The Corporation of the City of North Bay

By-Law No. 2015-30

Comprehensive Zoning By-law

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

And Whereas a new Official Plan for The Corporation of the City of North Bay came into effect on January 6th, 2012;

And Whereas the Council of The Corporation of the City of North Bay wishes to implement the objectives and policies of the new Official Plan;

And Whereas the Council of The Corporation of the City of North Bay has ensured that adequate information has been made available to the public, and has held at least one public meeting on March 23, 2015 after due notice for the purpose of informing the public of this By-law;

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

And Whereas the Council of The Corporation of the City of North Bay passed Committee Report 2015-13 adopted by Council on April 27, 2015 by Resolution number 2015-192 to approve Zoning By-law 2015-30 as the new Comprehensive Zoning By-law for the City of North Bay;

Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

Section 1 - Interpretation and Administration

1.1 Short Title

1.1.1 The short title of this By-law is The City of North Bay Zoning By-law.

1.2 Effective Date

1.2.1 This By-law shall come into force and effect upon the date of passing by ***council***.

1.2.2 If a notice of appeal of this By-law is filed in accordance with the requirements of s. 34(19) of the *Planning Act*, R.S.O. 1990 c. P. 13, this By-law, or portions thereof, shall come into force and effect when all appeals have been resolved or withdrawn and the By-law, except for those parts or provisions that have been repealed or modified, shall be deemed to have come into force and effect the day the By-law is passed.

1.3 Litigation

1.3.1 This By-law does not affect the rights of any part of any land concerned in any action, litigation or other proceeding pending on the date the By-law is passed except to the extent to be determined in the final adjudication of the action, litigation or other proceedings.

1.4 *Use* of Land Restricted

1.4.1 Except as permitted by the *Planning Act* no ***building***, ***structure*** or land shall be ***used***, and no ***building*** or ***structure*** shall be hereafter ***erected***, placed, structurally altered or enlarged within the limits of the ***municipality*** except in conformity with this By-law.

1.5 Administration

1.5.1 This By-law shall be administered by the Managing Director, Community Services Business Unit, the Zoning Administrator, and other ***persons*** as ***council*** may designate from time to time.

1.6 Enforcement

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

1.7 Entry and Inspection

1.7.1 Subject to section 1.7.2, where an **officer** believes on reasonable grounds that any provision of this By-law is being contravened, the ***officer*** or any ***person*** acting under his or her instructions may, at all reasonable times and upon producing proper identification, enter and inspect any property on or in respect of which he or she believes the contravention is occurring.

1.7.2 An ***officer*** or any ***person*** acting under his or her instructions shall not enter any room or place actually used as a ***dwelling*** without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.

1.7.3 Section 1.7.2 does not apply where the ***officer*** has obtained a search warrant pursuant to section 49.1 of the *Planning Act.*

1.8 Obstruct

1.8.1 No ***person*** shall obstruct or attempt to obstruct an ***officer*** or a ***person*** acting under the ***officer's*** instruction in the exercise of a power under this section.

1.9 Meaning of "Use"

1.9.1 Unless the context otherwise requires, the expression "***use***" or "to ***use***" in this By-law includes anything done or permitted by the owner or occupant of any land, ***building*** or ***structure***, directly or indirectly, or by or through any trustee, tenant, servant or agent of the owner or occupant for the purpose of making ***use*** of the land, ***building*** or ***structure***.

1.10 Number and Gender

1.10.1 Words in the singular include the plural and words in the plural include the singular.

1.10.2 Gender-specific terms include both sexes and include corporations.

1.11 Wording Order Clarifications

1.11.1 Where a defined term in this By-law is reversed, it is done so for the ease and convenience of reading and to keep like terms grouped together. The terms shall be considered to be defined in the same manner. An example of this is '***single detached dwelling***' and '***dwelling, single detached***'.

1.12 Buildings to be Moved

1.12.1 No ***building*** shall be moved within the limits of the ***municipality***, except in conformity with this By-law and the Building By-law of the City of North Bay.

1.13 Offences and Penalty

1.13 Every person who contravenes any provision of this By-law is guilty of an offence against the Planning Act and on conviction is liable to the penalties as provided for in the Planning Act.

1.14 Validity

1.14.1 If any provision of this By-law is for any reason declared invalid by a court of competent jurisdiction, all of the remaining provisions of the By-law shall remain in full force and effect until repealed and the declaration shall not affect the validity of the By-law as a whole.

1.15 Repeals

1.15.1 Zoning By-law 28-80 and all amendments thereto are hereby repealed upon this By-law coming into effect save and except By-law 2015-18 and By-law 2015-37.

1.16 Variances

1.16.1 All minor variance applications deemed complete under Section 45 of the *Planning Act* prior to the enactment of this By-law and eventually approved pursuant to Section 45 of the *Planning Act* or its predecessor, continue to apply and remain in force as if

they are variances to this By-law for lawfully ***existing lots***, ***buildings***, and ***structures***.

1.16.2 Previous City of North Bay Zoning By-laws, including their definitions, shall apply to assist in the interpretation of any minor variances referred to in section 1.16.1 in the context of this By-law.

1.17 Transitional Period

1.17.1 Any application, to be evaluated under the City of North Bay Zoning By-law, which is received and deemed complete during the transitional phase of this By-law, shall be evaluated under both the Zoning By-law 28-80 as well as this Zoning By-law 2015-30. The application must conform and comply with all regulations and provisions in both By-laws.

1.17.2 Despite section 1.15, this By-law does not apply to prevent the issuance of a building permit for a project for which a complete application for a building permit, Committee of Adjustment approval, site plan control approval, part lot control approval, approval of draft plan of subdivision or draft plan of condominium, or subdivisions or condominium agreement, has been received on or after January 1, 2012 and on or prior to May 11, 2015.

1.17.3 For the purpose of section 1.17.2, "complete application" means an application which could have been approved or granted on May 11, 2015 had it been processed or disposed of on that day.

1.17.4 Where a project qualifies under section 1.17.2, the building permit for that project may be issued, or the Committee of Adjustment approval, the site plan control approval, the part lot control approval, subdivision or condominium agreement, and the approval of the draft plan of subdivision or draft plan of condominium may be granted if the project in question complies with the provisions of the applicable zoning by-law as in effect on May 11, 2015.

1.17.5 Nothing in this By-law applies so as to continue the exemption provided by this section beyond the issuance of the permit upon which the exemption is founded; and in no case does the exemption mentioned in section 1.17.4 continue beyond the repeal of this subsection.

1.17.6 Once the permit, agreement or approval under section 1.17.2 has been granted, the provisions of this By-law apply to the land in question.

1.17.7 Section 1.17.2 through to 1.17.6 inclusive are repealed 3 years from the date of passing of this By-law.

1.18 Zones

1.18.1 For the purposes of this By-law, the City of North Bay is divided into the following land use ***zones*** with the following symbols, which symbols shall apply to designate ***zones*** as shown on Schedules "B" and "C" attached hereto:

Zone	Symbol
Residential First Density	**R1**
Residential Second Density	**R2**
Residential Third Density	**R3**
Residential Mobile Home Park	**R4**
Residential Fifth Density	**R5**
Residential Sixth Density	**R6**
Residential Multiple First Density	**RM1**
Residential Multiple Second Density	**RM2**
Residential Multiple Third Density	**RM3**
Residential Holding	**RH**
General Commercial (Inner Core)	**C1**
General Commercial (Outer Core)	**C2**
Regional Shopping Centre	**C3**
District Commercial	**C4**
Neighbourhood Commercial	**C5**
Arterial Commercial	**C6**
Arterial Commercial – Fisher Street	**C6F**
Arterial Commercial – Lakeshore Drive	**C6L**
Tourist Commercial	**C7**
Commercial Holding	**CH**
Light Industrial	**M1**
General Industrial	**M2**
Heavy Industrial	**M3**
Restricted Industrial	**M4**
Industrial-Commercial	**MC**
Railway	**MR**
Industrial Holding	**MH**

Industrial Airport Business Park – Airside	**MAP-A**
Industrial Airport Business Park – Groundside	**MAP-G**
Industrial Business Park	**MBP**
Parkland	**P**
Open Space	**O**
Floodway	**O1**
Floodplain and Erosion	**O2**
Institutional	**N**
Rural General	**A**
Rural Residential Estate	**RRE**
Rural Residential Lakefront	**RRL**
Rural Extractive Industrial	**RME**
Rural Commercial	**RC**
Rural Marine Commercial	**RMC**
Rural Institutional	**RN**
Special Zones	**Sp**.

1.19 Urban Area Zoning Schedules

1.19.1 The Urban Area of the City of North Bay is defined by the settlement area boundary as defined by the City of North Bay Official Plan and as represented on Schedule "A" of this By-law.

1.20 *Rural Area* Zoning Schedules

1.20.1 The ***rural area*** of the City of North Bay is defined as the rest of the lands not defined in Schedule "A" that are within the Municipal Boundary as defined by the City of North Bay Official Plan.

1.21 Defined *Zone* Areas

1.21.1 The extent and boundaries of all ***zones*** are as shown on Schedules "A", "B" and "C", and all the ***zones*** are hereby defined as areas to which the provisions of this By-law shall apply. The area enclosed by any ***zone*** boundaries, includes **streets**, rights-of-way, and watercourses.

1.22 *Zone* Boundary

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

shall apply:

1.22.1.1 A boundary indicated as following a ***highway***, **street** or ***lane*** shall be the centreline of the ***highway***, **street** or ***lane***;

1.22.1.2 A boundary indicated as following a watercourse, or the ***right-of-way*** of a railway or an electrical, gas or oil transmission line shall be the centreline of the watercourse or ***right-of-way***;

1.22.1.3 A boundary indicated as following the natural shoreline shall follow the natural shoreline, and in the event of a change in the natural shoreline, the boundary shall be construed as moving with the actual natural shoreline;

1.22.1.4 A boundary indicated as approximately following ***lot lines*** shown on a Registered Plan of Subdivision, or Reference Plan, or Township ***lot lines*** shall follow the ***lot lines***;

1.22.1.5 Where a boundary is indicated as approximately parallel to a ***street line*** or other feature, indicated in Sections 1.22.1.1, 1.22.1.2 and 1.22.1.3 above, and the distance from the ***street line*** or other feature is not indicated, and Section 1.22.1.4 above is not applicable, the boundary shall be construed as being parallel to the ***street line*** or other feature, and the distance therefrom shall be determined according to the scale shown on the appropriate Schedule; and

1.22.1.6 A boundary indicated as following the limits of the ***municipality*** shall follow those limits.

1.23 Closed Street, *Lane,* or *Right-of-way*

1.23.1 In the event a dedicated **street** or ***lane*** or ***right-of-way*** shown on any Schedule forming part of this By-law is closed, the property formerly in the **street** or ***lane***, or ***right-of-way*** shall be included within the ***zone*** of the adjoining property on either side of the closed **street** or ***lane***, or ***right-of-way***. If a closed **street** or ***lane***, or ***right-of-way*** is the boundary between two or more different ***zones***, the new ***zone*** boundary shall be the former centreline of the closed **street** or ***lane***, or ***right-of-way***.

Section 2 - Definitions

For the purposes of this By-law the definitions and interpretation given in this Section shall govern:

Abutting or abut:

Having a common ***lot line*** in any ***yard*** with an adjacent property, **street**, or other feature.

Accessory:

A ***use***, ***building*** or ***structure*** that is detached from the ***main building*** and is naturally and normally incidental, subordinate and exclusively devoted to the ***principal use***, ***building*** or ***structure*** located on the same ***lot***. An ***accessory structure*** does not include a ***structure*** made wholly, or in a large part, of fabric.

Adult entertainment parlour:

Any premises or part thereof in which services are provided in pursuance of a trade, calling, business or occupation or services appealing to, or designed to appeal to, erotic or sexual appetites or inclinations, and without limiting the generality of the foregoing:

a) "Services" include activities, facilities, performances, exhibitions, viewings, and encounters, but does not include the exhibition of film approved under the *Film Classification Act,* S.O. 2005, c. 17; and

b) "Services designed to appeal to erotic or sexual appetites or inclinations" includes:

i) Services of which a ***principal*** feature or characteristic is the nudity or partial nudity of any ***person***; and

ii) Services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any other word or any picture, symbol or representation having like meaning or implication is ***used*** in any advertisement.

Amenity space:

Open, unobstructed space on a ***lot*** which is suitable for ***landscaping*** or an open green space, including any part of the site occupied by recreational ***accessory*** buildings, any surfaced walk, patio or similar area, any sports or recreational area, swimming pool, any ***balcony*** at least 1.5m in width, and the roof or other part of a ***building*** or ***structure*** open to the air and ***used*** for ***landscaping*** and as a recreational area, but excluding any ***driveway*** or ramp, whether surfaced or not, any curb, retaining wall, ***parking area*** or ***loading space***.

Asphalt/concrete plant:

An industrial facility ***used*** for the production of asphalt or concrete, or asphalt or concrete products, ***used*** in building or construction, and includes the stockpiling of bulk materials ***used*** in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment. This includes a sale and distribution function.

Attached:

When a ***building***, otherwise complete in itself, depends for structural support or complete enclosure upon a division wall or walls shared in common with an adjacent ***building*** or ***buildings***.

Automobile sales, service, and leasing establishment:

A commercial establishment within a ***building*** and/or ***lot used*** for the display and sale or lease of new or ***used*** motor ***vehicles***. This may also include the sale of automotive accessories including fluids, tires, lights, parts, and other related products as well as services including cleaning, polishing, greasing, and other related maintenance services. This establishment may also include an ***automobile service station*** that can be ***used*** to repair motor ***vehicles*** as an ***accessory use***.

Automobile service station:

A commercial operation where products for motor ***vehicles*** are kept for sale, such as oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries. An ***automobile service station*** may also perform servicing essential to the actual operation of the motor ***vehicle*** and may also include a ***gas bar***, ***convenience store*** or an ***automobile washing establishment*** as an ***accessory*** to the ***primary use***, but does not include a ***body shop***.

Automobile washing establishment:

A commercial operation containing manual or automated facilities for washing or cleaning ***vehicles***, but does not include an ***automobile service station***, ***body shop*** or a ***gas bar***. An ***automobile washing establishment*** may also include a car detailing service.

Backlot:

The use of property for temporary set construction, **building** facades, streetscapes and/or permanent **buildings** for **use** in filming but does not include **broadcast studio or newsroom**, **production studio**, or **production studio & backlot.** (Amended by By-law No. 2023-90)

Balcony:

A platform projecting from the face of a wall, other than on the ***first storey***, which is cantilevered or supported by columns or brackets and surrounded by a railing.

Bar:

A licensed drinking establishment, the ***principal*** business of which is to serve any sort of beverage alcohol to the public for consumption on the premises, and includes a tavern or nightclub but does not include an ***Adult entertainment parlour***. A ***bar*** may also serve food.

Barn

A large farm ***building*** primarily ***used*** for the storage of farm equipment and agricultural products and/or the housing of livestock.

Basement:

Any space of the ***dwelling*** that is partly below ***grade*** which has less than 50% of its interior height measured from floor to ceiling above the average ***established grade*** around the exterior of the ***building***.

Bed and breakfast:

An owner-occupied, private, ***single detached dwelling*** that is the owner's **principal** residence. It provides temporary accommodation for the travelling public not exceeding 28 consecutive days, and amenities and services auxiliary to guest accommodation, including the preparation and service of breakfast for an all-inclusive fee, but does not include a ***hotel***, ***boarding, lodging or rooming house*** or ***group home type 1, 2 or 3***.

Boarding, lodging or rooming house:

A ***building*** or part thereof, in which lodging is provided for more than four ***persons*** in return for remuneration or for the provision of services or for both, and in which the lodging rooms do not have both bathroom and kitchen facilities for the exclusive ***use*** of individual occupants, but does not include a ***group home type 1, 2 or 3***, ***hotel***, ***hospital***, ***retirement home*** or ***institutional use*** licensed, approved or supervised under Provincial or Federal Legislation.

Boathouse:

A detached ***accessory building*** used for the berthing, sheltering or storing of boats and related equipment, built, founded or anchored near or at the shoreline of a navigable waterway or on land, which extends partially or completely over the water, but does not include any areas designated for living, sleeping, eating or food preparation by humans.

Boathouse, Dryland:

A boathouse that does project over the water. A dryland boathouse shall not be located closer to the shoreline than the principal building on the lot, and must meet the regulations of an accessory building.

Boat Port:

A detached ***accessory building*** used for the berthing, sheltering or storing of boats and related equipment that is roofed, but not enclosed by more

than one wall and is built, founded or anchored near or at the shoreline of a navigable waterway or on land.

Body shop:

A ***building*** or ***structure used*** as an ***automobile service station*** but also includes structural repairs to ***vehicles***, painting, and refinishing. A ***body shop*** may also include a towing service and motor ***vehicle*** rentals for the convenience of the customer while the ***vehicle*** is being repaired.

Brewery, Micro:

An establishment which is used for the self-contained manufacturing, production, storage, packaging, bottling, canning, and shipping of 50,000 hectolitres or less of beer or similar beverages per year as authorized by a license issued by the *Alcohol and Gaming Commission of Ontario*. (*Amended by By-law No. 2022-31*)

Brewery, Manufacturing:

A building or structure which is used for the self-contained manufacturing, production, storage, bottling, canning, and shipping of 50,000 hectolitres or more of beer or similar beverages per year as authorized by a license issued by the *Alcohol and Gaming Commission of Ontario*. *(Amended by By-law No. 2022-31)*

Broadcast studio or newsroom:

Any ***building*** or ***structure used*** primarily for the purpose of preparing and broadcasting news, music, or other information over a variety of mediums including radio, television and internet but does not include **production studio**, **backlot**, or **production studio & backlot.** (Amended by By-law No. 2023-90)

Buffer:

A strip of vegetated land devoted exclusively to the provision of visual amenity and barrier between adjacent ***uses*** which lessens the incompatibility between different land ***uses***.

Builder's supply yard:

A business that provides building supplies for ***renovation*** and construction projects to contractors and other people. The primary focus of a ***builder's supply yard*** is the bulk sale of raw materials associated with building and construction. This type of establishment does not typically sell smaller home decorating and minor repair supplies that could be found in a ***home improvement centre***.

Building:

A ***structure***, whether permanent or temporary, with walls, a floor, or a roof, or part thereof, ***used*** or intended to be ***used*** for shelter, accommodation or enclosure of ***persons***, animals and/or goods.

Building line:

Any line regulating the position of a ***building*** or ***structure*** on a ***lot*** relative to the property lines or established by the ***setback*** regulations of this By-law.

Bulk sales establishment:

The ***use*** of land, ***structure*** or ***building*** for the purpose of buying and selling fuels, building, and ***landscaping*** materials, ice, or other commodities, but does not include any manufacturing, assembling, or processing ***uses***.

Camping establishment:

A commercial operation ***used*** for a range of overnight camping experiences, from tenting to serviced trailer sites, including ***accessory*** facilities which support the ***use*** and requirements of the clientele, such as administration ***offices***, laundry facilities, or a ***convenience store***.

Card lock gas facility:

A gas dispensing facility that is not open to the general public, and is generally directed towards transport trucks and other larger ***vehicles*** and equipment consuming a lot of fuel. These are generally not manned by any employees on a regular basis and are activated through a card or pin system established by the operator.

Carport:

A covered ***structure attached*** to the wall of the ***main building*** for the purpose of shielding a ***vehicle*** and a portion of the ***driveway*** and is often supported by piers or columns so that it is open on two or more sides. A ***carport*** does not include any ***structure*** made of fabric.

Cemetery:

Land that is set apart or ***used*** as a place for interment of human remains in accordance with *Funeral, Burial and Cremation Service Act, 2002*, S.O. 2002, C. 33 and amendments thereto. A ***cemetery*** may include ***accessory uses*** such as a mausoleum, crematorium, and columbarium.

Commercial agricultural use:

The cultivation of crops and animal husbandry for profit or commercial purposes including the packaging or production incidental to those ***uses***, but not including the commercial slaughter, processing, or packaging of animals. This may include, but is not limited to, apiaries, greenhouses and nurseries,

commercial fruit and vegetable production, forestry related operations, poultry or game farms, fish hatcheries, and operations including livestock or horses and any ***buildings*** or ***structures*** directly associated with these ***uses***.

Commercial parking lot:

An open ***lot*** or parking ***structure***, other than a **street**, ***used*** for the temporary parking of two or more ***vehicles*** for profit or gain.

Commercial motor *vehicle*:

A ***vehicle*** that is ***used*** to serve the needs of a commercial operation in some way. A ***commercial motor vehicle*** may include but is not limited to a bus, trailer, utility van, cube truck, tow truck, tilt and load style truck, dump truck, tractor trailer, semi-trailer, ambulance, or hearse.

Common wall:

A vertical wall separating two ***dwelling units*** between the top of the footings to the underside of the roof ***deck***, and shall be mutually common to both ***dwelling units***.

Community centre:

A community facility designed to provide residents with a place to go for social activities and planned events for varying periods of time, but limited to the daytime hours only. A ***community centre*** is designed to serve the needs of the immediate neighbourhood.

Conservation area:

An area that is protected for the purpose of conservation of natural land features either privately or for the enjoyment of the public. A ***conservation area*** may be privately held or may be maintained and stewarded by a public organization such as the North Bay-Mattawa ***Conservation Authority***.

Conservation authority:

The Government body responsible for the administration of a ***conservation area*** as established and defined by the *Conservation Authorities Act,* R.S.O. 1990, c. C.27 and amendments thereto. In the City of North Bay, this body is the North Bay-Mattawa ***Conservation Authority***.

Contractor's yard:

An area with or without ***buildings*** or ***accessory structures used*** for the storage of materials and equipment related to the construction industry where a contractor may perform shop or assembly work, but shall not include a ***salvage yard***.

Convenience store:

An establishment that is primarily engaged in providing the sale of everyday personal items of use or necessity to the local area. Some of these items may include, but are not limited to, food and snacks, beverages, pharmaceutical drugs, tobacco products, lottery items, and newspaper and magazine products.

Council:

The ***council*** of The Corporation of the City of North Bay.

Courier distribution depot:

A business that acts as a regional hub for a courier distribution service and is ***used*** as a central point where packages are shipped to and locally distributed by courier ***vehicles***. Courier ***vehicles*** and ***accessory*** warehousing and storage may form part of a ***courier distribution depot***.

Data storage and processing firm:

A business that specializes in the collection, storage, and processing of raw data. This would be a digital information hub that consists of multiple servers and processing systems that deal with very large amounts of data. Similar ***uses*** that deal with internet communications, data, and data servers would fall under this heading.

Day nursery:

A commercial operation licensed under the *Child Care and Early Years Act, 2014*, S.O. 2014, c.11, Sched. 1 that receives more than five children who are not of common parents, primarily for the purpose of providing temporary care or guidance for a continuous period not exceeding twenty-four hours, where the children are:

a) Under eighteen years of age in the case of a ***day nursery*** for children with a developmental disability;

b) Under ten years of age in all other cases;

c) But does not include a public ***school***, separate ***school***, private ***school,*** or a ***school*** for children with developmental disabilities under the accessibility for *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11.

Daylight corner:

A ***corner lot*** located at the intersection of two **streets** where no visual obstruction will be permitted that will obstruct the vision of any motorist in any way.

Deck:

A ***structure*** without a roof having a foundation to hold it ***erect*** and ***attached*** to or ***abutting*** one or more walls of a ***building*** or constructed separate from a ***building***, with or without direct access to the ground, the floor of which is greater than 0.3m above the ***established grade*** but shall not include a landing or a stair. Any portion of a dock structure that extends onto the land above the shoreline is considered a deck.

Distillery, Micro:

An establishment that is used for the self-contained manufacturing, production, storage, packaging, bottling, canning, and shipping of 9,000 hectolitres or less of alcohol (not beer) per year as authorized by the Alcohol and Gaming Commission of Ontario. (*Amended by By-law No. 2022-31)*

Distillery, Manufacturing:

An establishment that is used for the self-contained manufacturing, production, storage, packaging, bottling, canning, and shipping of 9,000 hectolitres or more of alcohol (not beer) per year as authorized by the Alcohol and Gaming Commission of Ontario. *(Amended by By-law No. 2022-31)*

Driveway:

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

Drive through:

A facility that makes up a component of a commercial operation that allows clients to remain in their ***vehicles*** before, during, and after a commercial transaction occurring on the premises. This might include but is not limited to ***restaurants***, retail, and services ***uses***.

Dry cleaning depot:

A ***building*** or ***structure used*** for the purpose of collection and distribution of articles or goods of fabric to be subjected to the process of dry cleaning at a ***dry cleaning establishment***.

Dry cleaning establishment:

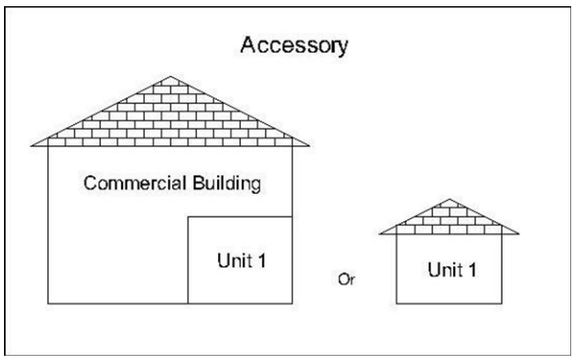
A ***building*** or ***structure used*** for the purpose of collection, distribution and the processing of articles or goods of fabric to be subjected to the process of dry cleaning, dry dyeing, cleaning, spotting, and stain removal, and for the pressing and alterations of any articles or goods which have been subjected to any of the above processes.

Dwelling:

A ***building***, occupied or capable of being occupied as a home, residence or sleeping place by one or more ***persons***, but shall not include ***hotels***, ***boarding, lodging or rooming houses***, ***recreational vehicles*** and ***group homes type 2 and 3*** or other ***institutional uses***.

Dwelling, *accessory*:

A ***dwelling*** where the residential function is secondary to the ***primary use*** in the ***zone***, and may be contained either within its own ***building*** or as part of the primary ***building***.



Dwelling Unit, Additional Residential Urban:

A ***dwelling*** unit that is ancillary and subordinate to the main ***dwelling*** unit within the ***Urban settlement area***, and connected to municipal services. (Added by By-law 2025-37)

Dwelling Unit, Additional Residential Rural:

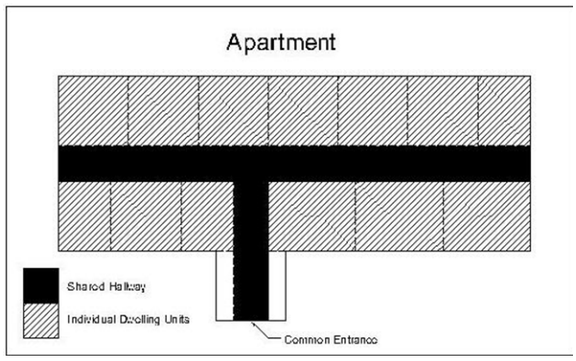
A ***dwelling*** unit that is ancillary and subordinate to the main ***dwelling*** unit not within the ***Urban settlement area*** that may be contained within the main ***building*** on a lot or within an ***accessory*** structure on the same lot, but not both and connected to private services. (Added by By-law 2023-40)

Dwelling Unit, Additional Residential:

The Zoning By-law will use Additional Residential Dwelling Unit when reference is made to both the Additional Residential Urban Dwelling Unit and the Additional Rural Dwelling Unit. (Added by By-law 2023-40)

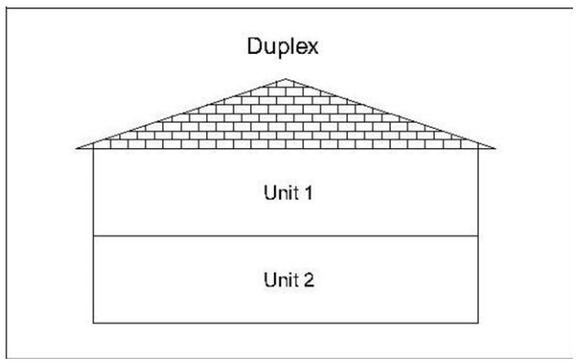
Dwelling, apartment:

A ***building*** consisting of five or more ***dwelling units***, which units have a common entrance either directly to the outside or through a common vestibule and the occupants of which have the right to use, in common, halls, stairs, elevators, ***yards*** or any combination of the above but shall not include a ***townhouse***.



