shall within any Hazard Land (HL) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

19.1 PERMITTED USES

- a) public or private parks
- b) agricultural and forestry uses
- c) outdoor recreation uses
- d) water course protection, bank stabilization, flood or erosion control work
- e) conservation uses and electrical generation and transmission
- f) golf courses and driving ranges
- g) hunting, game and wildlife preserves
- h) bait fish culture and harvesting
- i) wild rice culture and harvesting

19.2 PERMITTED BUILDINGS AND STRUCTURES

No building or structure shall be used, altered or erected in the Hazard Land (HL) Zone except docks.

19.3 FILL

No fill shall be placed on or removed from land in the Hazard land (HL) Zone whether originating on such lands or elsewhere.

19.4 SITE SPECIFIC PROVISIONS

1.

SECTION 20 - ENVIRONMENTAL PROTECTION (EP) ZONE REGULATIONS

No person shall within any Environmental Protection (EP) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

20.1 PERMITTED USES

- a) natural resource uses
- b) conservation uses
- c) outdoor educational uses
- d) accessory uses

20.2 PERMITTED BUILDINGS AND STRUCTURES

No building or structures of any kind shall be used, altered or erected in the Environmental Protection (EP) Zone except historical monuments.

SECTION 21 - NATURAL RESOURCES (NR) ZONE REGULATIONS

No person shall within any Natural Resources (NR) Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

21.1 PERMITTED USES, BUILDINGS AND STRUCTURES

- a) mineral exploration
- b) agricultural uses
- c) forestry uses
- d) existing residential uses
- e) sawmills
- f) existing tourist commercial establishments
- g) natural resource uses
- h) conservation uses
- i) cemeteries
- j) hunting, game and wildlife reserves
- k) kennels
- l) recreation
- m) shooting ranges
- n) trapping
- o) bait fish culture and harvesting
- p) wild rice culture and harvesting
- fq accessory uses, buildings and structures

21.2	MINIMUM LOT AREA	8.0	hectares
21.3	MINIMUM LOT FRONTAGE	50.0	metres
21.4	MINIMUM FRONT YARD	15.0	metres
21.5	MINIMUM SIDE YARD	15.0	metres
21.6	MINIMUM REAR YARD	15.0	metres
21.7	MAXIMUM LOT COVERAGE	5.0	% (for all buildings)
21.8	SITE SPECIFIC PROVISIONS		

SECTION 22 - RURAL (RU) ZONE REGULATIONS

No person shall within any Rural (RU) Zone use any lot for any purpose except in accordance with the following:

22.1 PERMITTED USES

- a) agricultural uses
- b) single detached dwelling or modular home
- c) conservation uses
- d) bait fish culture and harvesting
- e) commercial fish culture and harvesting

22.2 MINIMUM LOT AREA 2.0 hectares

22.3 MINIMUM LOT FRONTAGE 30 metres

22.4 MINIMUM FRONT YARD 15.0 metres

22.5 MINIMUM SIDE YARD 15.0 metres

22.6 MINIMUM REAR YARD 15.0 metres

22.7 MAXIMUM LOT COVERAGE 25 percent (for all buildings)

22.8 MINIMUM FLOOR AREA In accordance with Section 4.11.

22.9 SITE SPECIFIC PROVISIONS

READ A FIRST AND SECOND TIME THIS 6TH DAY OF NOVEMBER, 2002.

Mayor

Clerk

READ A THIRD TIME AND FINALLY PASSED THIS 6th DAY OF NOVEMBER, 2002

Mayor

Clerk

CONVERSION TABLE

METRES	FEET	SQUARE METRES	SQUARE FEET
0.5	2.0	0.2	2
1.0	3.0	9.0	100
1.5	5.0	16.75	180
2.0	6.5	20.0=	215
2.5	8.0	28.0	300
3.0	10.0	37.0	400
3.5	11.0	42.0	450
4.0	13.0	46.0	500
4.5	15.0	55.5	600
6.0	20.0	65.0	700
7.0	23.0	70.0	750
7.5	25.0	74.0	800
9.0	30.0	88.0	950
10.0	33.0	93.0	1000
10.5	34.0	232.0	2500
12.0	39.0	279.0	3000
15.0	49.0	372.0	4000
18.0	59.0	464.0	5000
20.0	66.0	511.0	5500
23.0	75.0	557.0	6000
24.0	79.0	697.0	7500
30.0	98.0	1394.0	15000
38.0	125.0	2044.0	22000
HECTARES	ACRES	HECTARES	ACRES
0.2	.5	0.8	2.0
0.4	1.0	1.4	3.5
0.6	1.5	(1 hectare = 10,000 square metres)	

NOTE: The above table is for explanation and convenience only and does not form part of this By-law.

SCHEDULE "A"

RURAL AREA

SCHEDULE "B"

TOWNSITE

SCHEDULE "C"

HIGHWAY 657 AND GOLDPINES

SCHEDULE "D"

TOWNSHIP SOUTH