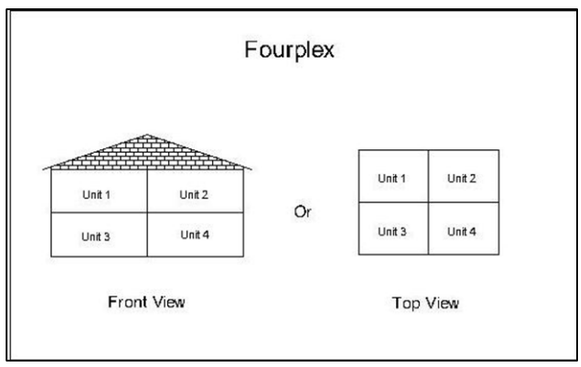
Dwelling, duplex:

A separate ***building*** that is divided into two ***dwelling units***, each of which has an independent entrance either directly to the outside or through a common vestibule.



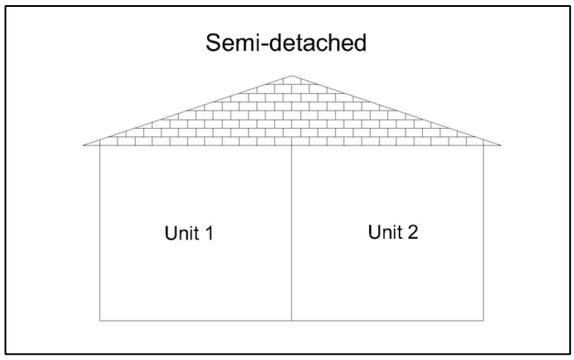
Dwelling, fourplex:

A separate ***building*** that is divided into four ***dwelling units***, each of which has an independent entrance either directly to the outside or through a common vestibule, but shall not include a ***townhouse***.



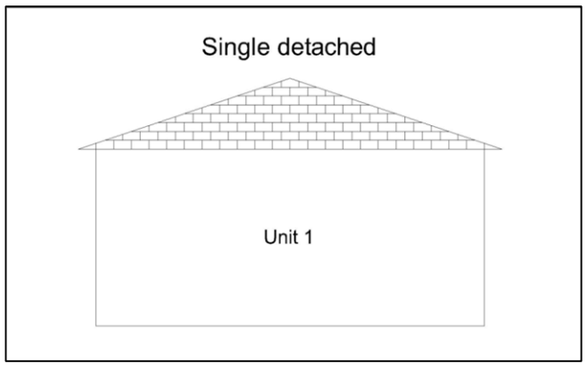
Dwelling, semi-detached:

A ***building*** that is divided vertically into two ***dwelling units*** by a ***common wall*** which prevents internal access between ***semi-detached dwelling units*** and extends from the base of the foundation to the roof line; each ***semi-detached dwelling unit*** shall be designed to have access to, and front onto, a **street**.



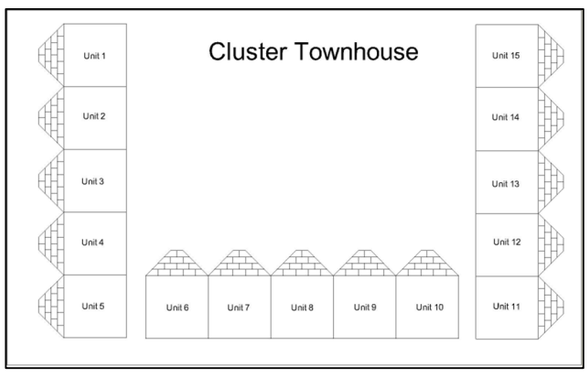
Dwelling, single detached:

A completely detached ***dwelling unit*** to which entrance is gained only by a private entrance directly from outside the ***building***.



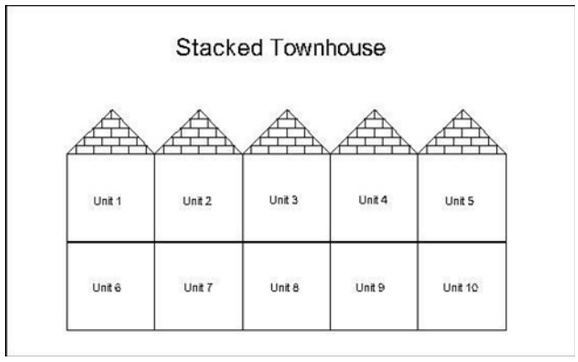
Dwelling, townhouse (cluster):

A ***building***, or group of ***buildings***, that are divided vertically by ***common wall***s into three or more ***dwelling units***, each of which has independent entrances, to a ***front and rear yard*** immediately ***abutting*** the front and rear walls of each ***dwelling unit***. ***Buildings*** in a ***cluster townhouse*** may front onto private ***driveways*** and may face different directions from each other and be oriented a number of different ways on the ***lot***.



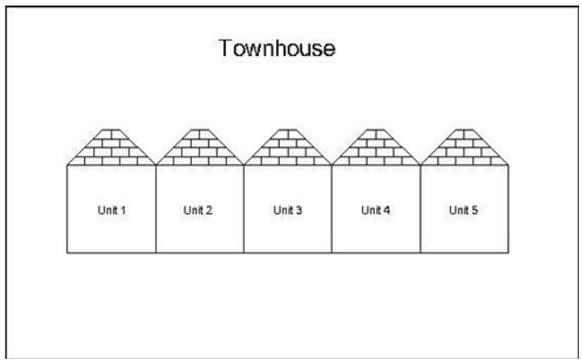
Dwelling, townhouse (stacked):

A ***building***, or multiple ***buildings*** that are divided by ***common walls*** into units that are stacked on top of each other, as well as connected to the unit beside with all units having independent private entrances. A ***stacked townhouse*** may front onto a municipal ***roadway*** as a ***street front townhouse*** would, or may front onto a private ***driveway*** as a ***cluster townhouse*** would.



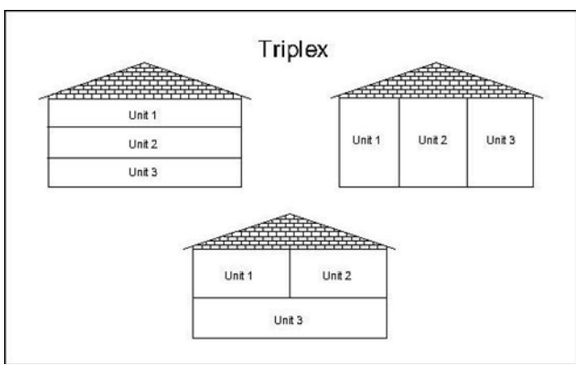
Dwelling, townhouse (street front):

A ***building***, or multiple ***buildings*** that are divided vertically by ***common walls*** into three or more ***dwelling units***, each of which has independent entrances to a ***front and rear yard*** immediately ***abutting*** the front and rear walls of each ***dwelling unit***, with each unit fronting onto a municipal ***roadway***.



Dwelling, triplex:

A ***building*** that is divided into three ***dwelling units***, each of which has an independent entrance either directly to the outside or through a common vestibule, but shall not include a ***townhouse*.**



Dwelling unit:

A room or suite of habitable rooms which:

a) Is located in a ***building***;

b) Is ***used*** or intended to be ***used*** by one or more ***persons*** as a single, independent and separate household unit;

c) Contains food preparation and sanitary facilities for the exclusive common ***use*** of the occupants; and

d) Has a means of egress directly to the outside of the ***building*** or through a common vestibule.

Easement:

A vested or acquired right by statute or registered agreement at The Land Registry Office to ***use*** land, other than as a tenant, for a specific purpose with the right being held by someone other than the registered owner.

Efficiency unit:

A ***dwelling unit*** consisting of one main room and some combination of bathroom, kitchen, closets, dining alcove and hall space.

Erect:

To build, to construct, to reconstruct, to alter, to enlarge or to relocate and, without limiting the generality of the foregoing, includes any associated physical operation such as excavating or grading, or structurally altering any ***existing building*** or ***structure*** by an addition, deletion, enlargement, or extension.

Established building line:

The average distance from the ***street line*** of ***existing buildings*** in any block where more than half the frontage has been built upon at the date of the date this By-law came into effect.

Exhibition building:

A ***building*** built for manufacturing, warehousing or other industrial purposes, or an arena ***used*** for the purpose of exhibiting and or the demonstrating of trades, goods and services.

Existing:

When ***used*** in relation to a ***use***, ***building*** or ***structure*** means legally present on or before the day this By-law came into effect.

Farmer's market:

The ***use*** of lands, ***buildings*** or ***structures*** or part thereof, by farmers and other vendors, for the purpose of selling agricultural, horticultural food

products and crafts to the general public and activities associated with the above ***uses***.

Financial institution:

An establishment which provides money management services directly to the public, including a bank, trust company, or a credit union.

Flea market:

A ***building*** in which stalls or sales areas are set aside and rented or otherwise provided, and which are intended for ***use*** by various unrelated individuals to sell articles that are either homemade, home grown, handcrafted, old, obsolete, or antique, and may include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade.

Floor area:

The space of any ***storey*** of a ***building*** between exterior walls and required fire walls, including the space occupied by interior walls and partitions. A fire wall located on a property line separating two properties under separate ownership shall, for the purpose of this definition, be considered an exterior wall.

Floor area, gross:

The sum of all ***floor areas*** above ***grade***, except in the case of an ***apartment building*** where part of the area of the ***basement*** is ***used*** for a ***dwelling unit(s)***, in which case the area constitutes part of the ***gross floor area*** measured between the internal faces of the exterior walls of the ***building*** at the level of each floor, including any part of the ***building*** above ***grade used*** for the storage or parking of motor ***vehicles***, locker storage and laundry facilities, but excluding any part of the ***building used*** for mechanical purposes which are an integral part of the ***building***.

Freight container:

Standardized reusable steel box that is generally associated with the overseas shipping industry.

Funeral home:

A commercial establishment providing funeral supplies and services to the public. This may include a crematorium and associated services as outlined by Ontario's *Funeral, Burial, and Cremation Services Act, 2002*.

Garage, attached:

A ***private garage***, as part of a ***dwelling unit***, which is on the same ***lot*** and is ***attached*** to the ***main building***.

Garage, private:

An ***accessory building*** either separate from or ***attached*** to the ***main building***, which is designed or ***used*** for the storage of one or more private ***vehicles*** and the storage of household equipment, incidental to residential occupancy.

Garage, temporary:

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

Garden centre:

The ***use*** of lands, ***buildings*** or ***structures*** or part thereof for the purpose of buying or selling lawn and garden equipment, furnishings, supplies and nursery stock but does not include the bulk sales of ***landscaping*** products or unpackaged ***landscaping*** materials. A ***garden centre*** may sell produce as well as operate a plant/flower nursery as ***accessory uses***.

Gas bar:

The ***use*** of lands, ***buildings***, or ***structures*** where ***vehicle*** fuel 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, a ***gas bar*** may include a ***convenience store*** or an ***automobile washing establishment*** as an ***accessory use***.

Generator:

An emergency or stand-by machine that runs on fuel, battery or other power source that generates and converts mechanical energy into electrical energy, and is not ***used*** as the main source of power.

Golf course:

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

Government lands and buildings:

Lands or ***buildings used*** by a municipal, provincial, or federal government agency for the purpose of carrying out their operations and business.

Grade, established:

With reference to a ***building***, the average elevation of the finished surface of the ground where it meets the exterior of all sides of the ***building***, and when ***used*** with reference to a ***structure***, means the average elevation of the ***established grade*** of the ground immediately surrounding the ***structure***, and, when ***used*** with reference to a ***street***, ***road*** or ***highway***,

will refer to the elevation established by the ***municipality*** or other designated authority.

Grocery store:

A ***building***, or a portion of a ***building***, where food and other household items are kept for sale at retail to the general public and which operates on a self-service, cash and carry basis and may include facilities for parcel pick-up.

Group home type 1:

A single housekeeping unit in which up to 4 residents (excluding the staff or receiving family) live as a family under responsible supervision consistent with the requirements of its residents, and the ***group home*** is licensed or approved under Provincial or Federal Statute.

Group home type 2:

An occupancy in which up to 8 patients (excluding the staff or receiving family) live and receive treatment under responsible supervision consistent with the requirements of its residents, and the ***group home*** is licensed or approved under Provincial or Federal Statute. A ***group home type*** 2 may also include a ***hospice***.

Group home type 3:

A residence maintained and operated primarily for ***persons*** who have been placed on probation under the provisions of the *Children's Law Reform Act,* R.S.O. 1990, c. C.12, the *Criminal Code*, R.S.C. 1985, C. C-46, the *Youth Criminal Justice Act*, S.C. 2002, c. 1, or any Act passed to replace the foregoing Acts, or ***persons*** who have been released on parole under the provisions of the *Ministry of Correctional Services Act*, R.S.O. 1990, c. M.22 or *Corrections and Conditional Release Act*, S.C. 1992, c. 20, or any Act that has been passed to replace the foregoing Acts, or ***persons*** who have been charged under the *Youth Criminal Justice Act* but who have been placed in open or secure custody. A ***group home type 3*** may include a ***group home type 1*** or a ***group home type 2***.

Height of building:

The vertical distance between the ***established grade*** at the base of a ***main wall*** of the ***building*** and:

a) The highest point of the roof surface, if a flat roof;
b) The deck line, if a mansard roof;
c) The midpoint between the eaves and the ridge, if a hip, gable, shed or gambrel roof; or
d) The highest point of the ***building*** or ***structure*** in all other cases.

Highway:

A public way for purposes of vehicular or pedestrian travel, including the entire dedicated area, with or without provision made for curbs, sidewalks

and/or paved gutters and owned and maintained by a ***public authority*** or Ministry of Transportation.

Hobby farm:

A parcel of land which includes the ***principal*** residence and ***barns***, sheds, pens and similar ***accessory buildings*** which are ***used*** for the sole purpose of the ***persons*** residing at the residence and are not ***used*** for ***commercial agricultural uses***.

Home based business:

A commercial undertaking carried on for gain or profit which is ***accessory*** and subordinate to the ***principal*** residential ***use*** of the ***dwelling unit***.

Home improvement centre:

A commercial business that focuses on the sale of ***building*** supplies and materials, as well as home finishing and decorating items, which would be ***used*** by an individual for work in and around their home. A ***home improvement centre*** will focus primarily on individual consumers for their own personal project needs.

Hospice:

A care home, that is generally smaller in size than most medical facilities or ***retirement homes***, that provides assistance and care for people who are often very sick or terminally ill.

Hospital:

A ***hospital*** as defined by the *Public Hospitals Act*. R.S.O. 1990, C. P.40, the *Mental Health Act*, R.S.O. 1990, c. M.7, or the *Private Hospitals Act*. R.S.O. 1990, c. P.24, as amended, or any act passed to replace the foregoing.

Hotel:

A commercial establishment ***used*** for temporary rental sleeping accommodations for travellers governed under the *Innkeepers' Act* R.S.O. 1990, c. I.7. A ***hotel*** may offer other facilities on premises for the benefit of their customers that are ancillary to the main ***use***, such as ***personal service establishments***, ***restaurants***, ***retail stores*** or commercial recreation. For the purposes of this By-law, a ***hotel*** shall also include a motel but shall not include any residential ***uses***, such as an ***efficiency unit***, a ***boarding, lodging or rooming house*** or a ***mobile home park***.

Industrial class 1:

Basic industrial ***uses*** where such operations do not involve the emission of air or water pollutants that exceed the standards set by the appropriate Provincial Regulatory Authority. This type of industrial ***use*** usually occurs solely inside a ***building*** and consists of the manufacturing, assembling, processing, warehousing or other treatment of goods, substances or things including, but not limited to, food and beverage processing, ***laboratory***

and/or research and development facility, value added wood products, electronics repair and assembly, and auto parts suppliers.

Industrial class 2:

General industrial ***uses*** where such operations do not involve the emission of air or water pollutants that exceed the standards set by the appropriate Provincial Regulatory Authority. General industrial ***uses*** commonly consist of the manufacturing, assembling, processing, warehousing or other treatment of goods, substances or things including, but not limited to, food and beverage, rubber, leather, textiles, value added wood products, transportation and communication industries, or similar ***uses*** such as construction yards, machining and metal fabrication, recycling, industrial equipment manufacturing, sales, service and storage. This does not include forest product industries, refineries, mills, foundries, chemical plants, mines, ***pits***, quarries, oil wells or similar heavy industries.

Industrial class 3:

Heavy industrial ***uses*** where such operations do not involve the emission of air or water pollutants that exceed the standards set by the appropriate Provincial Regulatory Authority. Heavy industrial ***uses*** are generally incompatible with most other land ***uses*** and consist of the manufacturing, assembling, processing, warehousing or other treatment of goods, substances or things including, but not limited to, refineries, foundries, chemical plants, or mills. This does not include a mine, ***pit***, ***quarry***, or an oil well.

Industrial equipment sales, service, and leasing establishment:

A commercial establishment within a ***building*** and/or ***lot used*** for the display, sale or lease of new or ***used*** industrial equipment. This may also include the sale of accessories including fluids, tires, lights, parts, and other related products as well as services including cleaning, polishing, greasing, and other related maintenance services. This establishment may also include a ***body shop***, as part of the same ***building*** that can be ***used*** to repair industrial equipment as an ***accessory use*** but may not be ***used*** for motor ***vehicles*** or ***recreational vehicles***.

Institutional use:

The ***use*** of land, ***buildings*** or ***structures*** for a public purpose including ***schools***, ***places of worship***, ***community centres***, and ***hospitals***.

Kennel:

A place where dogs are bred and raised, sold, kept for sale, or boarded but does not include a ***veterinary establishment***.

Laboratory:

A ***building***, or part thereof, ***used*** for research, testing, evaluation and development.

Landscaping:

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

Lane:

A public thoroughfare which affords only a secondary means of access to ***abutting lots*** and which is not intended for general traffic circulation.

Library, museum, or art gallery:

Any ***building*** or area to be ***used*** for the preservation, collection, and display of significant works of artistic, historical, scientific, musical, sporting, or other worth as well as any ***offices*** or other facilities in support of, or ***used*** in connection with, ***the library, museum, or art gallery***. This also includes any area for the purpose of containing printed, electronic, and pictorial material as well as all supporting facilities.

Limited agricultural:

A basic agricultural ***use*** that is to have no ***buildings*** or ***structures*** as part of the ***use*** and to have no added fertilizers or other supplements and have only very limited modification to the landscape. This ***use*** shall not incorporate animals in any way.

Loading space:

An area of land which is provided and maintained upon the same ***lot*** or ***lots*** upon which the main ***use*** is located, for the temporary parking of one or more ***commercial motor vehicles*** while merchandise or materials are being loaded or unloaded from the ***vehicles***.

Lot:

Any parcel of land which is a separate parcel of record or is shown as a whole ***lot*** on a registered Plan of Subdivision, including any part of which is subject to an ***easement*** or ***right-of-way***.

Lot area:

The total horizontal area within the ***lot lines*** of a ***lot***. **(See Figure 2.1)**

Lot coverage:

The percentage of ***lot area*** covered by all ***buildings***, main and ***accessory***, above ground level. Where a property has more than one zone the ***lot coverage*** in each ***zone*** applies and shall be deemed to apply only to that portion of the ***lot*** that is located within the ***zone***. **(See Figure 2.1)**

Lot depth:

The perpendicular distance measured in a horizontal plane between the front and rear ***lot lines***. Where these lines are not parallel, it shall be the length of a line joining the mid-points of the ***front and rear lot lines***. **(See Figure 2.1)**

Lot frontage:

The horizontal distance between the ***side lot lines*** measured along the ***front lot line***, except: **(See Figure 2.1) (See Figure 2.2)**

a) Where the ***front lot line*** is not perpendicular to the ***side lot lines***, which are parallel, ***lot frontage*** means the horizontal perpendicular distance between the ***side lot lines***;

(b) Where the ***front lot line*** is not a straight line and the side lot lines are not parallel, the ***lot frontage*** is to be measured from a line 6m back and parallel to the chord of the ***lot frontage***, and for the purpose of this paragraph, the chord is a straight line joining the two point where the ***side lot lines*** intersect the ***front lot line***. *[amended by By-law 2016-25]*

c) Where the ***lot abuts*** a shore ***road*** allowance that has not been closed, the ***lot frontage*** is the distance along the shortest line joining points where the ***side lot lines*** intersect the inner limit of the shore ***road*** allowance;

d) Where there are no ***side lot lines***, such as in the case of a peninsula, ***lot frontage*** is the greatest distance between any two points on the shoreline, or in the case where the shore ***road*** allowance has not been closed, the inner limit of the shore ***road*** allowance and any point on the ***rear lot line***; and

e) Where there are no ***side or rear lot lines***, such as in the case of an island ***lot frontage*** is the greatest distance measured between any two points on the shoreline, or in the case where the shore ***road*** allowance has not been closed, the inner limit of the shore ***road*** allowance.

Lot frontage, shoreline property:

Where the ***front lot line abuts*** a lake, the ***lot frontage*** is considered the straight line between the two points where each ***side lot line*** meets the water’s edge. The ***setback*** shall still be measured from the water’s edge.

Lot line:

Any boundary of a ***lot***. **(See Figure 2.4)**

Lot, corner:

A ***lot*** bounded on two or more sides by one or more public ***roads***, provided that the angle of intersection of the public ***roads*** is not more than 135 degrees. **(See Figure 2.3)**

Lot, interior:

A ***lot*** other than a corner ***lot*** or a ***through lot***. **(See Figure 2.3)**

Lot, through:

A ***lot***, with the exception of a ***corner lot***, that connects two more or less parallel ***streets***. **(See Figure 2.3)**

Lot line, flankage:

The longer ***lot line*** which ***abuts*** the ***street*** on a ***corner lot***. **(See Figure 2.4)**

Lot line, front:

The ***lot line*** that ***abuts*** the ***street*** except that: **(See Figure 2.4)**

a) In the case of a ***corner lot***, the shorter ***lot line*** that ***abuts*** the ***street*** shall be deemed to be the ***front lot line***;

b) In the case of water frontage, the ***lot line*** that ***abuts*** the body of water, being the surveyed normal water's edge, shall be deemed to be the ***front lot line*** and the ***lot line*** that ***abuts*** a ***road*** to the rear of the ***lot*** shall be considered the ***rear lot line***; and

c) In the case of a ***through lot***, the shorter ***lot line*** that ***abuts*** the ***street*** shall be deemed to be the ***front lot line***.

Lot line, rear:

The ***lot line*** furthest from or opposite to the ***front lot line***. **(See Figure 2.4)**

Lot line, side:

A ***lot line*** other than a front or ***rear lot line***. **(See Figure 2.4)**

FIGURE 2.1

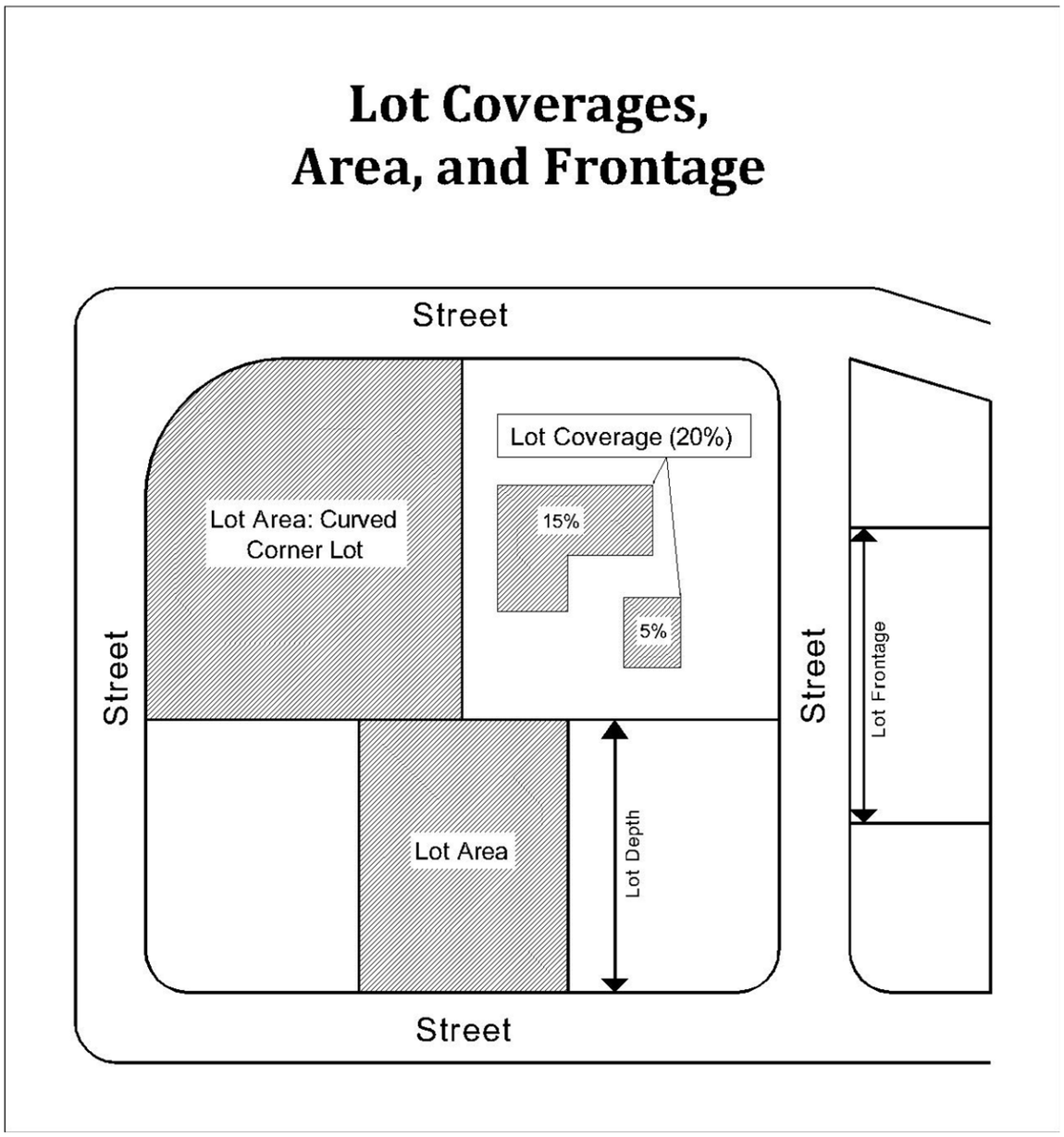

Lot Coverages,
Area, and Frontage
Street
Lot Coverage (20%)
15%
5%
Lot Area: Curved
Corner Lot
Street
Street
Lot Frontage
Lot Area
Lot Depth
Street

FIGURE 2.2

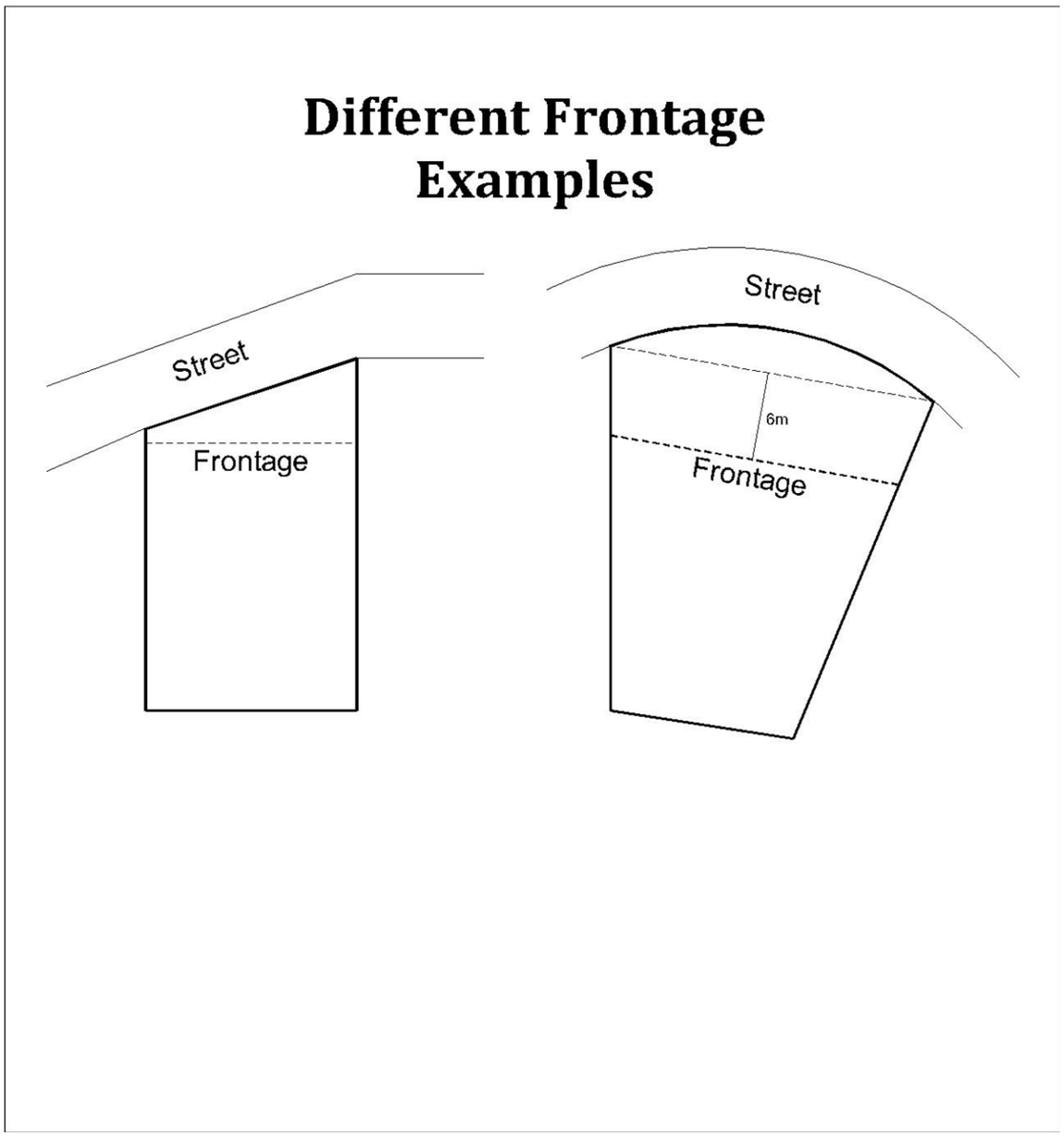

Different Frontage Examples
Street
Frontage
Street
6m
Frontage

FIGURE 2.3

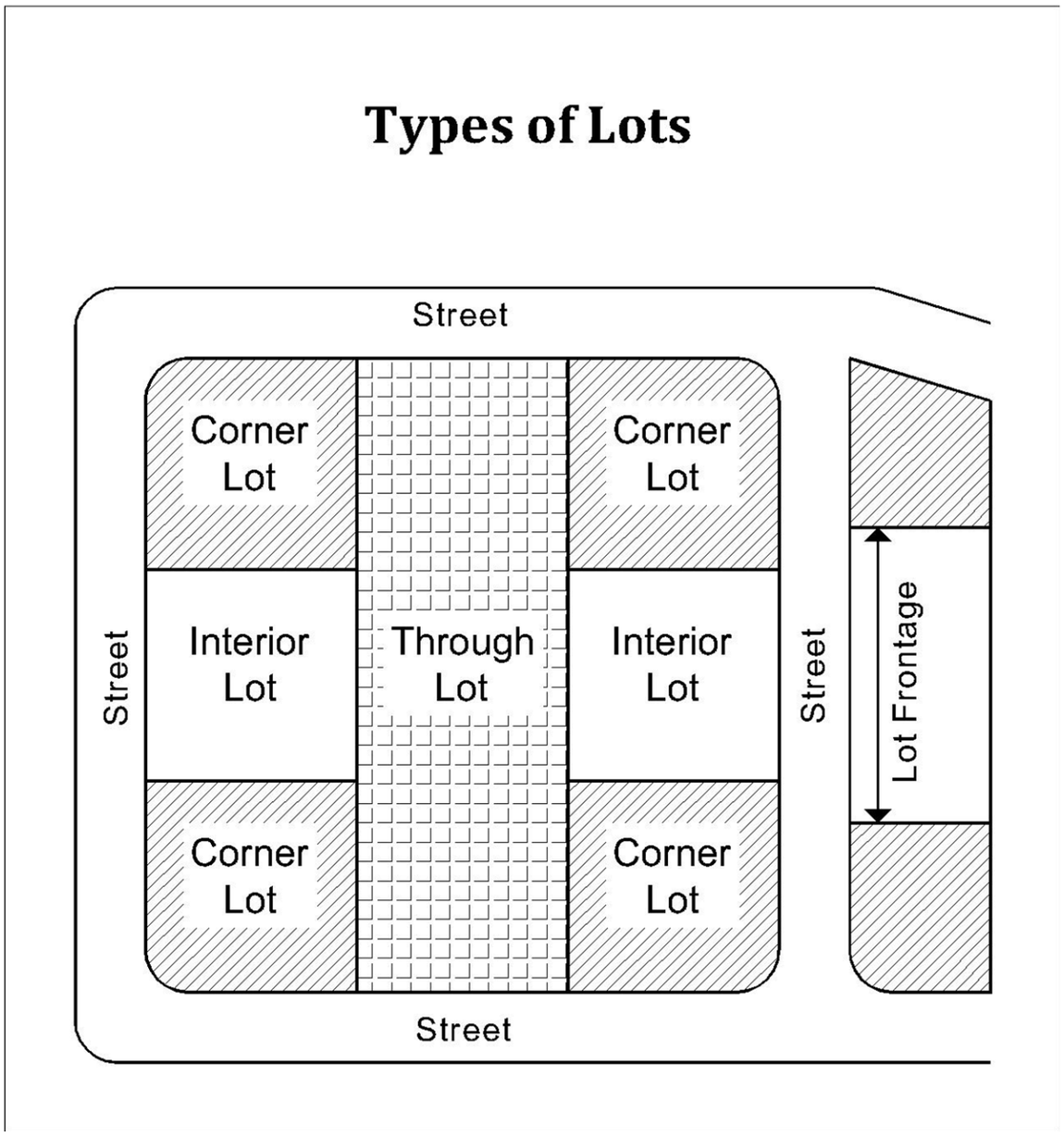
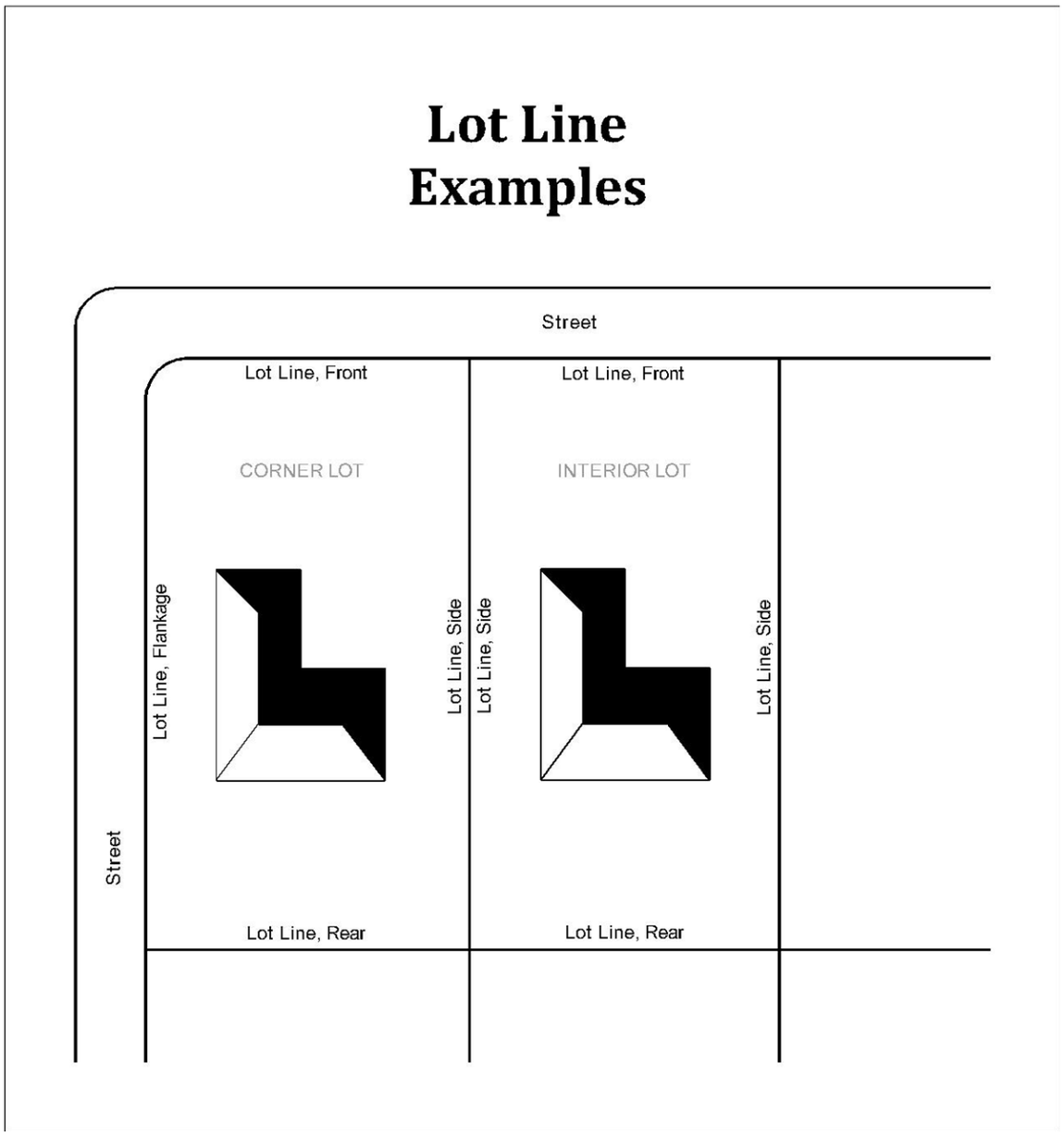

Types of Lots
Street
Corner Lot
Corner Lot
Interior Lot
Through Lot
Interior Lot
Corner Lot
Corner Lot
Street
Street
Lot Frontage
Street

FIGURE 2.4


Lot Line
Examples
Street
Lot Line, Front
Lot Line, Front
CORNER LOT
INTERIOR LOT
Lot Line, Flankage
Lot Line, Side
Lot Line, Side
Lot Line, Side
Street
Lot Line, Rear
Lot Line, Rear

Main building:

The ***building*** designed or ***used*** for the ***principal use*** on the ***lot*** and includes any ***attached use***, such as a ***garage*** or ***carport***.

Main wall:

The exterior front, side or rear wall of a ***building***, and all structural members essential to the support of a fully or partially enclosed space or roof, where the members are nearer to a ***lot line*** than the exterior wall.

Marina:

A commercial establishment containing docking or mooring facilities where boats or boat accessories are berthed, stored, serviced, repaired, constructed or kept for sale or lease. A ***marina*** may also include ancillary ***uses*** that support the operation of the ***marina***, such as but not limited to the sale of marine fuels or lubricants, ***restaurants***, ***convenience stores***, or water taxi services. A ***marina*** may also include similar facilities to accommodate water borne aircrafts.

Medical practitioner:

An individual who practices any of the health disciplines regulated under a Provincial Act. This shall include, but is not limited to, a dentist, psychiatrist, chiropractor, physician, or optometrist but does not include a veterinarian.

Mobile home:

Any ***dwelling*** that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more ***persons***, but does not include ***recreational vehicles*** such as a travel trailer, tent trailer, or trailer otherwise designed.

Mobile home park:

A number of ***mobile home lots*** provided with full municipal services where ***mobile homes*** are ***used*** for permanent residence, and includes all ***accessory buildings*** necessary to the operation of the park.

Municipality:

The Corporation of the City of North Bay.

Non-complying, legal:

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

Non-conforming, legal:

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

Non-principal dwelling unit short-term rental:

A short-term rental that is not someone's principal ***dwelling*** unit (where they do not live primarily). *(Amended by By-law 2022-76)*

Non-profit use:

Facilities provided by any group or organization without profit or gain for special purposes such as, but not limited to, a club, or a ***community centre,*** but does not include ***school*** facilities, ***public parks***, playgrounds, arenas, stadiums, swimming pools, skating rinks, commercial-recreational establishments or any class of ***group home***.

Office, business:

Building or part thereof in which the administrative functions of agencies, foundations, brokers or similar organizations are carried out, but does not include ***professional offices***, ***veterinary establishments*** or ***personal service establishments***.

Office, corporate administrative:

An establishment primarily engaged in overall management and general supervisory functions such as executive, personnel, finance, legal, and sales activities, performed in a single location or ***building*** for other branches or divisions of a firm involved in any ***use*** that would normally be permitted within the ***zone***. A corporate administrative ***office*** specifically excludes professional ***offices***, clinics, banks and other similar ***uses***, such as a realtor, legal ***office***, financial services and medical ***offices***.

Office, professional:

A ***building***, or part thereof, in which a professional service is performed or consultation given. Without limiting the generality of the foregoing, this includes but is not limited to the ***offices*** of a lawyer, a planner, an architect, a surveyor, an engineer or a chartered accountant, but does not include a ***personal service establishment***, a ***veterinary establishment***, ***corporate administrative office*** or a ***business office***.

Officer:

The Director, Community Development and Growth and his or her designate, the Zoning Administrator and his or her designate, and any person or class or person appointed by ***council*** as a by-law enforcement officer to enforce this By-law.

Open space:

An area that is landscaped and designed to be ***used*** as a recreational area for the inhabitants of the **dwelling** unit.

Outside storage:

The storage of goods in the open air and in unenclosed portions of ***buildings*** which are open to the air on the sides.

Park, public:

A ***park*** owned, maintained or controlled by the ***municipality*** or by any Board, Commission, or other authority established under any federal or provincial statute.

Parking area:

An area on a ***lot used*** for the parking of motor ***vehicles*** as accommodation for visitors, clients, customers, members of the public, residents or employees, whether free or for profit.

Parking space:

That portion of a ***parking area*** exclusive of any ***driveway*** or aisle which is ***used*** for the parking of not more than one motor ***vehicle***.

Person:

Any person, association, partnership, corporation, municipal corporation, corporation created under the *Condominium Act, 1998*, S.O. 1998, c. 19, organization, agent or trustee and the heirs, executors or other legal representatives of a ***person*** to whom the provisions and regulations of this By-law can apply according to law.

Personal service establishment:

An establishment in which personal services are provided and otherwise administered for the benefit of people and the community. Without limiting the generality of the foregoing, this may include the premises of a barber, hairdresser, beautician, tailor, or a tanning shop but excludes ***funeral homes***, medical ***offices***, pharmacy and any manufacturing or fabrication of goods for sale.

Pet daycare facility:

An establishment conducted during regular business hours, which is engaged in grooming and supervision of pet animals. A ***pet daycare facility*** is not a ***kennel*** or a ***veterinary establishment*** and does not operate on a 24 hour basis.

For the purpose of this By-law, the North Bay District Humane Society shall be considered a Pet Daycare Facility with the exception of the hours of operation.

Pet Grooming:

An establishment used for the washing, clipping, drying and grooming of domesticated animals. Pet Grooming does not include Pet Daycare facilities and the keeping of animals overnight. *(Amended by By-law 2022-31)*

Pet shop:

Any retail establishment that is primarily engaged in selling small household pets including cats, hamsters, fish, guinea pigs, lizards, and other similar animals but not dogs or other larger animals. A ***pet shop*** may provide pet services such as grooming and washing but is not a ***pet daycare facility***, ***kennel***, or ***veterinary establishment***.

Pit:

Any depression or cavity in the natural level of the ground made other than by natural causes by the removal of soil or rock, or both, for the purpose of removing sand, gravel, stone or similar material which is to be ***used*** for ***road building***, construction or manufacturing purposes.

Places of entertainment:

A ***use*** that is for the general enjoyment of people including, but not limited to, a motion picture or other theatre, auditorium, public hall, billiard or pool hall, bowling alley, dance hall, or music hall, but does not include any ***Adult entertainment parlour*** or other ***use*** based in entertainment, recreation or amusement that is otherwise defined or classified in this By-law.

Places of worship:

A ***building*** or ***use*** dedicated to religious worship or other spiritual functions and may include ***accessory uses*** such as a nursery ***school***, an assembly hall, a ***school*** of religious education, or other ***structures accessory*** to the primary religious function.

Porch:

A covered area adjacent to the entrance to a ***building*** that does not have walls or windows enclosing it that are above 1m in height. Support columns are permitted to extend above the 1m height.

Post office:

The area in a ***building*** or an entire ***building***, ***used*** to provide the service of receiving, conveying and delivering the mail as part of Canada Post or a private delivery of correspondence or parcels. This may also include commercial operations providing mailbox services and satellite ***post offices***, whether they are contained within a larger commercial operation or not but does not include a ***courier distribution depot***.

Post-secondary institution:

A university, college, or similar institution, as defined by Provincial legislation.

Principal/primary use:

The predominate purpose for which any land, ***building***, ***structure*** or premises, or part thereof, is ***used***, designed, arranged, occupied or maintained.

Principal dwelling unit short-term rental:

A **short-term rental** which is also someone's principal **dwelling unit** (where they live primarily). *(Amended by By-law 2022-76)*

Prison:

Includes penitentiary, common jail, public or reformatory ***prison***, lock up, guard room or other place in which ***persons*** who are charged with or convicted of offences are usually kept in custody, as defined by the *Criminal Code*, as amended, but does not include a ***group home type 3***.

Private swimming pool:

An artificial body of water, the container of which is constructed of cement, plastic, fibreglass or similar material, having a depth greater than 0.5m and intended primarily for swimming but shall not include a natural, dug or dammed pond primarily intended for aesthetic or agricultural purposes.

Production studio:

The ***use*** of any building for the recording, production, or post-production of audio and visual media including motion pictures, videos, or television but does not include ***broadcast studio or newsroom***, ***backlot***, or ***production studio*** **&** ***backlot***. This may also include a partial production office, storage, carpentry, and soundstage and the parking of associated production vehicles ancillary to the main filming ***use***. (Amended by By-law No. 2023-90)

Production studio & backlot:

The ***use*** of any ***building*** and ***lot*** for the combined use of both ***production studio*** and ***backlot*** and does not include ***broadcast studio or newsroom***. (Amended by By-law No. 2023-90)

Public authority:

Any local board defined by the *Municipal Act, 2001*, S.O. 2001, c. 25.

Quarry:

An excavation in the natural level of the ground made other than by natural causes for the purpose of removing stone or similar material which is to be ***used*** for ***building***, further processing or as a raw material in a manufacturing process, as defined by the *Aggregate Resources Act*, R.S.O. 1990, c. A.8.

Railway lines and yards:

Lands owned and operated by a railway that include their tracks, support ***structures*** and ***buildings***, maintenance areas, and any other items required for operation of a railway.

Recreational facility:

The ***use*** of lands, ***buildings*** or ***structures*** designed and equipped for the conduct of athletic and recreational pursuits. ***Uses*** can include, but are not limited to, racquet courts, rinks, fitness clubs, pools, or other sport related activities.

Recreational facility, public authority:

The ***use*** of lands, ***buildings*** or ***structures*** designed and equipped for the conduct of athletic and recreational pursuits that are owned, operated, and maintained by a ***public authority***. ***Uses*** can include, but are not limited to, an arena, a ***community centre***, or other parkland ***buildings*** serving a recreational purpose.

Recreational facility, rural:

The ***use*** of lands, ***buildings*** or ***structures*** designed and equipped for the conduct of athletic and recreational pursuits that are more characteristic of ***rural areas*** within the ***municipality***. ***Uses*** can include, but are not limited to, archery grounds, paintball grounds, cross country skiing, equestrian tracks, or other ***uses*** that require large outdoor spaces that are characteristic of, and commonly found in, ***rural areas*** of the ***municipality***.

Recreational *vehicle* sales, service and leasing establishment:

A commercial establishment within a ***building*** and/or ***lot used*** for the display and sale or lease of new or ***used recreational vehicles*** and trailers. This may also include the sale of accessories including fluids, tires, lights, parts, and other related products as well as services including cleaning, polishing, greasing, and other related maintenance services. This establishment may also include structural repair services to ***recreational vehicles*** only, as an ***accessory use*** and as part of the same ***building***.

Recreational *vehicle*:

Any ***vehicle*** that is ***used*** for recreational purposes. For the purpose of this definition, a ***recreational vehicle*** includes but is not limited to a motor home, travel trailer, park model trailer, camper shell, cab-over-camper, watercraft, off-road ***vehicles***, or fifth wheel.

Recycling centre:

The ***use*** of lands, ***buildings***, or ***structures***, that are in compliance with the *Environmental Protection Act,* R.S.O. 1990, c. E.19 , in which ***used*** material is separated and processed prior to shipment to others who will reuse those broken down materials to manufacture new products.

Renovation:

The repair and restoration of a ***building*** to good condition, but not complete replacement.

Restaurant:

An establishment which is primarily engaged in the preparation and sale of food and beverages which are consumed on or off the premises and may or may not be licensed for the sale of alcoholic beverages, and also includes a food catering business, but excludes a ***bar.***

Retail store:

A ***building*** or part thereof where goods, services, wares, merchandise, substances, articles or things are offered or kept for sale or rent by retail directly to the public, but does not include any manufacturing, processing or construction ***uses***.

Retail store, local:

A ***retail store***, usually of a smaller size, which deals primarily in goods required by the inhabitants and workers of a neighbourhood and surrounding community.

Retirement home:

A ***building*** in which lodging is supplied with meals, homecare, nursing, medical, or similar care and treatment if required. A ***retirement home*** may contain independent and separate housekeeping units which include culinary facilities, provided that these units are ancillary to the main facility from which the residents receive services.

Right-of-way:

An ***easement*** for access over one or more ***lots***.

Road:

A public way for purposes of vehicular and pedestrian travel, including the entire dedicated area, with or without provision made for curbs, sidewalks and/or paved gutters and owned and maintained by a ***public authority***.

Rural area:

The area within the City of North Bay municipal boundary that is outside of the settlement area boundary as defined by the City of North Bay Official Plan.

Salvage yard:

The ***use*** of land, ***buildings*** or ***structures*** for the storage, handling, processing and salvage of scrap metal material.

School:

A ***building*** or ***structure*** under the jurisdiction of a Board as defined in the *Education Act*, R.S.O. 1990, c. E.2, as amended.

Seasonal garden centre:

An ***accessory use*** that temporarily occupies an area on a ***lot***, or portion of the required ***parking area*** of the main ***use*** on the same ***lot***. The ***seasonal garden centre*** shall be restricted to the storage and sale of gardening supplies and plants for domestic ***uses*** only.

Self-storage use:

A facility that leases space to individuals or small businesses for the purpose of storing excess goods or household items. The rented spaces are normally secured by the tenant's own lock and key. Facility operators do not have casual access to the contents of the space. ***Self-storage uses*** do not include ***freight containers*** or ***storage trailers***. ***Self-storage*** facility operators usually provide controlled access to rental space areas.

Setback:

The minimum distance between any ***lot line*** and the nearest part of any ***main wall*** of any ***building*** or ***structure*** unless the closet wall is permitted to encroach under Section 3.15. (*Amended by By-law 2022-31)*

Sewage disposal system:

Any sewage system as defined in the *Building Code*, O. Reg. 332/12, made under the *Building Code Act, 1992*, S.O. 1992, c. 23 and *Ontario Water Resources Act,* R.S.O. 1990, c. O.40, or their successors.

Short-term rental:

All or part of a ***dwelling unit*** used to provide sleeping accommodations for any rental period that is less than 28 days in exchange for payment. ***Short-term rental*** uses shall not mean or include a ***bed and breakfast*** establishment, institutional tourist establishment, tourist establishment, tourist camping establishment, motel, resort, or similar commercial or institutional use. *(Amended by By-law 2022-76)*

Solar farm:

Any device or combination of devices employed in the collection of direct solar radiation for the purposes generating electricity or otherwise converting solar rays into usable forms of energy.

Sleep Cabin:

A detached ***accessory building*** or ***structure***, located on the same ***lot*** as the principal dwelling, for sleeping accommodation only or for the occasional accommodation of guests, from which there shall be no monetary gain and in which sanitary facilities may be provided, but shall not contain cooking facilities.

Special occasion tents or *structures*:

An outdoor venue that can accommodate a variety of special events including, but not limited to, concerts, festivals, fundraising activities, ceremonies and wedding receptions and provides temporary covered ***open space***.

Specialty food store:

A ***retail store*** engaged primarily in the business of selling a limited range of food products such as, but not limited to, a meat shop, a butcher, a fish shop, a cheese shop, a shop selling baked goods or a catering shop selling frozen meals or prepared foods. Other food and products sold aside from the primary speciality item must be a direct ***accessory*** item to the speciality item that is the focus of the store. A ***specialty food store*** shall not offer full service meals or extensive seating.

Stacking spaces, drive through:

An on-site ***vehicle*** space with direct forward access to a service window of a ***drive through*** facility, ***drive through*** carwash or other continuous ***drive through*** set up.

Stacking spaces, parking:

A situation where parking shall be permitted where one space stacks in front of another thereby limiting direct access to the ***street*** or ***laneway*** from one of the ***parking spaces***.

Storage trailer:

The trailer portion of a tractor-trailer unit, transport truck, the box or storage area of a van or utility ***vehicle***, or similar type of trailer that is ***used*** in a manner similar to an ***accessory structure***.

Storey:

The portion of a ***building***, other than a ***basement***, between the surface of any floor and the surface of the floor next above, or, if there is no floor above it, that portion between the surface of the floor and the ceiling above it.

Storey, first:

The ***storey*** with its floor closest to ***grade*** and having its ceiling more than 1.8m above ***grade***.

Storey, half:

The portion of a ***building*** located wholly or partly within a sloping roof, having a ***floor area*** of not less than one-half and not more than two-thirds of the ***floor area*** of the ***storey*** next below, and a ceiling with a minimum height of 2.2m over an area equal to at least 50 percent of its ***floor area***.

Street:

A public way for purposes of vehicular and pedestrian travel, including the entire dedicated area, with or without provision made for curbs, sidewalks and/or paved gutters and owned and maintained by a ***public authority***.

Street line:

The line defined by the edge of pavement, curb, or travelled ***roadway***.

Structure:

Anything that is ***erected***, built or constructed of parts joined together or any ***erection*** fixed to or supported by the soil or any other ***structure***. But for the purposes of this By-law, a fence not exceeding 1.8m in height shall be deemed not to be a ***structure*** and for the purposes of ***setbacks*** or ***yards*** required in this By-law, a sign shall not be deemed to be a ***structure***.

Tourist cabin:

A separate ***building***, not including a ***hotel***, that is designed to provide only sleeping accommodation for travelling or vacationing public and does not include food preparation or cooking facilities.

Transit terminal:

A ***building*** or ***structure***, or a portion thereof, or an area of land that is ***used*** for the temporary parking of transit ***vehicles*** and the picking up and dropping off of passengers.

Transportation terminal:

The ***use*** of land, ***buildings*** or ***structures*** for the purpose of storing, servicing, repairing, loading, or leasing trucks, transport trailers, ***commercial motor vehicles***, buses, or any combination thereof, but does not include ***automobile service stations*** or transportation sales or rental outlets.

Urban settlement area:

The City of North Bay Settlement Area as defined by the City of North Bay Official Plan.

Use:

The purpose for which a ***lot***, ***building***, ***structure***, or any combination thereof is designed, constructed, arranged, occupied or maintained.

Utility trailer:

A trailer primarily ***used*** for the storage of equipment and supplies for any trade. ***Utility trailers*** may only be ***used*** for storage purposes and may not

be ***used*** to accommodate work areas, shops, ***office uses*** or retail sales or any other form of occupancy.

Vegetative buffer:

An area of dense vegetation intended to slow runoff, trap sediment, or create a natural buffer/screening.

Vegetative buffer, Riparian:

Is an area of dense vegetation next to a waterbody intended to slow runoff and trap sediment.

Vehicle:

A motor ***vehicle***, trailer, traction engine, farm tractor, bicycle, ***road*** building machine and any ***vehicle*** drawn, propelled, or driven by any kind of power, including muscular power, or as otherwise defined under the *Highway Traffic Act*, R.S.O 1990, c. H.8.

Veterinary establishment:

A ***building*** or ***structure*** where animals, including birds and livestock are treated and where domestic animals, including birds are kept for treatment, but shall not include a ***kennel***.

Warehouse:

A ***building***, or part thereof, which is ***used*** primarily for the housing, storage, adapting for sale, packaging or ***wholesale*** distribution of goods, wares, merchandise, foods, and other products.

Waste disposal site:

The ***use*** of land for the depositing, handling, storage, transfer, treatment, processing, or final disposal of waste under controlled conditions in order to protect environmental and human health and for which a Certificate of Approval under the *Environmental Protection Act*, as amended, is required. A ***waste disposal site*** also includes a hazardous waste depot or other similar ***uses*** and any machinery or equipment ***used*** in connection with the depositing, disposal, handling, storage, transfer, treatment, or processing of waste.

Waste transfer station:

The ***use*** of land, ***building*** or ***structure***, or part thereof, for the storage, processing or disposition of waste or hazardous waste and for which a Certificate of Approval under the *Environmental Protection Act*, as amended, is required.

Wholesale use:

Any establishment in which goods are offered or kept, for sale or rental, in bulk for ***wholesale*** to others for the general purpose of resale.

Wind farm:

Any device or combination of multiple devices with the primary purpose of generating usable energy through harnessing and converting kinetic wind energy.

Yard:

An ***open space*** of land other than a court on the same ***lot*** with a 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 ***lot***.

Yard, exterior side:

The ***side yard*** of a ***corner lot***, which ***side yard*** extends from the ***front yard*** to the ***rear yard*** between the ***side lot line abutting*** a ***street*** and the nearest ***main wall*** of any ***main building*** or ***structure***. **(See Figure 2.6)**

Yard, front:

A ***yard*** extending across the full width of the ***lot*** between the ***front lot line*** and the nearest ***main wall*** of the ***main building*** or ***structure*** on the ***lot***, or in a case where a forced ***road*** bisects the ***lot***, the edge of the ***road*** and the nearest ***main wall*** of the ***main building*** on the ***lot***.

Yard, interior side:

A ***side yard*** other than an ***exterior side yard***. **(See Figure 2.6)**

Yard, minimum front:

The minimum depth of ***front yard*** on a ***lot*** between the ***front lot line*** and the nearest wall of any ***building*** or ***structure*** on the ***lot***, or in a case where a forced ***road*** bisects the ***lot***, the edge of the ***road*** and the nearest ***main wall*** of the ***main building*** on the ***lot***. In the case of water frontage along a shoreline, the ***minimum front yard*** is measured from the surveyed normal water's edge to the nearest ***main wall*** of the ***building*** or ***structure*** on the ***lot***. **(See Figure 2.6)**

Yard, minimum rear:

The minimum depth of a ***rear yard*** on a ***lot*** between the ***rear lot line*** and the nearest wall of any ***main building*** or ***structure*** on the ***lot***, or in a case where a forced ***road*** bisects the ***lot***, the edge of the ***road*** and the nearest wall of any ***main building*** or ***structure*** on the ***lot***. **(See Figure 2.6)**

Yard, minimum side:

The minimum width of a ***side yard*** on a ***lot*** between a ***side lot line*** and the nearest wall of any ***main building*** or ***structure*** on the ***lot***. **(See Figure 2.6)**

Yard, rear:

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 the ***lot***, or in a case where a forced ***road*** bisects the ***lot***, the edge of the ***road*** and the nearest ***main wall*** of the ***main building*** on the ***lot***. **(See Figure 2.6)**

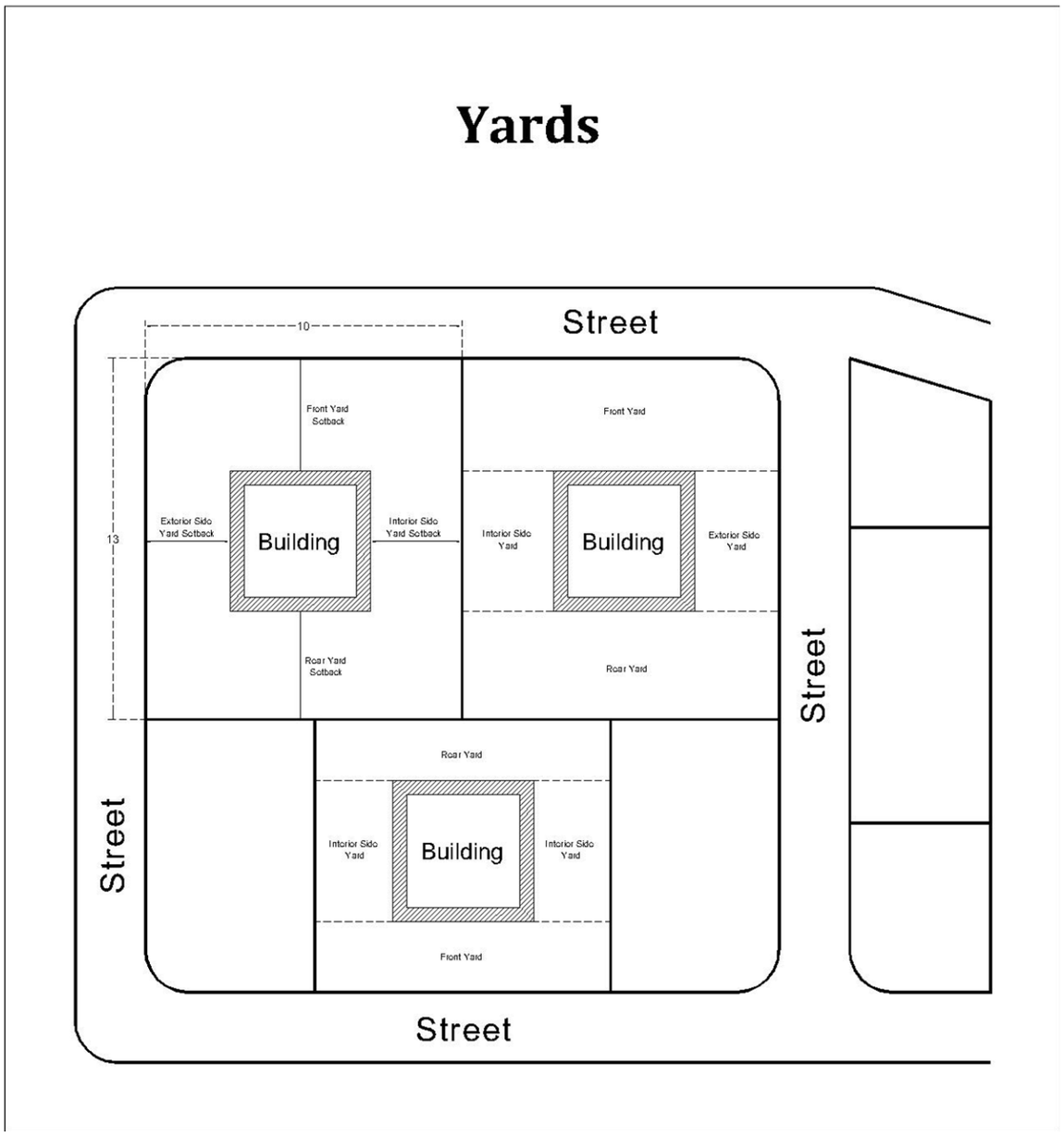
Yard, side:

A ***yard*** between the nearest ***main wall*** of the ***main building*** or ***structure*** and the ***side lot line*** extending from the ***front yard*** (or ***front lot line*** if no ***front yard*** is required) to the ***rear yard*** (or ***rear lot line*** if no ***rear yard*** is required). **(See Figure 2.6)**

Zone:

An area within which, in accordance with the provisions of this By-law, certain ***uses*** of lands, ***buildings*** and ***structures*** are permitted and certain others are prohibited, where ***yards*** and other ***open spaces*** are required, and where ***lot areas***, ***building*** height limits and other requirements are established, all of the foregoing being identical for the ***zone*** and district in which they apply.

FIGURE 2.6


Yards
Street
10
13
Front Yard Setback
Front Yard
Exterior Side Yard Setback
Building
Interior Side Yard Setback
Interior Side Yard
Building
Exterior Side Yard
Rear Yard Setback
Rear Yard
Street
Rear Yard
Interior Side Yard
Building
Interior Side Yard
Front Yard
Street
Street

Section 3 – General Provisions

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3.1 Application to All *Zones*

3.1.1 The provisions of this section apply in all ***zones*** except as may be indicated otherwise elsewhere in this By-law.

3.2 *Lots* to Front on Public *Roads*

3.2.1 All ***lots*** created after the date this By-law comes into effect shall front on and have access to an open public ***road*** or ***highway*** for a minimum of 4.5m which is presently being maintained by the ***municipality*** or the Province of Ontario or, in the instance of a vacant land condominium, shall front on and have access to the Condominium Corporation's ***road*** which shall have ***street*** access to an open public ***road*** or ***highway*** which is presently being maintained by the ***municipality*** or the Province of Ontario.

3.2.2 No ***person*** shall ***erect*** or ***use*** or permit or cause to be ***erected*** or ***used*** any ***building*** or ***structure*** in any ***zone*** unless the ***lot*** upon which the ***building*** or ***structure*** is to be ***erected*** or ***used*** fronts upon an open public ***road*** or ***highway***; or in the instance of a vacant land condominium, fronts on and has access to the Condominium Corporation's ***road*** which shall have ***street*** access to an open public ***road*** or ***highway*** which is presently being maintained by the ***municipality*** or the Province of Ontario.

3.2.3 A ***building*** or ***structure*** may be ***erected*** or ***used*** on an ***existing*** separate parcel of record which does not front on an open public ***road*** or ***highway***, but which ***existing*** separate parcel of record does have registered access to an open public ***road*** or ***highway***.

3.3 Public *Uses* Permitted

3.3.1 The provisions of this By-law shall not apply to the ***use*** of any land or to the ***erection*** or ***use*** of any ***building*** or ***structure*** for the purpose of public service by the ***municipality***, local board, ***school*** board, public utility, department of the Government of Canada or the Province of Ontario, any Crown Corporation or the public infrastructure of a telecommunications company regulated by the Government of Canada, provided that:

3.3.1.1 The ***lot coverage***, ***setback*** and ***yard*** regulations prescribed for the ***zone*** in which the land, ***building*** or ***structure*** is located are complied with;

3.3.1.2 No recreational, institutional or public ***building*** located in any residential ***zone*** is located closer than half of the height of the ***building*** or 4.5m, whichever is the greater, to any property line on the site on which the ***building*** is located;

3.3.1.3 No goods, material or equipment are stored in the open in a residential ***zone*** or in a ***lot*** adjacent to a residential ***zone***;

3.3.1.4 Any ***building erected*** in a residential ***zone*** or in a rural ***zone*** under the authority of this paragraph is designed,

landscaped and maintained in general harmony with the residential character of the neighbourhood, and surrounding ***buildings*** of the type permitted in the ***zone***;

3.3.1.5 Any ***building erected*** in a residential ***zone*** or in a rural ***zone*** under the authority of this paragraph is not to be ***used*** for the purposes of an ***office***; and

3.3.1.6 Any parking and loading regulations prescribed for the ***use*** of the land, ***building*** or ***structure*** are complied with.

3.4 *Lots* Reduced by Public Acquisition

3.4.1 Where a ***lot*** is reduced, and where ***existing buildings*** or ***structures*** no longer meet the regulations contained within this By-law, by means of an acquisition, expropriation or otherwise, of part of the ***lot*** by a ***public authority*** for the purpose of providing a public service, nothing in this By-law shall apply to prevent the continued ***use*** of the ***lot***, as reduced, for the same purpose, or the ***erection***, alteration or ***use*** of a ***building*** or ***structure*** thereon, as if no acquisition had taken place, provided that:

3.4.1.1 No regulation pursuant to the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7 or the *Environmental Protection Act* are contravened;

3.4.1.2 The ***lot,*** as reduced, is accessible to vehicular traffic from an open public ***road*** either directly or via registered access; and

3.4.1.3 No change is made to the ***lot*** or to any ***building*** or ***structure*** thereon, subsequent to the date of the acquisition, that would increase the degree of any non-conformity resulting from the acquisition or that would contravene any other provision hereof.

3.4.2 This provision shall not be construed as mitigating or legalizing any non-conformity or contravention pertaining to the ***lot*** prior to the date of the acquisition.

3.5 Exception to Height Regulation

3.5.1 The height regulations in this By-law shall not apply to church spires, water tanks, elevator enclosures, flagpoles, television, telecommunication or radio antennae, ventilators, skylights, ***barns***, chimneys or wind turbines.

3.6 *Existing* Buildings not Conforming to Permitted *Uses* in a *Zone*

3.6.1 Where a ***building*** or ***structure*** was ***erected*** prior to the date this By-law comes into effect and is ***used*** for a purpose which is not a permitted ***use*** in the ***zone*** in which it is situated, but is a ***legal non-conforming use***, the ***building*** or ***structure*** may be reconstructed, repaired, renovated, extended or enlarged provided that the repair or **renovation** does not include any alteration of **use,** the **building** or **structure** continues to be

used for the same purpose and the extension or enlargement does not have any adverse impacts.

3.7 *Existing* Buildings Having Less than Minimum *Lot* or *Setback* Requirements

3.7.1 Subject to section 3.7.2, where a ***building*** or ***structure*** was ***erected*** prior to the date this By-law came into effect, on a ***lot*** having less than the minimum frontage or area, less than the minimum front, side, or ***rear yard setback***, or less than the minimum usable ***open space*** required by this By-law, but is a legal ***non-complying use***, the ***building*** may be enlarged, reconstructed, repaired or renovated provided that:

3.7.1.1 The enlargement, reconstruction, repair or ***renovation*** does not further reduce the ***front, side***, or ***rear yard setbacks***, where the ***setback*** is already deficient, or usable ***open space*** required by this By-law; and

3.7.1.2 The height of the ***existing*** legal ***non-complying use*** is not increased except where the required ***side yard setbacks*** are available.

3.7.2 Legal non-complying ***Existing Dwellings*** in the Trout Lake Influence Area Overlay

3.7.2.1 Notwithstanding anything herein to the contrary in the Trout Lake Influence Area shown on Schedule E, legal non-complying existing dwellings that do not comply with the front yard requirements may expand and/or enlarge, subject to the following:

3.7.2.1.1 Where a legal non-complying ***existing dwelling*** is 7.5 metres or less from the water's edge:

3.7.2.1.1.1 The ***gross floor area*** of the legal non-complying existing ***dwelling*** shall be permitted to increase by a maximum of 10% based on the ***gross floor area*** of the legal non-complying ***existing dwelling*** on the day this By-law was passed;

3.7.2.1.1.2 The width of the legal non-complying ***existing dwelling*** shall be permitted to increase by a maximum of 10% of the legal non-complying ***existing dwelling*** width on the day this By-law was passed;

3.7.2.1.1.3 No portion of ay expansion or enlargement of the legal non-complying ***existing dwelling*** shall be permitted to encroach further into the ***front yard*** or reduce any other ***legal non-complying setbacks*** based on the **setbacks** of legal non-complying ***existing dwelling*** on the day this By-law was passed; and,

3.7.2.1.1.4 The ***height*** of the legal non-complying ***existing dwelling*** shall be permitted to increase by a maximum of 1 metre based on

the ***height*** of the legal non-complying ***existing dwelling*** on the day this By-law was passed, and provided that the required ***yard setbacks*** are maintained.

3.7.2.1.2 Where a legal non-complying ***existing dwelling*** is 7.6 to 15 metres from the water's edge:

3.7.2.1.2.1 The ***gross floor area*** of the legal non-complying ***existing dwelling*** shall be permitted to increase by a maximum of 20% based on the ***gross floor area*** of the legal non-complying ***existing dwelling*** on the day this By-law was passed;

3.7.2.1.2.2 The width of the legal non-complying ***existing dwelling*** shall be permitted to increase by a maximum of 20% of the legal non-complying ***existing dwelling*** width on the day this By-law was passed;

3.7.2.1.2.3 No portion of any expansion or enlargement of the legal non-complying ***existing dwelling*** shall be permitted to encroach further into the ***front yard*** or reduce any other ***legal non-complying setbacks*** based on the ***setbacks*** of the legal non-complying ***existing dwelling*** on the day this By-law was passed; and,

3.7.2.1.2.4 The ***height*** of the legal non-complying ***existing dwelling*** shall be permitted to increase by a maximum of 2 metres based on the ***height*** of the legal non-complying ***existing dwelling*** on the day this By-law was passed, and provided that the required ***yard setbacks*** are maintained.

3.7.2.1.3 Where a legal non-complying ***existing dwelling*** is 15.1 to 32 metres form the water's edge:

3.7.2.1.3.1 The ***gross floor area*** of the legal non-complying ***existing dwelling*** shall be permitted to increase by a maximum of 30% based on the ***gross floor area*** of the legal non-complying ***existing dwelling*** on the day this By-law was passed;

3.7.2.1.3.2 The width of the legal non-complying ***existing dwelling*** shall be permitted to increase by a maximum of 30% of the legal non-complying ***existing dwelling*** width on the day this By-law was passed;

3.7.2.1.3.3 No portion of any expansion or enlargement of the legal non-complying ***existing dwelling*** shall be permitted to encroach further into the ***front yard*** or reduce any other ***legal non-complying setbacks*** based on the ***setbacks***

of legal non-complying ***existing dwelling*** on the day this By-law was passed; and,

3.7.2.1.3.4 The ***height*** of the legal non-complying ***existing dwelling*** shall be permitted to increase by a maximum of 3 metres based on the ***height*** of the legal non-complying ***existing dwelling*** on the day this By-law was passed, and provided that the required ***yard setbacks*** are maintained.

3.8

3.9 *Existing Setbacks* Conformity

3.9.1 In any ***zone*** within the Urban Settlement Boundary where undeveloped ***lots*** exist between developed ***lots,*** and where the ***lots*** are within the same block and fronting on the same ***street*** and connected to municipal services, ***the minimum front yard setback*** may be reduced. Where a ***building line*** has been established by ***existing structures*** on two or more ***lots,*** this ***established building line*** will be the minimum required ***front yard setback,*** but shall not be less than 3m. [amended by By-law 2016-25]

3.10 Three-Tenths Metre Reserve *Setback*

3.10.1 Where a ***side lot line abuts*** a 0.3m reserve, no portion of any ***buildings*** or ***structures***, above or below ***grade***, shall be located closer than 6m to the reserve.

3.11 Three-Tenths Metre Reserve *Private Garage Setback*

3.11.1 Where a ***flankage lot line abuts*** a 0.3m reserve, no ***attached*** or detached ***private garage*** shall be located in the ***exterior side yard*** and no portion of any ***driveway*** shall be located closer than 15m to the intersection of the ***street lines*** or their projections.

3.12 *Setback* From TransCanada Pipeline *Right-of-way*

3.12.1 Where a ***building*** or ***structure*** is located adjacent to a TransCanada Pipeline ***right-of-way*** the setback from the ***right-of-way*** for habitable structures shall be 7m. For an **accessory** structure the setback shall be 3m. (Amended by By-law 2023-40)

3.13 *Setbacks* From Forced *Roads*

3.13.1 Where a forced ***road*** intersects a property no part of any ***building***, primary or ***accessory structure***, may be built within 5m of the edge of the ***road***.

3.14 Daylight Corners

3.14.1 On any ***corner lot*** in any ***zone***, no sign, fence, shrubs or any visual obstruction with a height exceeding 0.6m above the grade of the ***road*** shall be ***erected*** within the triangular space measured:

3.14.1.1 Along the edge of pavement for a distance of 9m from their point of intersection; and

3.14.1.2 Along an edge of pavement and a railway ***right-of-way*** for a distance of 30m from their point of intersection.

3.14.2 Notwithstanding subsection 3.14.1, a chain link fence may be permitted in the triangles described in subsection 3.14.1 if:

3.14.2.1 Its posts are not more than 0.08m in diameter; and

3.14.2.2 It is made of wire having a maximum gauge of 24 and a minimum mesh of 0.05m.

3.14.3 This section does not apply to trees if they are kept trimmed so that no foliage hangs or grows below the height of 2m above the crown of the adjacent ***street***.

3.14.4 This section does not apply to properties ***zoned*** C1 or C2.

3.14.5 In addition to the provisions of this By-law, ***daylight corners*** shall also adhere to all regulations in the City of North Bay Fence By-law 2002-105 and any successor thereto, as amended.

3.15 Permitted Encroachments in Yards

3.15.1 Every part of any ***yard*** required by this By-law shall be open and unobstructed by any main ***structure*** from the ground to the sky provided that fences and hedges shall be permitted, in accordance with the provisions of Section 3.15 of this By-law, and that those ***structures*** listed in the following table that form part of the main ***structure*** shall be permitted to project into the minimum ***setback*** indicated for the distances specified in the following tables. Section 3.15.1 and the permitted encroachments are not permitted within the Trout Lake Influence Area Overlay as shown in the Official Plan on Schedule ‘C’:

Structure	***Yard* in Which Projection is Permitted**	**Maximum Projection Permitted from *Main Wall***
Sills, Belt Courses, Cornices, Eaves or Canopies, Gutters, Chimneys or Pilasters	Any ***Yard***.	1m
Fire Escape Staircases	***Rear and Side Yard***.	1.8m
Window Bays	***Front, Rear***, and ***Exterior Side Yard*** only.	1m over a maximum width of 3m
Balconies	***Front, Rear***, and ***Exterior Side Yards*** for ***Single Detached***, ***Semi-Detached***, **Duplex, Triplex, *Fourplex and Townhouses***. Any ***Yard*** for all other residential ***buildings***.	1.8m
Covered *Porches* (not exceeding 1 *storey* in height), Uncovered Terraces, and *Decks* (excluding stairs)	***Front and Rear Yard***.	3m
Landscape Features Including Decks Less Than 0.3m in Height.	Any ***Yard***.	Any Distance
Freestanding Air Conditioning Units and *Generators*	***Front, Rear***, and ***Exterior Side Yard*** only. In the general Rural (A) ***zone*** the ***interior side yard*** is also Permitted.	1.2m
Ramps, Enclosures, or any Equipment *used* to improve accessibility for owners, tenants, or visitors, as defined by the *Accessibility for Ontarians with Disabilities Act*.	Any ***Yard***.	Any Distance
Brick Façade and Siding.	Any ***Yard***.	0.1m

3.16 Enclosures

3.16.1 Enclosures to any covered ***porch*** or terrace permitted by the above subsection of this By-law shall be permitted in the ***front or rear yard*** and shall be limited to 1m in height not including roof supports.

3.16.2 Where a continuous covered ***porch*** or ***deck*** is being constructed for an ***abutting semi-detached*** or ***townhouse dwelling*** the ***interior side yard setback*** shall be 0m.

3.16.3 For ***semi-detached*** and ***townhouse dwellings***, the construction of a covered ***porch*** or ***deck*** that is not continuous shall have an ***interior side yard setback*** of not less than 0.6m.

3.17 Truck, Bus and Coach Bodies

3.17.1 No truck, transport truck trailer, bus, streetcar or coach body shall be ***used*** for human habitation within the ***municipality***, whether or not it is mounted on wheels.

3.18 Trailers

3.18.1 No tourist or tent trailer shall be ***used*** for living, sleeping, eating or accommodation within the city unless it is located in an authorized seasonal tent and trailer park established and operated in conformity with the City of North Bay Seasonal Tent and Trailer Park By-law No. 1976-126 as amended and any successor by-law thereto.

3.19 Temporary Construction *Uses* Permitted

3.19.1 Notwithstanding any other provisions of this By-law, ***uses*** such as a ***storage trailer***, ***freight container***,construction camp or other temporary work camp, a tool shed, scaffold, or other ***building*** or ***structure*** incidental to the construction shall be permitted provided that:

3.19.1.1 ***Uses***, ***buildings*** or ***structures*** are ***used*** only as long as they are necessary for work in progress which has neither been finished nor abandoned; and

3.19.1.2 ***Uses***, ***buildings*** or ***structures*** are removed when the work in connection with which they were constructed is terminated.

3.20 *Accessory Building*, *Use* or *Structure* (General)

3.20.1 ***Accessory buildings***, ***uses*** or ***structures*** are permitted in the rear and ***interior side yards***, in any ***zone***, subject to the provisions of this By-law for the particular ***zone*** in which the ***building***, ***use*** or ***structure*** is located, and subject to the following provisions applying to each ***accessory building***, ***use*** or ***structure***:

3.20.1.1 It shall not be **used** for human habitation, except where the **dwelling** is a permitted **accessory use** or is permitted **additional urban residential dwelling unit** or an **additional rural residential dwelling unit;**

3.20.1.2 In an ***exterior side yard***, it shall not be built closer to the ***lot line*** than the minimum distance required by this By-

law for the ***main building*** on the ***lot*** and it shall not be built closer to the ***street*** than the ***main building***;

3.20.1.3 No portion of the eaves or other similar features may be within 0.15m of any ***lot line***;

3.20.1.4 In the rear yard, an ***accessory building*** shall not be built closer than 0.6m to the rear or interior ***side lot lines*** except in the following circumstances:

3.20.1.4.1 Common ***semi-detached private garages*** may be centred on the mutual ***lot line***; and

3.20.1.4.2 Where an external ***building*** opening faces a ***side*** or ***rear lot line***, the ***setback*** to the ***lot line*** shall be not less than 1.2m.

3.20.1.4.3 In the case of a ***corner lot***, the ***accessory*** structure shall not be built closer to the ***street*** than the minimum distance required by this by-law for the ***main building*** on the lot or it shall not be built closer to the ***street*** than the ***main building***, whichever is the greater. *[added by By-law 2016-25]*

3.20.1.5 It shall not exceed 10 percent coverage of the total ***lot area***;

3.20.1.6 It shall not exceed one ***storey*** or 4.1m in height, whichever is lesser, except as outlined in Table 10D of this By-law;

3.20.1.7 It shall not be built within 1.2m of the ***main building***;

3.20.1.8 It shall not be considered an ***accessory building*** or ***structure*** if ***attached*** to the ***main building***;

3.20.1.9 It shall not be considered an ***accessory building*** or ***structure*** if located completely underground; and

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

3.20.1.11 Within the Rural (A) and the Rural Residential Estate (RRE), **accessory** buildings will be permitted in the front yard, provided they comply with the front yard setback of the main use in the Rural (A) and the Rural Residential Estate (RRE), see Table 10C.

3.20.2.1 Additional Residential Dwelling Unit

An ***additional residential dwelling unit*** may be permitted within:

a) A ***single detached dwelling*** or an ***accessory building*** thereto;

b) A ***semi-detached dwelling*** or an ***accessory building*** thereto;

c) A ***townhouse*** **(*cluster, stacked,*** or ***street front*****)** ***dwelling*** or an ***accessory building*** thereto;

provided that a maximum of three ***additional residential dwelling units*** shall be permitted within the ***Urban settlement area*** and connected to municipal services and one ***additional residential dwelling unit*** shall be permitted within the Rural Area of the City.

Additional residential dwelling units which were illegal on the passing of this By-law must meet all the required criteria for an ***additional residential dwelling unit*** and receive a change of use permit under the Building Code to be considered a legal ***additional residential dwelling unit*.**

Notwithstanding the above, an ***additional residential dwelling unit(s)*** are not permitted:

a) Within a ***dwelling*** unit or an ***accessory building*** within the Parkland (P), Open Space (O), Rural Residential Lakefront (RRL), Floodway (O1) and the Floodplain and Erosion (O2) Zones;

b) Within a ***dwelling*** unit or ***accessory building*** that is permitted in an non-residential zone in Section 6 and 7 of this By-law; and

c) Within a ***dwelling*** unit or an ***accessory building*** on unserviced properties within the Trout Lake Influence Area overlay as identified on Schedule 'E' of this By-law.

3.20.2.2 Illegal Additional Dwelling Units

Additional ***dwelling*** units which were illegal on the passing of this By-law must meet all of the required criteria for an ***additional dwelling unit(s)*** and receive a change of use permit to be considered a legal ***additional dwelling unit*.**

3.20.2.3 -

3.20.2.4 Additions or Alterations to the main Dwelling unit or new construction of an **Additional Residential Dwelling Unit:**

An addition or exterior alteration to a single detached, semi-detached or townhouse ***dwelling*** or the construction of a new ***dwelling unit*** to permit an ***additional residential dwelling unit*** is permitted provided it does not result in the creation of:

a) An exterior staircases constructed in the front ***yard*** to access any ***storey*** above the first ***storey***.

3.20.2.5 Additional Residential Dwelling Units in Accessory Buildings

Where an ***additional residential dwelling unit*** is located in an ***accessory building*** to the primary ***dwelling*** the ***additional residential dwelling unit***:

a) shall not be permitted to be a ***mobile home*** or ***recreational vehicle***;
b) shall not be permitted to be a ***boat house***;
c) an ***Additional Residential Urban Dwelling Unit*** shall meet the ***setback*** and height requirements of Section 3.20;

d) an ***Additional Residential Rural Dwelling Unit*** shall meet the ***accessory*** structure setback and height requirements of Table 10D;
e) shall not have a maximum ***gross floor area,*** provided it meets the provisions of the Zoning By-law for lot coverage and setbacks;
f) an ***Additional Residential Urban Dwelling Unit*** shall have a maximum total ***lot coverage*** including all other ***accessory buildings*** of 30%;
g) an ***Additional Residential Rural Dwelling Unit***, including all other ***accessory*** structures and the primary dwelling, shall have a maximum total ***lot coverage*** as permitted in Table 10C.
h) an ***Additional Residential Rural Dwelling Unit*** shall be located no more than 30m from the primary ***dwelling***;
i) In the Rural General (A) or Rural Residential Estate (RRE) zones, shall only have one ***driveway*** from the publicly maintained ***road***; and
j) there shall be no another ***additional residential dwelling unit*** within an ***accessory structure*** on the property.

3.20.2.6 Parking for Additional Residential Dwelling Units

Additional residential dwelling units are required to provide 0.5 parking spaces per unit, in addition to the parking required under Section 4.13.

3.21 *Accessory Building*, *Use* or *Structure* (Lake or River Frontage Property)

3.21.1 Where properties have lake or river frontage, ***accessory buildings***, ***uses*** or ***structures*** in the ***front yard*** shall be permitted in accordance with the following regulations:

3.21.1.1 The ***accessory building*** or ***structure***, with the exception of those located within an RMC ***zone***, shall not exceed 10m^2 in ***floor area***, and shall not exceed 3m in height above ***grade***;

3.21.1.2 The ***accessory building*** or ***structure*** shall meet the ***minimum side yard*** required for the ***main building*** on the same ***lot***;

3.21.1.3 The ***accessory building*** or ***structure*** may be elevated on blocks or piers to a maximum height of 0.3m so that ***existing*** natural drainage is not disturbed or altered;

3.21.1.4 The floor of the ***accessory building*** or ***structure*** shall be located above the minimum Canadian Geodetic Datum flood elevation, as determined by the North Bay-Mattawa ***Conservation Authority***, of 202.69m for the Trout Lake watershed and 197.25m for the Lake Nipissing watershed;

3.21.1.5 For those properties shown on Schedule E of this By-law, only one ***accessory building*** or ***structure*** shall be constructed or maintained in the ***front yard*** within the 30m ***buffer*** zone from the water. In addition, the following shall apply;

3.21.1.5.1 Stairs or pathways up to a maximum of 5m in width, landings up to a maximum of 4.6m^2, and uncovered decks up to a maximum of 20m^2 shall not be considered as one of these ***accessory buildings*** or ***structures.***

3.21.1.5.2 One additional ***accessory building*** or ***structure*** may be constructed or maintained in the ***front yard*** provided that it is outside of the 30m ***buffer*** from the water;

3.21.1.6 Boathouses and boat docks may be built to the ***front lot line*** when the ***lot line abuts*** a body of water, but must not be located closer than a minimum distance of 1.8m to any ***side lot line***; and

3.21.1.7 Boathouses shall not be ***used*** for the commercial storage of boats or other marine equipment or ***vehicles*** and shall not provide the sale of fuel or other marine products.

Accessory structures must follow the setback requirements and provisions as shown in Table 10D of Zoning By-law 2015-30.

3.21.2 Where properties have lake or river frontage, ***accessory buildings***, ***uses*** or ***structures*** in the ***rear yard*** shall be permitted in accordance with the following regulations:

3.21.2.1 The ***accessory building*** shall not be located within 6m of the ***rear lot line***; and

3.21.2.2 The ***accessory building*** or ***structure*** shall meet the ***minimum side yard*** required for the ***main building*** on the same ***lot***.

3.21.3 Where properties have lake or river frontage, ***accessory buildings***, ***uses*** or ***structures*** shall be permitted in the side yard provided they meet the ***side yard setback*** requirements of the ***main building*** on the ***lot***.

3.22 *Accessory Building*, *Use* or *Structure Private Garage* (*Corner Lot*)

3.22.1 No opening of a ***private garage*** shall be located closer than 4.5m to any ***street line***, and no portion of any ***driveway*** shall be located closer than nine 9m to the intersections of the two ***street lines*** or their projections. *[amended by By-law 2016-25]*

3.23 *Accessory Building*, *Use* or *Structure* (*Private Swimming Pool*)

3.23.1 Where a ***private swimming pool*** is constructed as an ***accessory use*** to any ***principal*** residential or commercial ***use*** no part of it, including decking, shall be located closer than 1.2m to any rear or ***side lot line*** and the swimming pool shall not be located closer than 1.5m to the ***main building*** and shall be properly fenced in conformity with the City of North Bay Fence

By-law 2002-105 as amended, and any successor by-law thereto.

3.23.2 All pool pump and filtering equipment shall be in an enclosed ***structure***.

3.24 *Accessory Building*, *Use* or *Structure* (Temporary *Structures*)

3.24.1 ***Special occasion tents or structures*** are permitted in all ***zones*** and shall only be permitted during the time period of a single special event, which shall not exceed 7 days in length, and shall be removed when the ***use*** for which they were ***erected*** is terminated.

3.24.2 ***Temporary garages*** are permitted in all residential ***zones*** only. These ***temporary garages*** are only permitted in the ***side yard*** and ***rear yard***, subject to the provisions of this By-law for the particular ***zone*** in which the ***temporary garage*** is located in. ***Temporary garages*** shall be ***used*** primarily for the storage of ***vehicles*** and other equipment.

3.25 *Accessory Building, Use* or *Structure* (*Storage Trailers* and *Freight Containers*)

3.25.1 ***Freight containers*** and ***storage trailers*** are permitted in any industrial, commercial, institutional and open space ***zone*** and are subject to the provisions of this By-law for the ***main building***, for the particular ***zone*** in which the ***freight container*** is located.

3.25.2 ***Storage trailers*** are prohibited in residential ***zones***, except in accordance with the provisions of Section 3.19.

3.25.3 ***Freight containers*** are prohibited in residential ***zones***, except in accordance with the provisions of Section 3.19 or in accordance with the issuance of a **building** permit required in conjunction with a ***main building*** for a period not to exceed 12 consecutive months.

3.25.4 Empty ***freight containers*** and ***storage trailers*** are permitted to be stacked one on top of the other to a maximum height of 2. Under no circumstance are ***freight containers*** and ***storage trailers*** in use permitted to be stacked one on top of the other.

3.25.5 Refrigerated and/or heated ***freight containers*** and ***storage trailers*** shall not be located in any ***yard*** adjacent to a residential ***use***.

3.25.6 ***Storage Trailers*** and ***freight containers*** shall not be ***used*** for extra work space, ***office*** space, or any other ***use*** other than storage.

3.26 *Accessory Building*, *Use* or *Structure* (*Seasonal Garden Centre*)

3.26.1 ***Seasonal garden centres*** shall be permitted in any commercial or industrial ***zone*** provided that:

3.26.1.1 The ***seasonal garden centre*** may occupy the property for a period not exceeding 6 consecutive months, with the subject property being free of any ***seasonal garden centre*** for a minimum of 6 consecutive months;

3.26.1.2 Any ***accessory building***, ***use*** or ***structure*** used in conjunction with a ***seasonal garden centre*** shall be portable and removed from the site for at least 6 consecutive months;

3.26.1.3 Any ***accessory building***, ***use*** or ***structure*** used in conjunction with a ***seasonal garden centre*** shall meet the same ***setbacks*** and regulations of a ***main building*** for the ***zone*** in which it exists; and

3.26.1.4 The entire area dedicated to the ***seasonal garden centre*** shall not occupy more than 15% of the total ***parking spaces*** supplied for the main ***use*** on the subject property. No additional parking, or replacement parking, will be required for the ***seasonal garden centre***.

3.26.2 These regulations do not apply to permanent ***structures attached*** to, or forming an integral part of, the ***main building*** which currently function as a ***seasonal garden centre***.

3.26.3 ***Freight containers*** and ***storage trailers*** are permitted to be ***used*** as part of a ***seasonal garden centre*** in any commercial or industrial ***zone*** and are subject to the regulations of that ***zone***.

3.27 *Outside Storage* Prohibited

3.27.1 No ***outside storage*** is permitted in any ***yard***, in any ***zone***, at any time, except where otherwise stated in this By-law.

3.28 *Home Based Businesses*

3.28.1 Where a ***home based business*** is listed as a permitted ***use*** in this By-law it shall be permitted in accordance with the following provisions:

3.28.1.1 A ***home based business*** shall be carried on only by a ***person*** whose normal and ***principal*** place of residence is on the premises.

3.28.1.2 The storage of goods, materials, or finished products is permitted only where it is ***accessory*** to the ***home based business*** and only when the storage is wholly contained within the ***dwelling unit*** or a ***building accessory*** to the ***dwelling unit***, both of which must comply with all other City By-laws.

3.28.1.3 Any number of businesses may exist, provided the cumulative maximum ***gross floor area*** outlined in section 3.28.1.6 is not exceeded.

3.28.1.4 Despite the unlimited number of businesses permitted, a maximum of only one, on-site, non-resident employee shall be permitted per ***dwelling unit***.

3.28.1.5 On-site non-resident employees are prohibited in association with any ***home based business*** located within a ***fourplex***, ***townhouse***, or ***apartment dwelling***.

3.28.1.6 The ***floor area used*** by a ***home based business*** in a ***dwelling unit*** and ***accessory building*** combined shall not exceed the lesser of 50m^2 or 30% of the ***gross floor area*** of the ***dwelling unit***.

3.28.1.7 A ***home based business*** shall not become a nuisance because of traffic or parking generated, and shall produce no offensive noise, vibration, smoke, dust, odour, heat, glare, radiation, or electrical interference and must not become a fire or **building** hazard, or health risk.

3.28.1.8 A ***home based business*** shall give no exterior indication of the ***home based business*** including no outside storage of supplies or material, no visible displays of goods or products, no floodlighting, and no signs except in accordance with the City of North Bay's Sign By-law, as amended.

3.28.1.9 A ***home based business*** may not:

3.28.1.9.1 Be an ***office*** or medical ***office*** for a professional regulated under the College of Physicians and Surgeons of Ontario;

3.28.1.9.2 Be an ***office*** or medical ***office*** for a professional regulated under the *Regulated Health Professions Act*, 1991, S.O. 1991, c. 18 as amended;

3.28.1.9.3 Be an animal shelter, ***kennel***, ***pet daycare facility*** or ***veterinary establishment***;

3.28.1.9.4 Be a business that requires a business license under the City of North Bay's Business Licensing By-law;

3.28.1.9.5 Be a business that involves the salvage, repair, storage, maintenance, detailing, sales, leasing, or renting of motor ***vehicles*** or industrial equipment, including body repairs and painting; or

3.28.1.9.6 Be a ***bed and breakfast*** establishment.

3.28.1.10 Materials and commodities shall not be delivered to or from the ***dwelling unit*** in such bulk or quantity as to require delivery by motor ***vehicles*** with detachable trailers.

3.28.1.11 There shall not be more than 2 clients or patrons of the ***home based business*** on the premises at any one time except for the purposes of a child care establishment.

3.28.1.12 The ***home based business***, as well as its employees and suppliers, shall not use on ***street*** parking. Motor ***vehicles*** using on-site parking shall include no more than one ***vehicle*** displaying the name of the ***home based business*** no matter the number of businesses. All ***commercial motor vehicle*** provisions of Section 4.9 of this By-law shall be complied with.

3.28.1.13 Where parking is required for the ***home based business*** the space must be located within the ***driveway***.

3.29 Bed and Breakfasts

3.29.1 Where permitted by this By-law, a ***bed and breakfast*** establishment shall comply with the requirement of a ***single detached dwelling*** within the zone category in which the ***bed and breakfast*** establishment is located, or the general ***zone*** requirements if a ***single detached dwelling*** is not a permitted use, unless otherwise specified by some special provision of this By-law, including the following:

3.29.1.1 A ***bed and breakfast*** shall be permitted in a ***single detached dwelling*** only;

3.29.1.2 The ***bed and breakfast*** establishment shall not have more than three (3) guest rooms;

3.29.1.3 The guest rooms shall not contain kitchen facilities;

3.29.1.4 No one other than a resident of the **dwelling** may be employed in the operation of the ***bed and breakfast***;

3.29.1.5 Notwithstanding anything in this By-law to the contrary, no ***home based business***, other rental accommodation, ***group home*** or ***boarding, lodging or rooming house*** shall be permitted in any **dwelling** which contains a ***bed and breakfast*** establishment;

3.29.1.6 A ***bed and breakfast*** establishment shall not be established or operated in a manner which changes the external residential appearance of the **dwelling** unit or generates adverse effects such as those from excessive traffic, parking, noise and hours of operations;

3.29.1.7 A ***bed and breakfast*** shall give no exterior indication of the ***bed and breakfast*** including no storage of supplies or material, no displays of goods or products, no floodlighting, and no signs except in accordance with the City of North Bay’s Sign By-law, as amended;

3.29.1.8 In addition to any off-**street** parking required for the ***single detached dwelling*** containing the ***bed and breakfast*** establishment, there shall be a minimum of one (1) parking space provided on the lot for each guest bedroom; and

3.29.1.9 The ***bed and breakfast*** establishment shall not use on-**street** parking. Motor vehicles using on-site parking shall include no more than one vehicle displaying the name of the ***bed and breakfast***. All ***commercial motor vehicle*** provisions of section 4.9 of this By-law shall be complied with.

3.30 Holding *Zone* Regulations

3.30.1 Where a holding ***zone*** designation is shown on a Schedule to this By-law, the land shall only have development undertaken on it in accordance with the following provisions:

3.30.1.1 In a residential holding ***zone*** any development shall follow the regulations of a Rural general (A) ***zone***.

3.30.1.2 In a commercial holding ***zone*** any development shall follow the regulations of a Rural Commercial (RC) ***zone***.

3.30.1.3 In an industrial holding ***zone*** any development shall follow the regulations of a Restricted Industrial (M4) ***zone***.

3.30.2 Where a holding zone has already been assigned a specific zoning within the broader category (such as R1H instead of RH) then no development may occur until the holding zone has been removed.

3.30.3 Where a holding ***zone*** is supplied with, or is going to be supplied with adequate Municipal services, or has attained or is attaining proper Provincial approval under the provisions of the *Planning Act*, as amended, an application may be submitted in conformity with the Official Plan of the North Bay Planning Area to rezone the lands to a ***zone*** within the holding ***zone*** classification shown.

3.31 *Sewage Disposal System*

3.31.1 No part of any ***sewage disposal system*** that discharges effluent to the soil, may be located, constructed or installed closer than 32m, measured from the closest distribution pipe of the **sewage disposal system** to the shoreline within the Trout Lake Influence Area Overlay as identified on Schedule 'E' of this By-law. Any additional regulations from the North Bay-Mattawa **Conservation Authority** must also be met.

3.32 Urban Services Required

3.32.1 Where urban services are available within the settlement area, as defined by Schedule A to the City of North Bay Official Plan as amended, no development shall be permitted unless connected to municipal water and sewer services, except where the lands are zoned Rural General (A).

3.32.2 If services become available and front onto a ***lot*** that already has an established ***dwelling*** on the property then connection to municipal services will be required when the current septic system expires and is due for replacement.

3.33 Floodplain and Erosion *Zones*

3.33.1 In addition to lands specifically classified as Floodplain and Erosion (O2) all lands meeting the following criteria will also be deemed to be a Floodplain and Erosion (O2) ***zone***:

3.33.1.1 Any lands ***abutting*** the shores of Trout Lake which are below the Canadian Geodetic Datum elevation of 202.69m above sea level; and

3.33.1.2 Any lands ***abutting*** the shores of Lake Nipissing which are below the Canadian Geodetic Datum elevation of 196.75m above sea level.

3.34 *Automobile Service Station* and *Gas Bar*

3.34.1 Where an ***automobile service station*** or ***gas bar*** is permitted, the following provisions shall apply:

3.34.1.1 The automobile service station or gas bar shall meet the following setbacks:

	Interior *Lot*	**Corner *Lot***
Min. *Lot Frontage*	45m	45m
Min. *Lot Depth*	30m	45m
Min. *Front Yard Setback*	12m	12m

3.34.1.2 No portion of any pump island shall be located closer than 3m to the ***lot line*** along any ***street***;

3.34.1.3 No portion of any ingress or egress ramp shall be located closer than 14m to the nearest edge of the intersecting portion of the travelled portions of any two arterial or collector ***roads***;

3.34.1.4 No portion of any ingress or egress ramp along any ***street line*** shall be located closer than 3m to any ***side lot line*** which ***abuts*** any other ***lot***;

3.34.1.5 The width of any ingress or egress ramp along any ***street line*** shall be a minimum of 4.5m and a maximum of 7.5m for a one way ramp, and a minimum of 7.2m and a maximum of 12m for a two way ramp;

3.34.1.6 The minimum distance between two ramps shall be 9m;

3.34.1.7 The interior angle of any ramp to the ***street line*** shall be greater than 70 degrees and less than 90 degrees;

3.34.1.8 The area between the ramps and the ***street lines***, and along the property lines shall be ***used*** for ***landscaping***;

3.34.1.9 No materials incidental to the operation of an ***automobile service station*** or a ***private garage*** shall be stored outside a ***building***, unless there is screening adequate to conceal the materials and, in any event, the screening shall be a minimum height of not less than 2.5m; and

3.34.1.10 No gasoline pump or service station equipment shall be located or maintained in any ***parking area***.

3.35 *Automobile Washing Establishment*

3.35.1 In any commercial ***zone*** which permits a ***lot*** to be ***used*** for an ***automobile washing establishment***, the establishment shall be constructed and maintained as follows:

3.35.1.1 The entrance layout for progressive movement of cars entering the establishment shall be sufficient to accommodate no less than 7 cars outside the ***building*** on the ***lot*** and the exit layout shall be sufficient to accommodate no less than 3 cars outside the ***building*** on the ***lot***;

3.35.1.2 Asphalt ***lanes*** in which ***vehicles*** shall move on the ***lot*** shall be clearly defined by lines painted on the surface of the ***lot*** and the edge of the ***lane*** nearest to the property line shall be defined by a curb of concrete or rolled asphalt, or by a bollard or bumper fence;

3.35.1.3 The minimum inside turning radius for the ***lanes*** shall be 6m;

3.35.1.4 The ***lanes*** shall be clear and unobstructed in every way;

3.35.1.5 The width of any ingress or egress ramp along any ***street line*** shall be a minimum of 4.5m and a maximum of 7.5m for a one way ramp, and a minimum of 7.2m and a maximum of 12m for a two way ramp;

3.35.1.6 No portion of any ramp shall be located closer than 7m to the intersection of the ***street lines*** or their projections;

3.35.1.7 The minimum distance between ramps shall be 9m;

3.35.1.8 The interior angle of a ramp to a ***street line*** shall be not less than 70 degrees and not more than 90 degrees;

3.35.1.9 No portion of any ramp shall be located closer than 3m to any ***side lot line*** or in the case of a ***corner lot***, any ***rear lot line***;

3.35.1.10 The entire ***lot*** except for that area reserved for ***landscaping*** shall have a cement or asphaltic binder or any other permanent type of surfacing; and

3.35.1.11 Adequate drainage facilities for containing and directing on-site water to public drainage systems shall be provided.

3.35.2 Manual ***automobile washing establishments*** are exempt from this subsection of the By-law.

3.36 *Group Homes* and *Retirement Homes*

3.36.1 No ***group home type 2*** or ***group home type 3***, or ***retirement home***, shall be located within 200m of another ***group home*** or ***retirement home***.

3.37 One Dwelling Per *Lot*

3.37.1 Only one ***dwelling unit*** may be constructed per ***lot*** unless part of a condominium or there is a permitted ***use*** that allows for multiple ***dwelling units***.

3.37.2 **Additional residential dwelling units** are permitted in accordance with Section 3.20.2.1.

3.38 Special *Lot* frontage Provisions for Lake Nipissing

3.38.1 Where two ***lots abut*** one another with one ***lot*** having a frontage of at least 15m on a public ***street*** and the other ***lot*** extending from the ***rear lot line*** of the first ***lot*** to the shore of Lake Nipissing, a ***single detached dwelling*** may be ***erected*** on each ***lot*** provided that:

3.38.1.1 A ***right-of-way*** having a width of at least 4.5m shall be provided for the house on that portion of the ***lot*** nearest to Lake Nipissing and the ***easement*** shall constitute sufficient frontage for the purposes of this By-law;

3.38.1.2 Where the house nearest to the ***street*** has been lawfully ***erected*** prior to the date this By-law came into effect, and is set back less than 4.5m but not less than 3m from a ***side lot line***, the ***right-of-way*** required by Section 3.38.1.1 shall be not less than 3m in width; and

3.38.1.3 All other relevant regulations in this By-law are complied with.

3.39

(Section Deleted by By-law 2023-40)

3.40 Mobile Home Parks

3.40.1 Notwithstanding any other provisions in this By-law, ***mobile home parks*** for the permanent parking of ***mobile homes used*** for full-time living accommodation are only permitted subject to the following regulations:

3.40.1.1 ***Mobile home parks*** may include neighbourhood commercial ***uses***, such as variety stores, coin-operated laundries and barber shops, only when expressly permitted by an amendment to this By-law, and provided that the commercial facilities:

3.40.1.1.1 Are located, designed, and intended to serve frequent trade or service needs of people living in the park;

3.40.1.1.2 Are subordinate to the residential ***use*** and character of the park;

3.40.1.1.3 Do not occupy more than 10 percent of the total area of any ***mobile home park***; and

3.40.1.1.4 Present no visible evidence of their commercial character to any part of a residential area outside of the park.

3.40.1.2 ***Mobile home parks*** shall be a minimum of 3 hectares in size and a maximum density of 20 units per hectare;

3.40.1.3 ***Mobile home parks*** shall be comprised of individual ***lots*** within a Registered Plan of Subdivision and there shall be no more than 1 ***mobile home*** located on any ***lot***;

3.40.1.4 ***Mobile home parks*** shall be provided with full municipal services;

3.40.1.5 Every ***mobile home park*** shall have immediately within its boundaries a ***buffer*** area of at least 7.5m in depth in which no ***lots***, ***buildings*** or ***structures*** shall be permitted; and

3.40.1.6 ***Mobile home parks*** shall be landscaped according to good design principles to complement the residential nature of the park.

3.41 Open Space Requirements

3.41.1 For ***townhouse*** units ***open space*** shall be provided and maintained in accordance with the following provisions:

3.41.1.1 ***Open space*** shall be located in a ***yard*** other than the ***front yard*** or ***exterior side yard*** that is ***used*** for a private outdoor living area for the occupants. This space shall exit off of a habitable room other than a bedroom and shall be a minimum depth of 3m across the entire length of the unit and must be defined and shielded by a wall or a fence for a depth of at least 3m; and

3.41.1.2 In the case of a second ***storey dwelling unit*** the usable ***open space*** shall be provided by a ***deck*** or ***balcony*** with an area of no less than $5m^2$.

3.42 *Amenity Space* Requirements

3.42.1 ***Apartment buildings*** and ***cluster townhouses*** are required to have ***amenity space*** provided based on a value per ***dwelling unit*** as follows:

Bachelor unit:	$0m^2$
Single bedroom unit:	$2.3m^2$
Two or more bedroom units:	$4.6m^2$.

3.42.2 Amenity Space shall not be required in the General Commercial Inner Core (C1) ***zone*** or the General Commercial Outer Core (C2) ***zone***.

3.42.3 Amenity space may be provided by a deck or a balcony with an area of no less than $5m^2$.

3.43 Residential Storage of *Recreational Vehicles*

3.43.1 In any residential ***zone*** no boat, snowmobile, motor home or similar ***recreational vehicle*** or equipment shall be parked or stored in the ***front yard*** unless in compliance with the following provisions:

3.43.1.1 The ***recreational vehicle*** being parked shall not interfere with visibility of traffic, public safety, or the residential amenities of the neighbourhood, or diminish the residential character of the neighbourhood and not encroach upon the Municipal Road Allowance. *(Amended by By-law 2022-31)*

3.43.1.2 In the case of a ***lot*** which fronts on a body of water, the mooring of boats or the parking of boats within a boathouse shall be permitted;

3.43.1.3 No ***person*** shall ***use*** a ***recreational vehicle*** being parked as a ***dwelling unit***.

3.44 Commercial Building Access Requirements

3.44.1 Satisfactory access from a ***street*** to a ***side yard*** or a ***rear yard*** shall be provided for all commercial ***buildings*** to permit the delivery or carrying of goods and supplies.

3.45 Commercial Landscaping Provisions

3.45.1 In any commercial ***zone*** which fronts on a ***street*** opposite to, or directly ***abuts*** any residential ***zone*** a strip of land not less than 3m in width along the ***lot line*** within the commercial ***zone*** which is opposite to or directly abuts the residential ***zone*** shall be adequately landscaped except where ***used*** for entrances and exits.

3.45.2 In any commercial ***zone*** which fronts on a provincial ***highway*** or a collector or arterial ***road*** a strip of land not less than 3m in width along the ***front lot line*** shall be adequately landscaped, excluding C1 and C2 ***zones***.

3.46 Institutional Landscaping Provisions

3.46.1 In any Institutional ***zone*** which fronts on a ***street*** opposite to, or directly ***abuts*** any residential ***zone*** a strip of land not less than 3m in width along the ***lot line*** within the institutional ***zone*** which is opposite to or directly abuts the residential ***zone*** shall be adequately landscaped except where ***used*** for entrances and exits.

3.46.2 In any institutional ***zone*** which fronts on a provincial ***highway*** or a collector or arterial ***road*** a strip of land not less than 3m in width along the ***front lot line*** shall be adequately landscaped except where used for entrances and exits.

3.47 Industrial Landscaping Provisions

3.47.1 Where a ***lot*** in any industrial ***zone*** fronts onto a ***street*** opposite a residential ***zone***, or directly ***abuts*** a residential ***zone*** the ***front yard*** and a strip of land not less than 6m in width along the ***side*** and ***rear lot lines***, within the industrial ***zone*** which is opposite to or directly abuts the residential ***zone***, shall be adequately landscaped except where ***used*** for entrances and exits.

3.47.2 Where a ***lot*** in any industrial ***zone*** fronts on a provincial ***highway*** and is not opposite any residential ***zone*** a strip of land not less than 3m in width along the ***front lot line*** adjacent to the ***road*** shall be adequately landscaped except where ***used*** for entrances and exits..

3.48 Industrial Accessory *Uses* (Commercial and Other)

3.48.1 In any industrial ***zone*** no part of any ***building*** or ***structure*** shall be ***used***, or caused or permitted to be ***used***, for any ***accessory use*** except in accordance with the following provisions:

3.48.1.1 Any commercial ***use*** that is a direct ***accessory*** to the primary industrial ***use*** shall be permitted within the ***main building*** provided that the ***use*** does not exceed 25 percent of the ***gross floor area***; and

3.48.1.2 An ***accessory building*** shall not be built closer to any ***side lot line*** than the minimum distance required by this By-law for the ***main building*** on the same ***lot***.

3.49 *Recycling Centre* and *Salvage Yards*

3.49.1 Where a ***recycling centre***, ***salvage yard***, or similar ***use*** is permitted the following regulations shall apply:

3.49.1.1 The minimum distance between the boundary of the ***lot*** and the boundary of any rural, residential, parkland, or open space ***zone*** shall be 150m;

3.49.1.2 The area constituting the ***use*** shall be surrounded on all sides by a fence or wall having a minimum height of 2.5m. A fence or wall shall be constructed of permanent materials and provide a complete visual barrier and shall be maintained in a neat and visually attractive manner;

3.49.1.3 The fence or wall required shall be set back a minimum of 9m from any ***street*** adjacent to the ***lot***. The space between the ***street***(s) and fence(s) shall not be ***used*** for any purpose other than providing an adequate ***landscaping*** strip or the provision of a 1.5m ***landscaping*** strip and visitors ***parking area***; and

3.49.1.4 Material ***used*** or stored in the open on the ***lot*** shall be piled no higher than the required fence.

3.50 Site Plan Control

3.50.1 Pursuant to Section 41 of the *Planning Act,* as amended, certain areas of the Municipality with Land Use designations within the following ***zones*** are thereby designated as Site Plan Control areas:

- R4
- R6
- RM1
- RM2
- RM3
- RC
- RMC
- RME
- RN
- RRL
- All commercial ***zones***
- All industrial ***zones***
- All special ***zones***.

3.50.2 Those lands on all 'B' Schedules, 'C' Schedules and 'E' Schedules of this By-law identified by shading are hereby designated as Site Plan Control areas.

3.50.3 No ***person*** shall undertake any development in an area designated in Sections 3.50.1 or 3.50.2 without entering into a Site Plan Control Agreement with the Municipality. Such Site Plan Control Agreement shall include:

3.50.4.1 Plans showing the location of all ***buildings*** and ***structures*** to be ***erected*** and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under Section 41(7)(a) of the *Planning Act*;

3.50.4.2 Drawings showing plan, elevation and cross-section views for each ***building*** to be ***erected***, except a ***building*** to be used for residential purposes containing less than twenty-five ***dwelling units***, which drawings are sufficient to display,:

3.50.4.2.1 The massing and conceptual design of the proposed ***building***;

3.50.4.2.2 The relationship of the proposed building to adjacent ***buildings***, **streets**, and exterior areas to which members of the public have access;

3.50.4.2.3 The provision of interior walkways, stairs, elevators and escalators to which members of the public have access from **streets**, open spaces and interior walkways in adjacent ***buildings***;

3.50.4.2.4 Matters relating to exterior design, including without limitation the character, scale, appearance and design features of ***buildings***, and their sustainable design, but only to the extent that it is a matter of exterior design;

3.50.4.2.5 The sustainable design elements on any adjoining ***highway*** under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, **street** furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and

3.50.4.2.6 Facilities designed to have regard for accessibility for persons with disabilities.

3.50.4.2.7 In addition to the above, the Site Plan Control Agreement for properties within the Trout Lake Influence Area shown on Schedule 'E' shall also include:

3.50.4.2.7 a) A Site Plan. Where a property has frontage on Trout Lake or a Major Inflowing Stream the Site Plan shall be prepared by an Ontario Land Surveyor and drawn at scale acceptable to the City. Where the property does not have frontage on Trout Lake or its major inflowing streams, the Site Plan may be prepared by an individual who is not an Ontario Land Surveyor provided that the Plan is professionally prepared, acceptable to the City, and adequately details in the information described this Section. In all cases, the Site Plan will provide the City and agency staff with checklists and explanatory text in order to develop appropriate Site Plan Controls respecting the following:

i) The siting of sewage disposal systems and their individual components;

ii) The siting of water supplies, particularly drilled or dug wells;

iii) Proposed site drainage;

iv) House and building siting, including accessory buildings, docks and similar structures;

v) Parking areas, walkways and the surfacing thereof;

vi) Vegetative buffers and the requirements for protection of natural vegetation and/or re-vegetation (including trees and shrubs appropriate to this climatic zone);

vii) The approximate location of all natural and artificial features on the subject land including but not limited to, roads, drainage ditches,

wells, watercourses, banks, slopes, swamps, wooded areas, and large bedrock outcrops; and

viii) All easements and utility corridors.

3.50.4.2.7 b) A cross-section plan which shows proposed final grade elevations from the water's edge to the rear lot line, including all areas to be excavated and/or filled, as well as the location of all erosion control features; and

3.50.4.2.7 c) A site grading plan and/or stormwater management plan and landscaping plan which shows where existing vegetation will be disturbed and/or removed, including selective cutting and shoreline alterations, all areas to be vegetated, including a description of the vegetation to be planted; the location of all site erosion control features, and an indication of the final site drainage with details of specific drainage features.

3.50.4.2.7 d) When deemed necessary due to steepness, terrain conditions, or the nature of the proposal, as deemed by the City, Council or its designate may also require additional site information prepared by a professional, with appropriate, demonstrated expertise, to the satisfaction of the City, for a lot within the Trout Lake Site Plan Control Area, which may include:

i) A soils report which identifies site soil characteristics, including soil type, depth, leaching characteristics, depth to watertable, and mitigation measures for any soil deficiency related to a proposed use;

ii) An impact study which shows the impact of the proposed use on water quality and how this impact can effectively be minimized;

iii) A fisheries habitat assessment of the existing shoreline or stream with recommendations on how the existing habitat conditions can be preserved and/or enhanced; and

iv) A screening plan showing how proposed uses will be screened from view or how the existing aesthetic landscape of the waterfront will be preserved.

3.50.5 As a condition to the approval of the plans and drawings referred to in Section 3.50.4, the ***municipality*** may require the owner of the land to:

3.50.5.1 Provide to the satisfaction of and at no expense to the ***municipality*** any or all of the following:

3.50.5.1.1 Widening of ***highways*** that abut on the land;

3.50.5.1.2 Subject to the *Public Transportation and Highway Improvement Act,* R.S.O. 1990, c. P.50 facilities to provide access to and from the land such as access ramps and curbing and traffic direction signs;

3.50.5.1.3 Off-***street*** vehicular loading and parking facilities, either covered or uncovered, access ***driveways***, including ***driveways*** for emergency ***vehicles***, and the surfacing of such areas and ***driveways***;

3.50.5.1.4 Walkways and walkway ramps, including the surfacing thereof, and all other means of pedestrian access;

3.50.5.1.5 Facilities designed to have regard for accessibility for persons with disabilities;

3.50.5.1.6 Facilities for the lighting, including floodlighting, of the land or of any ***buildings*** or ***structures*** thereon;

3.50.5.1.7 Walls, fences, hedges, trees, shrubs or other groundcover or facilities for the ***landscaping*** of the lands or the protection of adjoining lands;

3.50.5.1.8 Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material;

3.50.5.1.9 ***Easements*** conveyed to the ***municipality*** for the construction, maintenance or improvement of watercourses, ditches, land drainage works and sanitary sewage facilities and other public utilities of the ***municipality*** or ***public authority***; and

3.50.5.1.10 Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any ***buildings*** or ***structures*** thereon;

3.50.5.1.11 In addition to the above, provide to the satisfaction of and at no expense to the **municipality** any or all of the following:

- The **use** of mineral rich soils (iron and aluminum) for septic tile field and mantle or tertiary treatments;
- The **use** of phosphorus removing **sewage disposal systems;**
- **Sewage disposal system** monitoring and maintenance requirements;
- Eavestroughs installed on the **building** shall outlet into infiltration trenches and soakaway pits on the corner of the **building** farthest from the Lake;
- Retain all existing natural vegetation and mature tree growth where possible (dead, diseased or hazardous trees may be removed at any time);

- Vegetation buffers to show down and retain runoff to promote settling;
- Prohibitions on the **use** of lawn fertilizer;
- Prohibitions on the **use** of treated lumber;
- Installation of silt fences, check dams and straw bales during construction;
- Minimize land disturbance area;
- Minimize slope and gradient of disturbed areas; and,
- Other considerations as deemed necessary during pre-consultation based on the site and nature of the proposed development.

3.50.5.2 Maintain to the satisfaction of the ***municipality*** and at the sole risk and expense of the owner any or all of the facilities or works mentioned in 3.50.5.1.2 to 3.50.5.1.10 including the removal of snow from access ramps and ***driveways***, parking and loading areas and walkways;

3.50.5.3 Enter into one or more agreements with the ***municipality*** dealing with and ensuring the provision of any or all of the facilities, works or matters mentioned in section 3.50.5.1 and section 3.50.5.4 and maintenance thereof as mentioned in section 3.50.5.2 or with the provision and approval of the plans and drawings referred to in Section 3.50.4;

3.50.5.4 Enter into one or more agreements with the ***municipality*** ensuring that development proceeds in accordance with the plans and drawings approved under subsection 3.50.5.4; and

3.50.5.4 Subject to section 41(9.1) of the *Planning Act*, convey part of the land to the ***municipality*** to the satisfaction of and at no expense to the ***municipality*** for a public transit ***right-of-way***.

3.50.6 Notwithstanding the foregoing, the provisions of Subsections 3.50.4 and 3.50.5 shall not apply to:

3.50.6.1 ***Accessory buildings*** and ***structures*** thereto in any residential ***zone***;

3.50.6.2 Signs; and

3.50.6.3 Underground gasoline storage tanks.

Section 4 – Parking and Loading Space Provisions

4.1 Applicability of this Section

4.1.1 The Parking and Loading Space Provisions in this Section of the By-law shall not apply to any legally ***existing building*** or ***use*** at the time this By-law came into effect so long as the ***floor area*** is not increased or the ***use*** changed to a ***use*** that requires more parking than currently exists.

4.1.2 If an addition is made to a ***building*** that increases ***floor area***, or another factor in the calculation of required ***parking spaces***, then additional parking or ***loading spaces*** shall be provided to meet the standards of this section.

4.2 General Parking Regulations

4.2.1 Each automobile ***parking space*** required by this By-law shall have access to a ***street*** or public ***lane*** unobstructed by any other ***parking space***, except for required parking for ***single detached***, ***semi-detached***, ***street front townhouses,*** including a ***stacked street front townhouse,*** where ***stacking spaces*** shall be permitted.

4.2.1.1 **Additional residential dwelling units** are required to provide 0.5 parking space per unit, in addition to the parking required under Section 4.13.

4.2.2 Where there is a combination of ***uses*** in any ***building***, the minimum number of ***parking spaces*** shall be the combined total of the number required for each type of ***use***.

4.2.3 For the purposes of calculating ***parking spaces*** for industrial ***uses***, the minimum number of ***parking spaces*** shall be drawn on a site plan for each new development and redevelopment to demonstrate how the necessary parking requirement is being met. The necessary parking requirement shall be shown as an area that is reserved for, and can be constructed as, a ***parking area*** when eventually needed.

4.3 Larger Parking Areas

4.3.1 Where ***parking areas*** of more than 8 ***vehicles*** exist, with the exception of a residential ***use*** with 4 ***dwelling units*** or less, the following shall be required:

4.3.1.1 Adequate drainage facilities shall be provided and maintained;

4.3.1.2 The ***parking area*** shall be maintained with a stable surface treated to prevent the raising of dust or loose particles;

4.3.1.3 The ***parking area*** shall be defined by a fence, curb, or other suitable obstruction designed to provide a neat appearance, but not to be located so as to obstruct sight

distance;

4.3.1.4 The lights ***used*** for illumination of the ***parking area*** shall be arranged to direct the light away from adjacent ***lots***, particularly residential ***zones***;

4.3.1.5 A ***structure*** of not more than 3m in height and not more than 4.6m^2 in area may be ***erected*** in a ***parking area*** for the ***use*** of attendants; and

4.3.1.6 Entrance and exit ramps shall be provided and well defined according to the following standards:

4.3.1.6.1 In residential ***zones*** the ramps shall have a minimum width of 3m and a maximum width of 4.3m for a one-way ramp, and a minimum width of 6m and a maximum width of 7.3m for a two-way ramp;

4.3.1.6.2 In commercial ***zones*** the ramps shall have a minimum width of 4.5m and a maximum width of 7.5m for a one-way ramp, and a minimum width of 7.2m and a maximum width of 12m for a two-way ramp; and

4.3.1.6.3 In industrial ***zones*** the ramps shall have a minimum width of 5m and a maximum width of 9m for a one-way ramp, and a minimum width of 9m and a maximum width of 15m for a two-way ramp.

4.4 *Parking Space* Specifications

4.4.1 Each automobile ***parking space*** shall have a:

4.4.1.1 Minimum length of 5.5m, and for parallel parking 7.3m; and

4.4.1.2 Minimum width of 2.75m.

4.4.2 Each ***commercial motor vehicle parking space*** shall have a:

4.4.2.1 Minimum area of 28m^2;

4.4.2.2 Minimum width of 3.6m; and

4.4.2.3 Minimum length of 7.6m.

4.4.3 Aisle space for access to ***parking spaces*** shall have, based upon the angle of parking, minimum widths of:

4.4.3.1 7m for a 90^o turn;

4.4.3.2 3.3m for a 45^o turn and shall have an aisle that has one way traffic; and

4.4.3.3 3.3m for parallel parking and shall have an aisle that has one way traffic.

4.5 Parking of Motor *Vehicles* Without Current Licence Plates

4.5.1 No ***person*** shall ***use*** any ***lot*** in any ***zone*** for the parking or storage of any ***vehicle*** that does not have a current licence plate except:

4.5.1.1 Any number of ***vehicles*** may be stored on a property ***zoned*** residential, rural, commercial, or industrial provided that they are stored within a permanent enclosed **garage**, ***warehouse***, or other similar ***building***; and

4.5.1.2 Up to 4 ***vehicles*** may be stored outside of a ***building*** in a Rural General (A) ***zone***, where fully screened from view from a public ***roadway***.

4.6 Accessible Parking

4.6.1 A minimum number of accessible ***parking spaces*** must be provided, as per the below table:

Minimum Number of Required *Parking Spaces*	Minimum Number of Accessible *Parking Spaces*
10 – 30	**1**
31 – 60	**2**
61 - 90	**3**

4.6.2 1 additional accessible ***parking space*** shall be required for each additional 30 ***parking spaces*** or part thereof.

4.7 Accessible *Parking Space* Specifications

4.7.1 The accessible ***parking spaces*** shall adhere to the following specifications:

4.7.1.1 Have a minimum width of 5m each or 3.5m when the parking stall is located adjacent to an accessible aisle or a hard-surfaced walkway dedicated to pedestrian access that has a minimum width of 1.5m.

4.7.1.2 Have a length that is the same as the other ***parking spaces*** in the same parking facility;

4.7.1.3 Have a hard, stable, and level surface that reduces the raising of dust and other particles;

4.7.1.4 The spaces shall be located so as to be accessible to the public via ramps, depressed curbs or other appropriate means and placed so as to permit easiest access by the people to or from a motor ***vehicle***; and

4.7.1.5 Each designated ***parking space*** shall be provided with a sign as per the *Highway Traffic Act* Ontario Reg. 581.

4.8 Residential *Zone* Parking Regulations

4.8.1 In any residential ***zone parking spaces*** shall be provided and maintained in an ***attached*** or detached ***private garage*** or ***carport***, in a ***side or rear yard***, or in the case of a ***front yard*** in an area that is well defined and occupies 50 percent or less of the ***lot area*** of the ***front yard***; an exception to the 50 percent or less for ***front yard*** parking shall be in the case of a residential zone that has a ***lot frontage*** of 10.5m or less, in which case the parking in the ***front yard*** shall be well defined and occupy 62 percent or less of the ***lot area*** of the ***front yard***. All parking must occur wholly within the property boundaries.

4.8.2 All ***parking spaces*** shall be appropriately sited, graded and drained to ensure that storm water runoff and snow melt is directed away from ***abutting*** properties and toward municipal storm water catchment systems.

4.9 Residential *Zone Commercial Motor Vehicle* Parking

4.9.1 No ***person*** shall park or store, in any residential ***zone***, any ***commercial motor vehicle*** or trailer which:

4.9.1.1 Has a length greater than 6m; or

4.9.1.2 Has a height greater than 2.2m.

4.9.2 Where a ***commercial motor vehicle*** or trailer does not exceed the size regulations established by Section 4.9.1, a maximum of one ***commercial motor vehicle*** or trailer may be parked within the ***front yard*** and an additional ***commercial motor vehicle*** or trailer may be parked within a fully enclosed ***building***, ***side yard*** or ***rear yard*** of a ***lot***, provided that:

4.9.2.1 Any ***commercial motor vehicle*** being parked does not interfere with visibility of traffic, public safety, or with the residential amenities of the neighbourhood, or diminish the residential character of the neighbourhood; and

4.9.2.2 The ***commercial motor vehicle*** is operated by an occupant of the ***dwelling unit***.

4.9.4 This subsection shall not prevent the standing of any ***vehicle*** for the purpose of normal business operations, such as actively loading or unloading merchandise or passengers.

4.10 *Drive through*

4.10.1 No portion of a ***drive through*** as part of an establishment including the lineup or movement of ***vehicles***, in or out, shall have an effect of reducing access to the required ***parking spaces*** in this section of the By-law.

4.10.2 The ***drive through*** function shall be adequate to accommodate the stacking of 10 ***vehicles*** within the ***lot***. ***Stacking spaces*** for a ***drive through*** shall not count towards required ***parking.***

4.10.3 A ***stacking space*** shall be located to prevent any ***vehicles*** from extending onto the ***road***, public ***right-of-way***, or interfering with any pedestrian circulation, traffic manoeuvring, or other required ***parking areas***.

4.11 Calculation of Parking Requirements

4.11.1 If the minimum number of ***parking spaces*** is calculated based on a ratio then the number of ***parking spaces*** required shall round up to the next higher whole number if the calculation meets or exceeds 0.5 of a space.

4.12 Calculation of Parking Requirements for Industrial, Institutional, and Commercial *Zones*

4.12.1 For the purposes of calculation of the required number of ***parking spaces*** in an institutional, industrial or commercial ***zone***, the total ***gross floor area*** will be considered 20% less than the actual measured amount for the purpose of accommodating elevators, stairwells, hallways, storage and mechanical rooms, etc.

4.13 Required *Parking Spaces* by *Use*

4.13.1 Subject to Section 4.2.3 of this By-law, no ***person*** shall construct or cause to be constructed, a ***building***, unless there is provided on the same ***lot*** as the ***building***, the minimum number of automobile ***parking spaces*** set out in the following table for each type of ***building***, unless otherwise stated elsewhere in this By-law:

Use	**Minimum Parking Required**
***Single Detached*, *Semi-detached*, *Street Front Townhouse*, and *Stacked Street Front Townhouse*.**	2 ***parking spaces*** per ***dwelling unit*** *and an additional 0.5 parking spaces for each* ***additional dwelling unit***.
Duplex, Triplex	3 **parking spaces** required in total for a duplex or triplex.
Fourplex	1.3 ***parking spaces*** per ***dwelling unit***.
***Cluster Townhouse, Stacked Cluster Townhouse*, and mixed *use* Commercial-Residential.**	1.5 ***parking spaces*** per ***dwelling unit*** with the requirement of 20% of those ***parking spaces*** being reserved for visitor parking.
Any *apartment* not specifically listed elsewhere in this By-law.	1.5 ***parking space*** per ***dwelling unit*** with the requirement of 20% of those ***parking spaces*** being reserved for visitor parking.
***Apartment* or other building with three or more dwelling units maintained and operated by the Nipissing District Housing Corporation or any other department or ministry of the federal or provincial government, or a private not for profit agency.**	1 ***parking space*** per 2 ***dwelling units*** with the requirement of 10% of those ***parking spaces*** being reserved for visitor parking.

Use	**Minimum Parking Required**
Retirement Home* or a *Boarding, Lodging or Rooming House.	1 ***parking space*** per 2 ***dwelling units***.
***Offices, Non-Profit Use*.**	1 ***parking space*** per 30m^2 of total ***floor area.***.
Places of Entertainment, Recreational Facility.	1 ***parking space*** per 30m^2 of total ***floor area***.
Restaurant.	1 ***parking space*** per 15m^2 total ***floor area***.
Hospital, Correctional Facilities, and all other Institutional Use.	1 ***parking space*** for every two beds or per every 40m^2 of ***floor area***, whichever is greater.
Elementary School.	2 ***parking spaces*** per classroom.
High School.	5 ***parking spaces*** per classroom.
Library, Museum, or Art Gallery.	Minimum 10 ***parking spaces*** or 1 per 100m^2 of ***floor area***, whichever is greater.
Government Building.	1 ***parking space*** per 30m^2 of total ***floor area*** with the requirement of 10% of ***parking spaces*** being reserved for visitor parking.
Hotel.	1 ***parking space*** for each guest room, plus the required number of parking for any on-site **restaurant** or **bar** provided in accordance with regulations of this By-law. (*Amended by By-law 2022-31)*
Funeral Home.	1 ***parking space*** per 15m^2 total ***floor area***.
Veterinary Establishment.	1 ***parking space*** per 30m^2 ***floor area***.
***Self-Storage Use, Warehouse*, All other Industrial *Uses* not specified elsewhere.**	1 ***parking space*** for each 100m^2 of ***floor area***.
Body Shop, Home Improvement Centre, Automobile Service Station	1 ***parking space*** per 30m^2 total ***floor area***.
Bulk Sales Establishment, Wholesale Use.	1 ***parking space*** per 50m^2 total ***floor area***.
Places of Worship.	1 ***parking space*** per 10m^2 ***floor area*** devoted to public ***use***.
Commercial *Use* in any Commercial *Zone* except C1 or C2, unless otherwise specified.	1 ***parking space*** for every 30m^2 of ***floor area***.
Camping Establishment, Seasonal	1 ***parking space*** per tent or trailer space.
Mobile Home Park.	1 ***parking space*** per ***lot*** within the ***mobile home park***.
Any *use* in an Industrial Business Park *Zone*, except those *uses* specifically listed elsewhere.	1 ***parking space*** for every 60m^2 of ***floor area***.
Post-Secondary Institution.	1 ***parking space*** for ever 50m^2 of ***floor area***.
Post-Secondary Residence.	1 ***parking space*** for every 4 beds.

4.14 Required *Parking Spaces* by *Use* (Commercial Core *Zones* – C1 and C2)

4.14.1 No ***person*** shall construct, or cause to be constructed, a ***building*** in a general commercial inner core (C1) ***zone*** or a general commercial outer core (C2) ***zone*** unless there is provided within 152m of the ***building*** the minimum number of automobile ***parking spaces*** set out in the following table for each type of ***building***, unless otherwise stated within this By-law:

Use	**Minimum Parking Required**
Any Residential *Use*.	In the C1 ***zone*** 0.5 ***parking spaces*** shall be required per unit after the fourth unit. Residential ***uses*** with 1 – 4 units shall require no parking in the C1 ***zone***. 0.5 ***parking spaces*** per unit shall be required in the C2 ***zone***.
***Apartment* or other building with three or more dwelling units maintained and operated by the Nipissing District Housing Corporation or any other department or ministry of the federal or provincial government, or a private not for profit agency.**	No parking shall be required for the C1 ***zone***. 1 ***parking space*** for each 6 ***dwelling units*** or part thereof as well as 10% of the required ***parking spaces*** or 2 ***parking spaces***, whichever is the greater, being designated exclusively for visitor parking shall be required in the C2 ***zone***.
***Retirement Home*, or any *Boarding, Lodging or Rooming House*.**	1 space for every 6 ***dwelling units*** or part thereof as well as 10% of the required ***parking spaces*** or 2 ***parking spaces***, whichever is the greater, being designated exclusively for visitor parking.
Retail Store*, *Local Retail Store*, *Personal Service Establishment*, *Bar*, *Places of Entertainment, Funeral Home, Farmers Market, Place of Worship, Restaurant.	No parking shall be required in the C1 ***zone***. 1 ***parking space*** for every 75m^2 of ***floor area*** in the C2 ***zone***.
***Financial Institution* and *Grocery Store*.**	No parking shall be required in the C1 ***zone***. 1 ***parking space*** for every 50m^2 of ***floor area*** in the C2 ***zone***.
Transit Terminal.	1 ***parking space*** for every 50m^2 of ***floor area***.
Business Office, Professional Offices.	1 ***parking space*** for every 50m^2 of ***floor area***.
***Hotel*.**	1 ***parking space*** for each guest room plus 1 ***parking space*** for each 10m^2 of ***floor area*** of the ***building*** devoted to public ***use***.
Automobile Service Station.	1 ***parking space*** per 75m^2 of ***floor area*** in addition to 1 ***parking space*** per active pump on the ***lot***.
All other Commercial *Uses*.	1 ***parking space*** for every 75m^2 of total ***floor area***.
Any combination of the above *uses*.	Except where specific provisions to the contrary are contained in this By-law, the aggregate of the

Use	Minimum Parking Required
	parking spaces required with respect to the above ***uses*** shall be required.

4.14.2 Notwithstanding Section 4.14.1, where residential accommodation is included in any of the above types of ***buildings***, 25% of the minimum number of automobile ***parking spaces*** shall be on the same ***lot*** as the ***building*** containing the residential accommodation, and further provided that the off-site ***parking spaces*** required for the ***buildings*** are situated on land owned by the owner of the ***building*** or are on lands leased by the owner of the ***building***, which shall have an active lease for the duration of the ***primary use***. The lease may change locations during the duration of the ***primary use*** as long as a lease that provides sufficient access to required parking is consistently active. Failing the above, cash in lieu of parking as compensation shall be payable by the subservient lands and may be collected in like manner as municipal taxes against land, forthwith upon demand.

An agreement entered into by the owner of the **building** and the **municipality** shall provide for the making of such payments to the **municipality** as consideration for the granting of the exemption and shall set forth the basis upon which such payment is calculated.

4.15 General *Loading Space* Regulations

4.15.1 No ***loading spaces*** shall be permitted in any ***side yard*** adjacent to any residential or rural ***zone***.

4.15.2 No ***loading space*** shall be permitted in any ***front yard***.

4.15.3 Except where the total **floor area** is less than 300m^2, 1 loading space shall be required for every 1,860m^2 of the total floor area. i.e. 301m^2 = 1 loading space, 1861m^2= 2 loading spaces.

"However, in the C1 Zone, except where the total floor area is less than 2,000 m2 , 1 loading space shall be required for every 2,000 m2 or fraction thereof, of the total floor area."

4.16 *Loading Space* Standards

4.16.1 No ***person*** shall ***erect***, ***use*** or cause to be ***erected*** or ***used***, any ***building*** or ***structure*** in any ***zone*** for any commercial or industrial purpose involving the movement of goods or ***persons*** unless ***loading spaces*** are provided and maintained as follows:

4.16.1.1 Each ***loading space*** shall have a minimum dimension of at least 3.6m by 13.7m;

4.16.1.2 Each ***loading space*** shall be at least 4m in height for clearance;

4.16.1.3 Adequate drainage facilities shall be provided and maintained;

4.16.1.4 The ***loading space*** and approaches shall be maintained with a stable surface treated to prevent the raising of dust or loose particles; and

4.16.1.5 The lights ***used*** for illumination of the ***loading space*** shall be so arranged as to direct the light away from adjacent ***lots***.

4.17 *Loading Space* Access Requirement

4.17.1 In any commercial or industrial ***zone***:

4.17.1.1 Satisfactory access from a ***street*** to a ***side yard*** or a ***rear yard*** shall be provided for all commercial ***buildings*** to permit the carrying of goods and supplies, except those ***buildings*** which are less than 300m^2 in area; and

4.17.1.2 There shall be sufficient ***driveway*** space to permit manoeuvring of ***vehicles*** on the ***lot*** so as not to cause an obstruction or a hazardous condition on adjacent ***streets***.

4.18 *Loading Space* Entrance and Exit Standards

4.18.1 A ***driveway*** leading to any loading area shall have a minimum width of 3.6m for one-way traffic, and a minimum width of 7.3m for two-way traffic.

4.18.2 A ***driveway*** leading to any loading area shall be defined by a curb of concrete or rolled asphalt.

Section 5 - Residential Zones

5.1 Permitted *Uses*:

5.1.1 No ***person*** shall, within any residential ***zone***, ***use*** or permit or cause the ***use*** of any land, or ***erect***, alter, enlarge, ***use*** or maintain any ***building*** or ***structure*** for any ***use*** other than as permitted in Tables 5A to 5D of this section. The General Provisions of Section 3 of this By-law must also be met, unless otherwise stated.

5.1.2 Tables 5A and 5C of this section outline ***uses*** that are permitted in a residential ***zone***. Permitted ***uses*** are denoted by the symbol '**X**' in the column applicable to each ***zone*** and correspond with the specified ***use*** identified in the row. A number in brackets immediately following '**X**' indicates that there are special provisions regarding that ***use***; these special provisions are listed below the table.

5.1.3 Tables 5B and 5D of this section outline ***setback*** and other regulations that shall be adhered to in any residential ***zone***. A number in brackets immediately following a piece of data indicates that there are special provisions regarding that ***use***; these special provisions are listed below the table.

5.1.4 The residential ***zones*** are as follows:

Residential First Density	**R1**
Residential Second Density	**R2**
Residential Third Density	**R3**
Residential Mobile Home Park	**R4**
Residential Fifth Density	**R5**
Residential Sixth Density	**R6**
Residential Multiple First Density	**RM1**
Residential Multiple Second Density	**RM2**
Residential Multiple Third Density	**RM3**

Table 5A – Permitted Low Density Residential *Uses*:

USE	R1	R2	R3	R4	R5	R6
Single Detached Dwelling	**X(2)**	**X(2)**	**X(2)**		**X(2)**	
Semi-detached Dwelling			**X(2)**		**X(2)**	**X(2)**
Duplex Dwelling						**X**
Triplex Dwelling						**X**
Additional Residential Urban Dwelling Unit	**X**	**X**	**X**		**X**	**X**
Fourplex Dwelling						**X**
Cluster Townhouse						**X(2)**
Stacked Townhouse						**X(2)**
Street Front Townhouse						**X(2)**
Mobile Home				**X**		
Group Home Type 1	**X**	**X**	**X**	**X**	**X**	**X**
Group Home Type 2						**X**
Accessory Bed and Breakfast	**X**	**X**	**X**			
Accessory Home Based Business	**X**	**X**	**X**	**X**	**X**	**X**
Parks and Playgrounds	**X**	**X**	**X**	**X**	**X**	**X**
Accessory Day Nursery	**X(1)**	**X(1)**	**X(1)**	**X(1)**	**X(1)**	**X(1)**
Institutional Uses	**X**	**X**	**X**	**X**	**X**	**X**
Principal Dwelling Unit Short-Term Rental *(Amended by By-law 2022-76)*	**X**	**X**	**X**		**X**	**X**

Special Provisions for Table 5A (Permitted Low Density Residential *Uses*):

1) An Accessory **Day Nursery** is permitted within an institutional or public **building** located within a residential zone. Institutional **buildings** include **schools**, churches, a public or private club or other similar uses. An Accessory **Day Nursery** is subject to the provisions of the *Child Care and Early Years Act, 2014,* and any successor or amendment thereto.

Table 5B – Low Density Residential Regulations:

Zone	***Use***	**Minimum *Lot Area* (M^2) per *dwelling unit***	**Minimum *Lot Frontage* (M)**	**Maximum *Lot Coverage***	**Maximum Height (*Storeys*)**	***Front Yard Setback* (m)**	***Interior Side Yard Setback* (m)**	***Exterior Side Yard Setback* (m)**	***Rear Yard Setback* (m)**	**Other Provisions**
R1	***Single Detached Dwelling***	540	18	45%	2.5	6	1.2(1)(3)	3(4)	7.5	(11)
R1	***Group Home Type 1***	540	18	45%	2.5	6	1.2(1)(3)	3(4)	7.5	(12)
R2	***Single Detached Dwelling***	450	15	45%	2.5	6	1.2(1)(3)	3(4)	7.5	(11)
R2	***Group Home Type 1***	450	15	45%	2.5	6	1.2(1)(3)	3(4)	7.5	(12)
R3	***Single Detached Dwelling***	411	13.7	45%	2.5	6	1.2(1)(3)	3(4)	7.5	(11)
R3	***Semi-detached Dwelling***	270	9 per ***dwelling unit***	45%	2.5	6	1.2(1)(3)	3(4)	7.5	(11)
R3	***Group Home Type 1***	411	13.7	45%	2.5	6	1.2(1)(3)	3(4)	7.5	(12)
R4	***Mobile Home***	325.1 (1 unit) 371.6 (2 units)	10.5 (1 unit), 13.7 (2 units)	35%	2.5	6	1.2(1)(3)	3(4)	10.5(6)	N/A

Zone	***Use***	**Minimum *Lot Area* (M^2) per *dwelling unit***	**Minimum *Lot Frontage* (M)**	**Maximum *Lot Coverage***	**Maximum Height (*Storeys*)**	***Front Yard Setback* (m)**	***Interior Side Yard Setback* (m)**	***Exterior Side Yard Setback* (m)**	***Rear Yard Setback* (m)**	**Other Provisions**
R5	1 ***Storey Single Detached Dwelling*** or ***Group Home Type 1***	270	9	45%	1	4.5	1.2(1)(2)(3)	3(4)	7.5	(11), (12)
R5	1 ½ ***storey*** or greater ***Single Detached Dwelling*** or ***Group Home Type 1***	315	10.5	45%	2.5	4.5	1.2(1)(2)(3)	3(4)	7.5	(11), (12)
R5	***Semi-detached Dwelling***	270, 360 (***corner lot***)	9 per ***dwelling unit***, 12 per ***dwelling unit*** (***corner lot***)	45%	2.5	4.5	1.2(1)(2)(3)	3(4)	7.5	(11)
R6	***Semi-detached Dwelling***	270	9 per ***dwelling unit***	45%	N/A	6	1.2(1)(3)	3(4)	7.5	(11)
R6	***Duplex***	135	10.5	45%	2.5	6	1.2(1)(3)	3(4)	7.5	
R6	***Triplex***	90	10.5	45%	2.5	6	1.2(1)(3)	3(4)	7.5	

Zone	***Use***	**Minimum *Lot Area* (M^2) per *dwelling unit***	**Minimum *Lot Frontage* (M)**	**Maximum *Lot Coverage***	**Maximum Height (*Storeys*)**	***Front Yard Setback* (m)**	***Interior Side Yard Setback* (m)**	***Exterior Side Yard Setback* (m)**	***Rear Yard Setback* (m)**	**Other Provisions**
R6	***Fourplex Dwelling***	171	22.8	45%	N/A	6	1.2(1)(3)	3(4)	7.5	N/A
R6	***Cluster Townhouse***	200 per ***dwelling unit***	30	45%	2	6	1.2(1)(3)	3(4)	7.5	(7)(8)(11)
R6	***Stacked Townhouse***	100	7.5 per interior ***dwelling unit*** stack, 8.7 per end ***dwelling unit*** stack	55% (48% for ***corner lots***)	2	6	1.2(1)(3)	3(4)	6	(7)(8)(11)
R6	***Street Front Townhouse***	200	7.5 per interior ***dwelling unit***, 8.7 per end **dwelling *unit***	55% (48% for ***corner lots***)	2	6	1.2(1)(3)	3(4)	6	(7)(8)(11)

Zone	***Use***	**Minimum *Lot Area* (M^2) per *dwelling unit***	**Minimum *Lot Frontage* (M)**	**Maximum *Lot Coverage***	**Maximum Height (*Storeys*)**	***Front Yard Setback* (m)**	***Interior Side Yard Setback* (m)**	***Exterior Side Yard Setback* (m)**	***Rear Yard Setback* (m)**	**Other Provisions**
R6	***Group Home Type 1***	270	18	39%, 42% (***corner lot***)	N/A	6	1.2(1)(3)	3(4)	7.5	(12)
R6	***Group Home Type 2***	171	22.8	39%, 42% (***corner lot***)	N/A	6	1.2(1)(3)	3(4)	7.5	N/A
Any	**Institutional**	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	(9)(10)

Special Provisions for Table 5B (Low Density Residential Regulations):

1. For every additional **storey** or part thereof above the first, an additional 0.6m will be added to the required setback of that **storey.** *(Amended by By-law 2022-31)*
2. In a R5 ***zone*** 1 ***side yard setback*** may be 0.6m for a single ***storey building***; for additional ***storeys*** provision 1 in this list applies.
3. When a ***building*** is one ***storey*** on one side and two ***storeys*** on the other side, the ***side yard setbacks*** will be based upon the height of the ***building*** where each ***yard*** is located.
4. In the case of a ***corner lot*** any entrance to an ***attached*** or detached ***garage*** shall be ***setback*** 4.5m and any ***driveway*** shall be ***setback*** 9m from the intersection of two ***street lines***.
5. (Intentionally left blank – repealed by By-law 2022-31)
6. In a R4 ***zone*** when the ***lot*** fronts onto the 7.6m ***buffer*** strip then the ***rear yard setback*** shall be 4.5m.
7. A ***townhouse*** may not have more than 8 ***dwelling units*** per ***building***, with the exception of a ***stacked townhouse*** which is permitted 16 units.
8. No two adjacent ***buildings*** on the same ***lot*** shall be built closer than 2.4m to each other for a single ***storey dwelling***; an additional 0.6m will be added for each additional ***storey***.
9. Does not apply to Public Uses under section 3.3
10. Shall meet the regulations of the zone in which it is located.
11. Permitted **additional residential dwelling units** are not included as a **dwelling unit** for minimum lot area and minimum lot frontage.
12. A Group Home Type 1 is not permitted an **additional residential dwelling unit.**

Table 5C – Permitted High Density Residential *Uses*:

USE	RM1	RM2	RM3
Apartment Dwellings	**X**	**X**	**X**
Boarding, Lodging or Rooming House	**X**	**X**	**X**
Group Home Type 2	**X**	**X**	
Accessory Home Based Business	**X**	**X**	**X**
Accessory Non-Residential ***Use***		**X(1)**	**X(1)**
Parks, Playgrounds and ***Non-profit uses***	**X**	**X**	**X**
Day Nursery	**X**	**X**	**X**
Institutional Uses	**X**	**X**	**X**
Principal Dwelling Unit Short-Term Rental *(Amended by By-law 2022-76)*	**X**	**X**	**X**

Special Provisions for Table 5C (Permitted High Density Residential *Uses*):

1) A ***convenience store*** to serve the day to day needs of the occupants may be permitted in an ***apartment building*** in ***zones*** RM2 or RM3, provided that it's on the ground floor only and is not more than 10% of the ***gross floor area*** or 275m^2, whichever is the lesser.

Table 5D – High Density Residential *Setback* Requirements:

Zone	***Use***	**Maximum *Gross Floor Area* (% of *Lot Area*)**	**Minimum *Lot Frontage* (m)**	**Minimum Useable *Open Space* (% of *Gross Floor Area*)**	***Front Yard Setback* (m)**	***Interior Side Yard Setback* (m)**	***Exterior Side Yard Setback* (m)**	***Rear Yard Setback* (m)**	**Other Provisions**
RM1	***Apartment Dwellings***	75	30	50	7(1)	6(2)	6(2)	7(1)	(3)(4)
RM1	***Boarding, Lodging or Rooming House***	75	30	N/A	7(1)	6(5)	3	7	(6)
RM1	***Group Home Type 2***	75	22.8	N/A	7(1)	1.2(5)	3	7	(6)
RM2	***Apartment Dwellings***	115	30	50	7(1)	6(2)	6(2)	7(1)	(3)(4)
RM2	***Boarding, Lodging or Rooming House***	115	30	N/A	7(1)	6(5)	3	7	(6)
RM2	***Group Home Type 2***	115	22.8	N/A	7(1)	1.2(5)	3	7	(6)
RM3	***Apartment Dwellings***	150	38	45	7(1)	6(2)	6(2)	7(1)	(3)(4)
RM3	***Boarding, Lodging or Rooming House***	150	38	N/A	7(1)	6(5)	3	7	(6)
Any	***Institutional***	N/A	N/A	N/A	N/A	N/A	N/A	N/A	(7)(8)

Special Provisions for Table 5D (High Density Residential *Setbacks*):

1) Unless half the height of the ***building*** is greater than 7m, then that distance shall be the ***setback*** value.
2) Unless half the height of the ***building*** is greater than 6m, then that distance shall be the ***setback*** value.
3) A canopy or other similar ***structure*** that is over a major entrance way into an ***apartment building*** may encroach on the ***setback*** requirement by a distance of up to half of the required ***setback*** for the respective ***yard***.
4) ***Apartment buildings*** are required to have adequate ***landscaping*** in the form of a 1.5m ***buffer abutting*** side and ***rear lot lines*** as well as ***abutting*** the ***building*** itself where windows to habitable rooms are located on the ground floor.
5) For each additional ***storey*** above the first an additional 0.6m will be added to the ***setback*** value.
6) The ***building*** may not exceed 10.5m in height.
7) Does not apply to Public Uses under section 3.3
8) Shall meet the regulations of the zone in which it is located.

Section 6 - Commercial Zones

6.1 Permitted *Uses*:

6.1.1 No ***person*** shall, within any commercial ***zone***, ***use*** or permit or cause the ***use*** of any land, or ***erect***, alter, enlarge, ***use*** or maintain any ***building*** or ***structure*** for any ***use*** other than as permitted in Tables 6A and 6B of this section and in accordance with the standards contained in Table 6C of this section. The General Provisions in Section 3 of this By-law also must be met unless otherwise stated.

6.1.2 Tables 6A and 6B of this section outline ***uses*** that are permitted in a commercial ***zone***. Permitted ***uses*** are denoted by the symbol '**X**' in the column applicable to each ***zone*** and correspond with the specified ***use*** identified in the row. A number in brackets immediately following '**X**' indicates that there are special provisions regarding that ***use***; these special provisions are listed below the table.

6.1.3 The commercial ***zones*** are as follows:

General Commercial Inner Core	**C1**
General Commercial Outer Core	**C2**
Regional Shopping Centre	**C3**
District Commercial	**C4**
Neighbourhood Commercial	**C5**
Arterial Commercial	**C6**
Arterial Commercial – Fisher Street	**C6F**
Arterial Commercial – Lakeshore Drive	**C6L**
Tourist Commercial	**C7**

Table 6A - Permitted Non-Residential *Uses*:

Use	C1	C2	C3	C4	C5	C6	C6F	C6L	C7
Automobile Sales, Service, and Leasing Establishment		X		X		X	X	X	
Automobile Service Station		X		X		X	X	X	
Automobile Washing Establishment		X		X		X	X	X	
Bar	X								
Boarding, Lodging or Rooming House		X		X					
Body Shop						X			
Brewery, Micro *(Amended by By-law 2022-31)*	X	X	X	X	X	X	X	X	X
Broadcast Studio or Newsroom	X	X		X					
Camping Establishment									X
Commercial Parking Lot	X	X		X		X	X	X	
Convenience Store	X	X	X	X	X	X	X	X	X
Day Nursery	X	X	X	X	X	X	X	X	
Distillery, Micro *(Amended by By-law 2022-31)*	X	X	X	X	X	X	X	X	X
Dry Cleaning Depot	X	X	X	X	X	X	X	X	
Dry Cleaning Establishment		X		X		X	X	X	
Efficiency Unit	X	X							X
Farmer's Market	X	X							
Financial Institution	X	X	X	X		X	X	X	X
Flea Market	X	X		X		X	X	X	X
Funeral Home	X	X		X		X			
Garden Centre	X	X		X		X	X	X	
Gas Bar		X		X		X	X	X	
Grocery Store	X	X	X	X					
Group Home Type 2	X	X		X					
Home Improvement Centre				X(1)		X(1)			
Hotel	X	X		X		X	X	X	X

Use	C1	C2	C3	C4	C5	C6	C6F	C6L	C7
Industrial Equipment Sales, Service, and Leasing Establishment						X			
Library, Museum, or Art Gallery	X	X							
Marina									X
Non-Principal Dwelling Unit Short-Term Rental *(Amended by By-law 2022-76)*	X (5)								X
Non-Profit Use	X	X		X		X	X	X	
Office, Business	X	X	X	X			X	X	
Office, Corporate Administrative	X	X							
Office, Professional	X	X	X	X	X			X	
Park, Public	X	X				X	X	X	X
Parking Area	X	X		X		X	X	X	X
Personal Service Establishment	X	X	X	X	X	X	X	X	X
Pet Daycare Facility		X(2)		X(2)		X(2)			
Pet Grooming *(Amended by By-law 2022-31)*	X	X	X	X	X	X	X	X	X
Pet Shop	X(3)	X(3)	X(3)	X(3)		X(3)	X(3)	X(3)	
Pharmacy	X	X	X	X	X	X	X	X	
Places of Entertainment	X	X	X	X		X	X	X	X
Places of Worship	X	X		X	X	X	X	X	X
Post Office	X	X	X	X	X		X	X	
Post-Secondary Institution	X	X							
Production Studio *(Amended by By-law No. 2023-90)*			X	X		X	X	X	
Recreational Facility	X	X	X	X		X			
Recreational Vehicle and Equipment Sales, Service, and Leasing						X		X	X

Use	C1	C2	C3	C4	C5	C6	C6F	C6L	C7
Restaurant	X	X	X	X	X	X	X	X	X
Retail Store	X	X	X	X					X(4)
Retail Store, Local	X	X		X	X		X	X	X
School, Public or Private	X	X							
Specialty Food Store	X	X	X	X	X		X	X	
Tourist Cabin									X
Transit Terminal	X	X				X			
Transportation Terminal						X			
Veterinary Establishment	X	X		X		X	X	X	
Wholesale Use	X	X							

Special Provisions for Table 6A (Permitted Non-Residential *Uses*):

1) A ***home improvement centre*** may have ***outside storage*** of lumber and related **building** supplies associated with it provided that it is shielded from view of adjacent properties through appropriate fencing or ***structures***.

2) May not be located within 100m of a residential ***zone***.

3) The sale of dogs or other large animals shall not be permitted as part of a ***pet shop***.

4) ***Retail stores*** can be operated as an ***accessory use*** to the other permitted ***uses*** in the same C7 ***zone***.

5) No **non-principal dwelling unit short-term rental** shall be permitted on the ground floor within **buildings** fronting on Main **Street** between Wyld **Street** and Algonquin Avenue or on Oak **Street** between Wyld **Street** and Algonquin Avenue.

Table 6B - Permitted Residential *Uses*:

Use	C1	C2	C3	C4	C5	C6	C6F	C6L	C7
Bed and Breakfast		X							X
Dwelling, Accessory									X(4)
Dwelling, Apartment	X(1)	X		X(2)	X(3)	X(3)	X(3)	X(3)	
Dwelling, Fourplex	X(1)	X							
Additional Residential Urban Dwelling Unit	X(1)	X							
Retirement Home	X(1)	X		X(2)					
Principal Dwelling Unit Short-Term Rental *(Amended by By-law 2022-76)*	X (1)	X		X (2)	X (3)	X (3)	X (3)	X (3)	X (4) (6)

Special Provisions for Table 6B (Permitted Residential *Uses*):

1) No ***dwelling units*** or ***principal dwelling unit short-term rentals*** shall be permitted on the ground floor within ***buildings*** fronting on Main ***Street*** between Wyld ***Street*** and Algonquin Avenue or on Oak ***Street*** between Wyld ***Street*** and Fraser ***Street***. *(Amended by By-law 2022-76)*

2) ***Dwelling units***, or any residential ***use***, including ***principal dwelling unit short-term rentals*** connected to and forming an integral part of the commercial ***building*** shall be permitted, provided that access to the ***dwelling units*** or residential ***use,*** including ***principal dwelling unit short-term rental*** is separate from the access to the commercial portion of the ***building***, and no ***dwelling units***, residential ***use***, or ***principal dwelling unit short-term rentals*** shall be permitted on the ground floor *(Amended by By-law 2022-76)*.

3) ***Dwelling units***, or any residential ***use***, including ***principal dwelling unit short-term rentals*** connected to and forming an integral part of the commercial ***building*** shall be permitted, provided that the ***floor area*** does not exceed that of the commercial portion of the ***building***, and that ***dwelling units,*** or any residential ***use***, including ***principal dwelling unit short-term rentals*** are located above or at the rear of the ***building***. *(Amended by By-law 2022-76)*

4) A residential ***building*** may be established and occupied provided it is ***accessory*** to the main use. Only one single residential unit will be permitted; it may be a ***single detached dwelling*** or connected to and part of the primary ***building***. A ***principal dwelling unit short-term rental*** shall be permitted within the

one established residential unit under this provision. *(Amended by By-law 2022-76)*

5) An **Additional residential dwelling unit** is not permitted within a Commercial zone.

6) ***principal dwelling unit short-term rentals*** are only permitted when the existing applicable ***dwelling unit*** has a **non-conforming, legal** status under the City's Zoning By-law. *(Amended by By-law 2022-76)*

Table 6C – *Setbacks* and Other Regulations:

Zone	**Maximum *Lot Coverage***	***Front Yard Setback* (m)**	***Side Yard Setback* (m)**	***Rear Yard Setback* (m)**	**Maximum Building Height (*Storeys*)**	**Other Provisions**
C1	100%	0	0(1)(2)	3(3)(4)	3(10)(11)	N/A
C2	100%	0	0(1)(2)	3(3)(4)	(11)	N/A
C3	40%	21	7(6)	7(4)(5)	2	(6)(7)
C4	30%	7	7	7(4)	N/A	(6)(7)
C5	30%	6	4	10(8)	2.5	(7)
C6	40%	7	4(9)	7(4)	N/A	(7)
C6F	40%	6	2(1)(2)	7	N/A	(7)
C6L	40%	3	2(1)(2)	7	N/A	N/A
C7	35%	7	4	7	N/A	N/A

Special Provisions for Table 6C (*Setbacks* and Other Regulations):

1) When a side ***lot line abuts*** a commercial or industrial ***zone***, and access is not available to the rear of the ***building*** by a ***lane***, then the ***setback*** shall be a minimum of 4m.

2) When a ***side lot line abuts*** a residential, parkland, or open space ***zone***, then the ***setback*** shall not be less than half of the height of the ***building*** or 6m, whichever is greater.

3) When a ***rear lot line abuts*** a commercial or industrial ***zone*** and no access is available to the rear of the ***building*** by a ***lane***, then the ***setback*** shall be a minimum of 6m.

4) When a ***rear lot line abuts*** a residential, parkland or open space ***zone***, then the ***setback*** shall be a minimum of 10m.

5) When the ***side lot line*** or ***rear lot line abuts*** a ***street***, then the ***setback*** shall be a minimum of 21m.

6) The lands shall be in one ownership, or if in several ownerships, all owners shall individually and jointly comply with the regulations set forth herein.

7) ***Parking spaces*** may be located ahead of the ***front yard setback*** line, but in no case within 3m of a ***street line***.

8) In the case of a ***corner lot***; the ***rear yard setback*** may then be 7m.

9) When a ***side lot line abuts*** a residential, parkland or open space ***zone***, or a ***street***, then the ***setback*** shall be a minimum of 7m.

10) Unless it is on a ***corner lot*** where Ferguson ***Street*** intersects Oak, Main, or McIntyre ***Streets*** then the ***building*** height may be 10 ***storeys***. This applies to the south side of McIntyre ***street*** only.

11) The minimum and maximum **building** heights in the C1 and C2 Zones shall be in accordance with Schedule F.

Section 7 - Industrial Zones

7.1 Permitted *Uses*:

7.1.1 No ***person*** shall, within any industrial ***zone***, ***use*** or permit or casue the ***use*** of any land, or ***erect***, alter, enlarge, ***use*** or maintain any ***building*** or ***structure*** for any ***use*** other than as permitted in Tables 7A and 7B of this section and in accordance with the standards contained in Table 7C of this section. The General Provisions in Section 3 of this By-law also must be met unless otherwise stated.

7.1.2 Tables 7A and 7B outline ***uses*** that are permitted in an industrial ***zone***. Permitted ***uses*** are denoted by the symbol '**X**' in the column applicable to each ***zone*** and correspond with the specified ***use*** identified in the row. A number in brackets immediately following '**X**' indicates that there are special provisions regarding that ***use***; these special provisions are listed below the Table. ***Setback*** and other regulations are listed in Table 7C.

7.1.3 The industrial ***zones*** are as follows:

Light Industrial	**M1**
General Industrial	**M2**
Heavy Industrial	**M3**
Restricted Industrial	**M4**
Industrial-Commercial	**MC**
Railway	**MR**
Industrial Business Park	**MBP**
Industrial Air Park – Airside	**MAP-A**
Industrial Air Park – Groundside	**MAP-G**

Table 7A - Permitted *Uses* (Excluding Airport *Zones* MAP-A and MAP-G):

Use	M1	M2	M3	M4	MC	MR	MBP
Automobile Sales, Service, and Leasing Establishments		X			X		
Automobile Service Station	X	X		X	X		
Backlot *(Amended by By-law No. 2023-90)*				X			
Body Shop	X	X		X	X		
Brewery, Micro *(Amended by By-law 2022-31)*	X	X		X(3)	X		
Brewery, Manufacturing *(Amended by By-law 2022-31)*	X	X		X(3)			
Builder's Supply Yard		X			X		
Bulk Sales Establishment	X	X	X	X			
Card lock Gas Facility		X					
Contractor's Yard		X	X	X			
Convenience Store					X		
Courier Distribution Depot	X	X		X	X		
Data Storage and Processing Firm	X	X					X
Day Nursery					X		
Distillery, Micro *(Amended by By-law 2022-31)*	X	X		X(3)	X		
Distillery, Manufacturing *(Amended by By-law 2022-31)*	X	X		X(3)			
Exhibition Building	X			X	X		X
Farmer's Market					X		
Financial Institution					X		X
Flea Market					X		
Garden Centre				X	X		
Gas Bar					X		
Group Home Type 3	X	X	X	X	X		X
Industrial Equipment Sales, Service, and Leasing Establishments		X		X	X		
Home Improvement Centre					X(1)		
Hotel					X		
Industrial Class 1	X	X		X(3)			
Industrial Class 2		X		X(3)			
Industrial Class 3			X				
Kennel				X			
Laboratory	X	X			X		X

Use	M1	M2	M3	M4	MC	MR	MBP
Office, Corporate Administrative							**X**
Pet Daycare Facility	**X(2)**	**X(2)**			**X(2)**		**X(2)**
Production Studio *(Amended by By-law No. 2023-90)*	**X**	**X**		**X**	**X**		
Production Studio & Backlot *(Amended by By-law No. 2023-90)*		**X**		**X**			
Railway Lines and Yards						**X**	
Recreational Facility	**X**	**X**			**X**		
Recreational Vehicle Sales, Service, and Leasing Establishments	**X**	**X**		**X**	**X**		
Recycling Centre		**X**	**X**	**X**			
Restaurant					**X**		
Salvage Yard			**X**	**X**			
Self-Storage Use	**X**	**X**		**X**			
Transportation Terminal		**X**	**X**	**X**			
Warehouse	**X**	**X**	**X**	**X**			
Waste Transfer Station		**X**	**X**	**X**			
Wholesale Uses	**X**	**X**	**X**	**X**	**X**		**X**

Special Provisions for Table 7A (Permitted *Uses*):

1) A ***home improvement centre*** may have ***outside storage*** of lumber and related building supplies associated with it provided that it is shielded from view of adjacent properties through appropriate fencing or ***structures***.
2) May not be located within 100m of a residential ***zone***.
3) Industrial Class 1 and Industrial Class 2 uses are permitted provided that they do not require full municipal services and subject to an agreement between the prospective industry and the City.

Table 7B – *Accessory Uses*:

All ***uses*** in this table are only permitted as a secondary, ***accessory*** function to another ***use*** that is permitted normally in the ***zone***.

Use	**M1**	**M2**	**M3**	**M4**	**MC**	**MR**	**MBP**
Apartment	**X(1)**	**X(1)**	**X(1)**	**X(1)**			
Buildings*/*Structures for maintenance/operation of ***Railway Lines and Yards***						**X**	
Convenience Store							**X**
Day Nursery	**X**	**X**	**X**		**X**		**X**
Office, Business	**X**	**X**	**X**	**X**	**X**	**X**	**X**
Restaurant							**X**

Special Provisions for Table 7B (*Accessory Uses*):

1) One ***apartment*** unit within the ***main building*** is allowed for ***use*** by an essential worker, owner/operator or caretaker.

2) An **additional residential dwelling unit** is not permitted within any Industrial Zone.

Table 7C – *Setback* and Other Regulations for Industrial Properties:

Zone	***Lot Coverage* (maximum)**	***Front Yard Setback*(m)**	***Side Yard Setback*(m)**	***Rear Yard Setback*(m)**	**Other Provisions**
M1	50%	7	4.5(1)(2)	12(2)(3)	(4)(6)
M2	50%	15	4.5(1)(2)	12(2)(3)	(5)(6)
M3	70%	15	4.5(1)(2)	12(2)(3)	(5)(6)
M4	50%	15	4.5(1)(2)	12(2)(3)	(5)(6)
MC	40%	15	4.5(1)	7	(4)(6)
MBP	50%	15	4.5(1)	12	(4)(6)(7)

Special Provisions for Table 7C (*Setback* and Other Regulations):

1) Except where a ***side lot line abuts*** a **street** or a residential, parkland, or open space ***zone*** then the ***setback*** shall be 9m.

2) Except where the ***lot line abuts*** a railway, then the ***setback*** shall be 0.

3) Except where a ***rear lot line abuts*** a **street** or a residential, parkland, or open space ***zone*** then the ***setback*** shall be 15m.

4) All permitted ***uses*** shall be conducted within an enclosed ***building*** and no ***outside storage*** is permitted.

5) ***Outside storage*** shall be permitted in the ***rear yard*** or ***side yard*** but not the ***front yard*** and shall be enclosed by adequate screening in the form of ***landscaping*** or fencing to a height of at least 2.5m but not greater than the height of the ***first storey*** of the ***main building***.

6) No ***loading space*** shall be located in, or open onto, any side yard adjacent to, or ***abutting***, a residential ***zone***.

7) ***Landscaping*** considerations:

i. A strip of land at least 3m in width along the ***lot frontage*** shall be adequately landscaped.

ii. A strip of land at least 1.5m in width along the ***side lot lines*** and adjacent to residential ***zones*** shall be adequately landscaped.

iii. Exterior lighting and illuminated signs shall be arranged to face away from any adjacent residential ***zones***.

8) **Backlot** or **production studio & backlot** uses:

i. Shall require a minimum **setback** of 30m from all **lot lines.**

ii. No parking or **outside storage** is permitted within 30m of any **lot line** in any **yard**.

iii. No **outside storage** is permitted within 30m of any **lot line** in the side or rear **yard**. No **outside storage** is permitted within the **front yard**. All **outside storage** shall be screened in the form of **landscaping** or fencing, to a height of at least 2.5m.

iv. **Landscaping**:

a) a strip of land at least 3m in width along the **lot frontage** shall be adequately landscaped.

b) The 30m required **setback** shall be landscaped in a manner that creates both a visual and noise **buffer** to adjacent properties, including a variety of trees, shrubs, and hedges.

c) All exterior lighting and illuminated signs shall be arranged to face away from adjacent residential, rural,

and open space zones and in all cases arranged as to direct the light away from adjacent **lots**. (Amended by By-law No. 2023-90)

7.2 Industrial Air Park - Airside (MAP-A) *Zone*

7.2.1 No land, ***building*** or ***structure*** shall be ***erected*** or ***used***, or permitted or caused to be ***erected*** or ***used*** in any Industrial Air Park - Airside (MAP-A) ***zone***, except for one or more of the following permitted ***uses***:

- Aerial forest fire fighting facilities;
- Aeronautical instructional services;
- Aeronautical research and development facilities;
- Air ambulance base;
- Air cargo warehousing, distribution and transfer stations;
- Air carrier services;
- Air couriers;
- Aircraft engine manufacturing, assembly, repair and maintenance;
- Aircraft manufacturing, assembly, repair and maintenance;
- Aircraft original equipment manufacturing;
- Air taxi service;
- Air terminal including control towers and refuelling depots;
- Banner towing base;
- Colleges and universities and ***accessory*** residential ***uses*** ancillary to the primary aeronautical ***uses***;
- ***Corporate administrative offices***;
- ***Exhibition building***;
- Fixed wing base operations;
- Helicopter related base operations and training facilities;
- Flight training facilities;
- Public and private aeronautical recreational ***uses***;
- Public and private hangars; and
- Sale, servicing and leasing of aircraft.

7.2.2 The following ***accessory uses*** shall be permitted in a MAP-A zone:

- ***Accessory office*** and business establishments;
- ***Accessory day nursery***;
- ***Accessory convenience stores***;
- ***Accessory restaurants***; and
- ***Accessory*** car rental agency.

7.2.3 In addition to the above ***uses***, the following complementary and ***accessory uses*** are also permitted in a MAP-A when intended to provide a service to, or when ancillary to, the airport business park:

-Fuelling services
-***Outside storage***; and
-***Vehicle*** repair and maintenance.

7.3 Industrial Air Park – Groundside (MAP-G) *Zone*

7.3.1 No land, ***building*** or ***structure*** shall be ***erected*** or ***used***, or permitted or caused to be ***erected*** or ***used*** in any Industrial Air Park - Groundside (MAP-G) ***zone***, except for one or more of the following permitted ***uses***:

- The ***use*** of land, ***building*** or ***structure*** designed for the purpose of manufacturing, assembling, processing, preparing, inspecting or ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale any goods, substances or things, where the operations do not involve the emission of air or water pollutants that exceed the standards set by the appropriate Provincial Regulatory Authority. This does not include refineries, mills, foundries, chemical plants or similar heavy industries. It also does not include a mine, ***pit***, ***quarry*** or oil wells;

- Colleges and universities and ***accessory*** residential ***uses*** ancillary to the primary aeronautical ***uses***;
- ***Corporate administrative offices***;
- ***Data storage and processing firm*** and other compatible information computer technology ***uses***;
- ***Exhibition building***;
- Industrial equipment sales, service and storage which is ancillary to manufacturing airside or groundside ***uses***;
- Metal fabrication and machining;
- Physical testing laboratories;
- Research and development facilities;
- Transportation and communications terminals; and
- ***Warehouse*** and storage ***uses***.

7.3.2 The following ***accessory uses*** shall be permitted in a MAP-G:

- ***Accessory office*** and business establishments;
- ***Accessory day nursery***;
- ***Accessory convenience stores***;
- ***Accessory restaurants***; and
- ***Accessory*** car rental agency.

7.3.3 In addition to the above ***uses***, the following complementary and ***accessory uses*** are also permitted in a MAP-G zone when intended to provide a service to, or when ancillary to, the airport business park:

- Fuelling services;
- ***Outside storage***; and
- ***Vehicle*** repair and maintenance.

7.4 Regulations

7.4.1 In an Industrial Air Park - Airside (MAP-A) ***zone*** or an Industrial Air Park - Groundside (MAP-G) ***zone***, no ***building***, ***structure*** or land shall be ***used***, or permitted or caused to be ***used***, and no ***building*** or ***structure*** shall be hereafter ***erected*** or altered, or permitted or caused to be ***erected*** or altered, except in accordance with the provisions of the *North Bay Airport Zoning Regulations,* C.R.C., c.99 under the *Aeronautics Act* R.S.C. 1985, c. A-2 and, further, in accordance with the provisions of Sections 3, 7.2 and 7.3 contained herein and the following regulations:

Table 7D– *Setback* and Other Regulations for Industrial Air Park Properties:

Zone	**Maximum *Lot Coverage***	***Front Yard Setback* (m)**	***Side Yard Setback* (m)**	***Exterior Side Yard Setback* (m)**	***Rear Yard Setback* (m)**	**Other Provisions**
MAP-A	75%	10.5	3(1)(2)	3(1)(2)	10.5(2)	(3)(4)(5)(6)(7)
MAP-G	50%	10.5	3(1)	3(1)	10.5	(3)(4)(5)(6)(7)

Special Provisions for Table 7D (*Setbacks* and Other Regulations):

1) Except where a ***side lot line abuts*** a residential, parkland or open space ***zone*** or a ***street*** then the ***setback*** shall be 7.6m.

2) Except where the ***lot line abuts*** a taxiway or runway, then the ***setback*** shall be 0.

3) There shall be no ***loading spaces*** in, or opening onto, any ***side yard*** that fronts on a ***street*** opposite to, or directly ***abuts*** a residential or rural ***zone***.

4) A strip of land 1.5m in width along any ***lot line abutting*** or adjacent to a residential or rural ***zone*** shall be adequately landscaped.

5) Exterior lights and illuminated signs shall be arranged so as to direct light away from any adjacent residential or rural ***zone***.

6) Where part of the ***use*** permitted under Table 7C and 7D is carried on outside a ***building***, that part of the operation shall not be conducted in the ***front yard*** and shall be enclosed by adequate screening in the form of ***landscaping*** or fencing to a height of not less than 2.5m and not greater than the height of the ***first storey*** of the ***main building*** on the property. For certainty the *North Bay Airport Zoning Regulations* are specifically deemed to apply to the airport runway and taxiways, so as to limit the ***height of buildings*** adjacent thereto.

7) Notwithstanding all other provisions and standards of this By-law, no permanent ***building*** or ***structure*** may be located within 7m of the pipeline ***right-of-way***. ***Accessory structures*** shall have a minimum ***setback*** of at least 3m from the limit of the ***right-of-way***. No ***building*** or ***structure*** is permitted within 3m of the ***right-of-way***. This does not apply to hydro corridor lands.

Section 8 – Open Space And Parkland Zones

8.1 Permitted *Uses*:

8.1.1 No ***person*** shall, within any open space or parkland ***zone***, ***use*** or permit or cause the ***use*** of any land, or ***erect***, alter, enlarge, ***use*** or maintain any ***building*** or ***structure*** for any ***use*** other than as permitted in Table 8A of this section and in accordance with the standards contained in Table 8B of this section. The General Provisions in Section 3 of this By-law also must be met unless otherwise stated.

8.1.2 Table 8A of this section outlines ***uses*** that are permitted in open space and parkland ***zones***. Permitted ***uses*** are denoted by the symbol '**X**' in the column applicable to each ***zone*** and correspond with the specified ***use*** identified in the row. A number in brackets immediately following '**X**' indicates that there are special provisions regarding that ***use***; these special provisions are listed below the Table.

8.1.3 The open space and parkland ***zones*** are as follows:

Parkland	**P**
Open Space	**O**
Floodway	**O1**
Floodplain and Erosion	**O2**

Table 8A – Permitted *Uses*:

Use	P	O	O1	O2
Cemetery		**X**		
Conservation Area		**X**		**X**
Golf Course		**X**		
Library, Museum, or Art Gallery	**X**	**X**		
Limited Agricultural			**X**	**X**
Marina	**X**		**X**	
Parking Area	**X**	**X**		**X**
Park, Public	**X**	**X**	**X**	**X**
Recreational Facility	**X**	**X**		
Recreational Facility, Public Authority	**X**	**X**		
Recreational Facility, Rural		**X**		**X**
Accessory Buildings* or *Structures	**X**	**X**		**X**
Restaurant	**X(1)**	**X(1)**		
Retail, Local	**X(1)**	**X(1)**		

Special Provisions for Table 8A (*Permitted Uses*):

1) ***These uses are to be considered accessory uses to the main use and shall only be permitted within the "Central Waterfront Character Area" as defined on Schedule 12B to the City of North Bay's Official Plan.***

Table 8B – *Setbacks* and Other Regulations:

Zone	**Maximum *Lot Coverage***	**Minimum *Lot Area or Frontage***	***Front Yard Setback* (m)**	***Side Yard Setback* (m)**	***Rear Yard Setback* (m)**	**Other Provisions**
P	10%(2)	N/A	7.6	7.6	7.6	(1)
O	10% (2)	N/A	7.6	7.6	7.6	(1)
O1	N/A	N/A	N/A	N/A	N/A	(1)
O2	10%	N/A	7.6	7.6	7.6	(1)

Special Provisions for Table 8B (*Setbacks* and Other Regulations):

1) ***Accessory buildings*** and ***structures*** shall adhere to the ***zone setbacks*** of the ***primary use***.

2) The maximum ***lot coverage*** may be 50% when the ***primary use*** is a ***recreational facility*** or ***recreational facility, public authority***.

Section 9 – Institutional Zones

9.1 Permitted *Uses*

9.1.1 No ***person*** shall, within any institutional ***zone***, ***use*** or permit or cause the ***use*** of any land, or ***erect***, alter, enlarge, ***use*** or maintain any ***building*** or ***structure*** for any ***use*** other than as permitted in Table 9A of this section and in accordance with the standards and regulations listed within. The General Provisions in Section 3 of this By-law also must be met unless otherwise stated.

9.1.2 The institutional ***zones*** are as follows:

General Institutional **N.**

Table 9A – Institutional *Zone* Permitted *Uses*:

Use	**Minimum *Lot Area* (ha)**	**Maximum *Lot Coverage***	**Minimum *Lot Frontage* (m)**	***Front, Side, and Rear Yard Setbacks* (m)**	**Other Provisions**
Boarding, Lodging or Rooming House	N/A	50%	N/A	7.5	(1)
Cemetery	N/A	10%	N/A	7.5	(1)
Day Nursery	N/A	50%	N/A	7.5	(1)
Exhibition Building	N/A	50%	N/A	7.5	(1)(2)(3)
Government Lands and Buildings	N/A	50%	N/A	7.5	(1)(2)(3)
Group Home Type 2	N/A	50%	N/A	7.5	(1)
Group Home Type 3	N/A	50%	N/A	7.5	(1)
Hospice	N/A	50%	N/A	7.5	(1)
Hospital	N/A	50%	N/A	7.5	(1)(2)(3)
Library, Museum, or Art Gallery	N/A	50%	N/A	7.5	(1)(2)(3)
Places of Worship	N/A	50%	N/A	7.5	(1)
Post-Secondary Institution	N/A	50%	N/A	7.5	(1)(2)(3)
Prison	N/A	50%	N/A	7.5	(1)(2)
Public Authority operated buildings and lands	N/A	50%	N/A	7.5	(1)(2)
Retirement Home	N/A	50%	N/A	7.5	(1)(2)(3)

Use	**Minimum *Lot Area* (ha)**	**Maximum *Lot Coverage***	**Minimum *Lot Frontage* (m)**	***Front, Side, and Rear Yard Setbacks* (m)**	**Other Provisions**
School, Public and Private	N/A	50%	N/A	7.5	(1)(2)
Solar Farm	N/A	50%	N/A	7.5	(1)

Special Provisions for Table 9A (Institutional *Zone* Permitted *Uses*):

1) A ***building accessory*** to the primary permitted ***use*** shall be allowed, provided that it has a ***setback*** of 7.5m from any ***lot line***.

2) A ***restaurant*** shall be permitted as an ***accessory use*** within the ***main building*** of the primary permitted ***use***.

3) A retail ***use*** shall be permitted as an ***accessory use*** within the ***main building*** of the primary permitted ***use***.

Section 10 - Rural Zones

10.1 Permitted *Uses*

10.1.1 No ***person*** shall, within any rural ***zone***, ***use*** or permit or cause the ***use*** of any land, or ***erect***, alter, enlarge, ***use*** or maintain any ***building*** or ***structure*** for any ***use*** other than as permitted in Tables 10A – 10D of this section and following all regulations stated within. ***Accessory buildings***, ***structures*** and ***uses*** shall adhere to the same standard ***zone*** regulations as the ***primary use*** in the ***zone***, unless otherwise stated. The General Provisions in Section 3 of this By-law also must be met unless otherwise specified.

10.1.2 Tables 10A and 10D of this section outline non-residential and ***accessory uses***, respectively, that are permitted in a rural ***zone***. Permitted ***uses*** are denoted by the symbol '**X**' in the column applicable to each ***zone*** and correspond with the specified ***use*** identified in the row. Residential ***Uses*** permitted are listed in Table 10C of this section beside the corresponding ***zone*** along with the associated regulations. A number in brackets immediately following indicates that there are special provisions regarding that ***use***; these special provisions are listed below the Table. Table 10B and 10C of this section list ***setbacks*** and other regulations that shall be required.

10.1.3 The rural ***zones*** are as follows:

Rural General	**A**
Rural Residential Lakefront	**RRL**
Rural Residential Estate	**RRE**
Rural Extractive Industrial	**RME**
Rural Commercial	**RC**
Rural Marine Commercial	**RMC**
Rural Institutional	**RN**.

Table 10A – Permitted Non-Residential *Uses*:

Use	A	RRL	RRE	RME	RC	RMC	RN
Adult Entertainment Parlour					X(1)		
Asphalt/Concrete Plant				X(2)			
Automobile Service Station					X		
Backlot *(Amended by By-law No. 2023-90)*					X		
Cemetery	X						X
Commercial Agricultural Uses	X						
Conservation Area	X						
Day Nursery							X
Golf Course	X						
Group Home Type 1	X	X	X				X
Group Home Type 2							X
Group Home Type 3							X
Hobby Farm	X(3)						
Hotel					X		
Kennel	X				X		
Library, Museum or Art Gallery							X
Marina						X	
Non-Profit Use					X		X
Park, Public		X	X				
Pit				X(2)			
Place of Worship							X
Production Studio *(Amended by By-law No. 2023-90)*					X		
Production Studio & Backlot *(Amended by By-law No. 2023-90)*					X		
Quarry				X(2)			
Recreational Facility, Rural	X				X		X
Restaurant					X	X(4)	
Retail Store, Local					X	X(4)	
Retirement Home							X
School, Public or Private							X
Solar Farm	X				X		X
Tourist Cabin					X		
Veterinary Establishments					X		
Wind Farm	X						

Special Provisions for Table 10A (Permitted Non-Residential *Uses*):

1) An ***adult entertainment parlour*** shall be located no closer than 150m from a ***highway*** or local ***street***, 500m from any residential, institutional, or open space ***zones***, and 2000m from

any other ***adult entertainment parlour***.

2) This also permits any ***buildings, structures***, or equipment that are directly ***used*** in the extraction of sand, gravel, stone, and other general aggregates.

3) Shall be permitted only as an ***accessory use*** to a residential ***use***.

4) Shall be permitted as an ***accessory use*** to the ***primary use***.

Table 10B – Permitted Non-Residential *Uses* and Regulations:

Zone	***Use***	**Minimum *Lot Area* (ha)**	**Maximum *Lot Coverage***	**Minimum *Lot Frontage* (m)**	***Front Yard Setback* (m)**	***Side Yard Setback* (m)**	***Rear Yard Setback* (m)**	**Maximum Building Height (m)**	**Other Provisions**
A	***Cemeteries***	N/A	10%	N/A	N/A	N/A	N/A	N/A	(9)
A	***Commercial Agricultural Uses***	10	15%	75	30	30	30	N/A	(1)(9)
A	***Conservation Area***	0.14	15%	30	15	7.5	15	N/A	(9)
A	***Golf Course***	N/A	10%	N/A	30	30	30	N/A	(9)
A	***Hobby Farm***	2	15%	60	45	15	30	N/A	(9)
A	***Kennel***	5	10%	60	30	45	45	N/A	(9)
A	***Recreational Facility, Rural***	1.6	15%	75	15	7.5	15	N/A	(9)
A	***Solar Farm***	10	80%(2)	75	30	30	30	N/A	(9)
A	***Wind Farm***	25	5%	75	250(3)	250(3)	250(3)	N/A	(9)
RRL	All Permitted ***Uses***	0.8	10%(4)	60	32	6(5)	12(5)	10.5	(9)
RRE	All Permitted ***Uses***	1.2	5%	60	15	15	15	10.5	(9)
RME	All Permitted ***Uses***	10	40%	200	60	60	60	N/A	(6)(9)
RC	All Permitted ***Uses***	0.8	15%	75	15	15	15	10.5	(7)(9)
RMC	All Permitted ***Uses***	0.4	50%	60	10.5	7.5	10.5	10.5	(8)(9)
RN	All Permitted ***Uses***	0.4	15%	60	15	7.5	15	10.5	(9)

Special Provisions for Table 10B (Non-Residential *Uses* and Regulations):

1) A ***commercial agriculture use*** shall not be located closer than 32m to any ***lot line*** or inflowing watercourse to Trout Lake or Lake Nipissing, or closer than 90m to any ***existing dwelling unit*** on an adjoining ***lot*** or to any rural or urban residential ***zone***.

2) Only 10% of the ***lot coverage*** may be taken up by ***buildings*** or other ***structures*** that are not solar energy producing ***structures***.

3) 250m shall be the ***setback*** from any ***dwelling unit*** or ***lot line*** per wind turbine that is part of the ***wind farm***.

4) 10% ***lot coverage*** includes the ***main building*** as well as all ***accessory structures***, ***porches***, and covered ***decks***.

5) If the ***lot*** has a shoreline on another side besides the ***front yard*** then the ***setback*** shall always be 30m from the shoreline.

6) A strip of land at least 7.5m in width along the property line shall be adequately landscaped to create a ***buffer zone***.

7) Limited ***outside storage*** is permitted in the ***front yard*** only for the purpose of displaying goods for sale by the owner, excluding a ***flea market***.

8) ***Outside storage*** shall be permitted only for the purpose of storing or parking watercraft and associated trailers, provided that the area ***used*** for storage is adequately screened and does not impact the visual amenities of the surrounding area.

9) An **additional residential dwelling unit** is not permitted within a non-residential use.

10) **Backlot** or **production studio & backlot** uses:

i. Shall require a minimum **setback** of 30m from all **lot lines**.

ii. No parking or **outside storage** is permitted within 30m of any **lot line** in any **yard**.

iii. No **outside storage** is permitted within 30m of any **lot line** in the side or rear **yard**. No **outside storage** is permitted within the **front yard**. All **outside storage** shall be screened in the form of **landscaping** or fencing, to a height of at least 2.5m.

iv. **Landscaping**:

a) A strip of land at least 3m along the **lot frontage** shall be adequately landscaped.

b) The 30m required **setback** shall be landscaped in a manner that creates both a visual and noise **buffer** to adjacent properties, including a variety of trees, shrubs, and hedges.

c) All exterior lighting and illuminated signs shall be arranged to face away from adjacent residential, rural, and open space zones and in all cases arranged as to direct the light away from adjacent **lots** (Amended by By-law No. 2023-90).

Table 10C – Permitted Residential *Uses* and Regulations Table:

Zone	*Use*	Minimum *Lot Area* (ha)	Maximum *Lot Coverage*	Frontage (m)	*Front Yard Setback* (m)	*Side Yard Setback* (m)	*Rear Yard Setback* (m)	Maximum Height (m)	Other Provisions
A	**Single Detached Dwelling**	**0.8**	**30%**	**60(1)**	**15**	**7.5**	**15**	**10.5**	**N/A**
A	***Additional Rural Residential Dwelling Unit***	**0.8**	**30%**	**60(1)**	**15**	**7.5**	**15**	**10.5**	**(8)**
A	*Principal Dwelling Unit Short-Term Rental*	**0.8**	**30%**	**60(1)**	**15**	**7.5**	**15**	**10.5**	**(7)**
A	**Single Detached Dwelling – Trout Lake Influence Area Overlay**	**0.8**	**10%(2)**	**60(1)**	**32**	**6**	**12**	**10.5**	**(1)(3)**
A	***Principal Dwelling Unit Short-Term Rental***	**0.8**	**10%(2)**	**60(1)**	**32**	**6**	**12**	**10.5**	**(3)(7)**
RRL	***Single Detached Dwelling***	**0.8**	**10%(2)**	**60(1)**	**32**	**6(4)**	**12(4)**	**10.5**	**(1)(3)**
RRL	**Bed and Breakfast**	**0.8**	**10%(2)**	**60(1)**	**32**	**6(4)**	**12(4)**	**10.5**	**(1)(3)**
RRL	***Principal Dwelling Unit Short Term Rental***	**0.8**	**10%(2)**	**60(1)**	**32**	**6(4)**	**12(4)**	**10.5**	**(1)(3)(7)**
RRE	***Single Detached Dwelling***	**0.8**	**30%**	**60**	**15**	**7.5**	**15**	**10.5**	**N/A**
RRE	**Bed and Breakfast**	**1.2**	**30%**	**60**	**15**	**7.5**	**15**	**10.5**	**N/A**
RRE	**Principal Dwelling Unit Short-Term**	**0.8**	**30%**	**60**	**15**	**7.5**	**15**	**10.5**	**(7)**

Zone	*Use*	Minimum *Lot Area* (ha)	Maximum *Lot Coverage*	Frontage (m)	*Front Yard Setback* (m)	*Side Yard Setback* (m)	*Rear Yard Setback* (m)	Maximum Height (m)	Other Provisions
	Rental								
RC	**Accessory Dwelling Unit**	**0.8**	**15%**	**75**	**15**	**15**	**15**	**10.5**	**(5)**
RC	**Bed and Breakfast**	**0.8**	**15%**	**75**	**15**	**15**	**15**	**10.5**	**(5)**
RC	**Principal Dwelling Unit Short-Term Rental**	**0.8**	**15%**	**75**	**15**	**15**	**15**	**10.5**	**(7)**
RMC	**Accessory Dwelling Unit**	**0.4**	**50%**	**60**	**10.5**	**7.5**	**10.5**	**10.5**	**(6)**
RN	**Accessory Dwelling Unit**	**0.4**	**15%**	**60**	**15**	**7.5**	**15**	**10.5**	**(5)**

Special Provisions for Table 10C (Residential *Uses* and Regulations Table):

1) For ***lots*** within the Trout Lake Influence Area Overlay, as identified on Schedule 'E' of this By-law, a **vegetative buffer zone** shall be maintained within 30m of the boundaries of the water's edge of Trout Lake and its major inflowing streams. This shall be done in a way to minimize the impact of the waterbody from adjacent **uses** and maintained the natural characteristic of the shoreline as much as possible and shall be to the satisfaction of the **municipality.**

2) 10% ***lot coverage*** includes the ***main building*** as well as all ***accessory structures***, however does not include any part of the ***sewage disposal system***.

3) Pursuant to the *Planning Act* no ***person*** shall have a ***building*** or ***structure***, unless it contains no openings to the ***building*** or ***structure***, such as a door, window, vent, passageway or any other opening, below the Canadian Geodetic Datum elevation of 202.69m.

4) If the ***lot*** has a shoreline on another side besides the ***front yard*** then the ***setback*** shall always be 30m from the shoreline.

5) A maximum of one ***accessory dwelling unit*** may be ***attached*** to, or within, the primary ***building*** or may be a ***single detached*** unit that is for the sole ***use*** of an essential worker, caretaker, or the owner/operator.

6) A maximum of one ***accessory dwelling unit*** may be located within the ***main building*** and shall be permitted for ***use*** by an essential worker, caretaker, or owner/operator.

7) ***Principal Dwelling Unit Short-Term Rentals*** must provide a valid permit of record from the North Bay-Mattawa **Conservation Authority** for septic systems, if applicable and that will support the short-term rental premises. *(Amended by By-law 2022-76)*

8) **Additional Rural Residential Dwelling Units** located in an **accessory** structure will be required to follow the regulations in Section 3.20.2.5 and Special Provisions for Table 10D (Accessory Buildings, Structures and Uses).

Table 10D – *Accessory Buildings*, *Structures* and *Uses*:

Accessory Use	A	RRL	RRE	RME	RC	RMC	RN
Boathouse, Boat Port		**X(1) (2)**				**X(1) (2)**	
Building* or *Structure	**X(3) (4)**	**X(4) (5)**	**X(3) (4)(5)**	**X**	**X(3)**	**X(6)**	**X(3) (7)(8)**
Home Based Business	**X**	**X**	**X**				
Additional Residential Rural Dwelling Units	**X (3)(4) (5)**		**X(3) (4)(5)**				
Sleep Cabin	**X**	**X**					

Special Provisions for Table 10D (*Accessory Buildings*, *Structures* and *Uses*):

1) A ***boathouse*** *or* ***boat port*** shall be permitted to be built on the front lot line and shall not exceed 1 ***storey*** in height or contain a rooftop deck.

2) No ***boathouse*** *or* ***boat port*** shall exceed 10m in width or 30% of the frontage of the property in width, whichever is the lesser.

3) No ***accessory building*** or ***structure*** may exceed 6m in height.

4) No ***accessory building*** shall be built closer than 3m to any side or ***rear lot line***. *[amended by By-law 2016-25]*

5) No ***accessory building*** may be built closer than 3m to any ***single detached dwelling***.

6) No ***accessory building*** shall be located closer than 7.5m to the ***main building***.

7) No ***accessory building*** shall be built closer than 3m to any ***side lot line***.

8) No ***accessory building*** shall be located closer than 3m to the ***main building***.

9) An **accessory building** is permitted within the front yard provided it complies with the front yard setback of the main use.