

ZONING BY-LAW AMENDMENT

**HOUSEKEEPING AMENDMENT
CITY OF ELLIOT LAKE**

Prepared for:

CITY OF ELLIOT LAKE

November 2022

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EXPLANATORY NOTE

The purpose of this Zoning By-law Amendment is to correct anomalies in Zoning By-law No 18-36 by amending the wording in the Definitions, General Provisions, and certain zones to more clearly reflect the intent of the City when the Comprehensive Zoning By-law was adopted.

THE CORPORATION OF THE CITY OF ELLIOT LAKE

By-law No. _____

Being a By-law to amend By-law No. 18-36

WHEREAS By-law No. 18-36 regulates the use of land and the use and erection of buildings and structures within the City of Elliot Lake;

AND WHEREAS the Council of the Corporation of the City of Elliot Lake deems it advisable to amend By-law No. 18-36 as hereinafter set forth;

NOW THEREFORE Council of the City of Elliot Lake, pursuant to Section 34 of the *Planning Act*, RSO 1990, chapter P.13, enacts as follows:

1. That the term 'Building Line' is replaced by 'Setback' throughout the Zoning By-law, unless otherwise specified.
2. That the term 'Accessory Buildings' is replaced by 'Accessory Uses' in the 'Permitted Uses' Section for each Zone.
3. That the Title of Section 2 is revised to 'Authorization and Administration'
4. That Section 2.1 is further amended by inserting the following after the word 'welfare':

"except where the word maximum is used in which case the maximum requirement shall apply.

In this By-law the word 'shall' is mandatory; words in the singular include the plural; words in the plural include the singular; words in the present tense include the future; the masculine includes the feminine."

5. That six (6) new sections be added, immediately after Section 2.2, as follows:

2.3 Licenses and Permits

- a. No change shall be made in the type of use of any land, building, or structure within any zone, without first obtaining a Certificate of Occupancy from the City to the effect that the proposed use conforms to this By-law.
- b. No municipal permit, certificate, or licence shall be issued for a proposed use of land or a proposed erection, alteration, enlargement, or use of any building or structure that is in contravention of any provision of this By-law.

2.4 Action to Restrain Contraventions of By-law

In the case of any lot being used, any building or structure being erected, altered, reconstructed, or extended or part therefore being used in contravention of any provision of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the City pursuant to the provisions of Section 67 of the *Planning Act* in that behalf.

2.5 Inspection of Premises

The City Clerk or any employee of the City acting under his direction, may, at any reasonable hour (as set out by Council), enter and inspect a property or premises where there is reason to believe that any land has been used or any building or structure has been erected, altered, enlarged, or used in violation of any of the provisions of this By-law.

2.6 Note on Amending By-laws

Note that where amending By-law numbers are referenced in text, they are provided for reference only, and upon consolidation with this By-law are repealed.

2.7 Measurements

Measurements contained in this By-law are in metric units only. Where imperial units appear, such units do not form part of this By-law; they are to be considered as ancillary information only are provided only for the convenience of the reader.

2.8 Technical Revisions

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

- a. correction of grammar, punctuation or typographical errors, or revisions to format in a manner that does not change the intent of a provision;
- b. adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends, or title blocks; and,
- c. changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers, and headers, which do not form a part of this By-law and are editorially inserted for convenience of reference only.

6. That Section 3: *Definitions* is amended as follows:

- i. The definition for 'Aesthetics' is inserted: "a personal service business dealing with cosmetics, skin care, make-up, or nail care."
- ii. Definition of 'Bed & Breakfast Establishment' is deleted and replaced by the following: "an establishment that provides sleeping accommodation and meals for the travelling or vacationing public, containing four (4) or fewer suites or guest rooms, located within a single detached dwelling that is the principal residence of the proprietor of the establishment.
- iii. Definition of 'Boarding house' is deleted and replaced by the following: "any house or building, in which the proprietor resides, where meals, lodging or meals and lodging are provided for compensation and in which guest rooms do not have bathrooms and kitchen facilities for their exclusive use, for not more than four (4) persons other than the proprietor and his immediate family."

- iv. Definition title of 'Building Line' is revised to 'Building Line, Minimum'.
- v. Definition of 'Carport' is deleted and replaced by the following: "a structure which is designed and used for the sheltering of private passenger motor vehicles or commercial vehicles in compliance with the City's Parking By-law, and which complies with the following requirements:
 - i. the carport shall be attached to the main building and have a roof supported by column piers or walls; and
 - ii. the total perimeter enclosed by walls, doors, windows, etc. shall not exceed sixty (60%) percent.
- vi. Definition of 'Child Care Centre' is amended by replacing the words "a premises" with "building or part thereof".
- vii. Definition of 'Clinic' is amended by deleting the following text: "but does not include a Medical Clinic where three or more legally qualified physicians are practicing."
- viii. The definitions for "Dwelling Unit" and "Dwelling Unit Area" are relocated immediately after the definition of 'Duplex Dwelling'.
- ix. The definitions for 'Rowhouse', 'Rowhouse, Interior' and 'Rowhouse, End' are deleted, and the following is inserted immediately after the definition of Residential Care Home:

"ROWHOUSE: see definition for 'TOWNHOUSING'.
- x. The definition of 'Sleep Cabin' is amended by inserting the following after the word 'provided': "A loft above a garage providing sleeping accommodations, but no kitchen, sanitary facilities, or pressurized water will be considered a sleep cabin."
- xi. The definition of 'Tiny Home' is inserted: "a small, private and self-contained dwelling unit that meets the minimum dwelling unit size as per the Ontario Building Code. A tiny home shall be considered a single detached dwelling, unless it is on wheels, in which case it shall be considered a mobile home."
- xii. The definition of 'Townhousing' is deleted and replaced by: "a building designed to contain three (3) or more attached dwelling units, each dwelling unit being divided vertically and having a private entrance."
- xiii. The definition of 'Townhouse, Interior' is inserted: "a townhouse with two common walls."
- xiv. The definition of 'Townhouse, End' is inserted: "a townhouse with one common wall."
- xv. The definition of 'Funeral Home' is amended by deleting the words "of time".
- xvi. The definition of a Private Garage is amended by deleting the following text: "vehicle and does not exceed 10% of the lot area or 68 sq m, whichever is the lesser."

- xvii. The definition of 'Industrial Use' is inserted: "a building, structure, use or activity pertaining to manufacturing, assembling, making, producing, refining, finishing, treating, tanning, cleaning, washing, drying, altering, repairing, restoring, processing, refinishing, packing, adapting, warehousing, stockpiling, storing, distributing, shipping, breaking up, demolishing, servicing or recycling of goods, substances, or articles and similar uses, including ores, minerals, aggregates and agricultural produce, or any part or parts thereof."
- xviii. The definition of 'Lot Line, Front' is inserted:
 - i. in the case of an interior lot, the lot line that divides a lot from the street;
 - ii. in the case of a lot fronting onto two or more streets, the shorter lot line that abuts a street shall be deemed to be the front lot line;
 - iii. in the case of a corner lot or through lot having lot lines of equal length abutting both streets, either line may be deemed to be the front lot line; and
 - iv. in the case of a waterfront lot, the shoreline shall be deemed to be the front lot line.
- xix. The definition of 'Lot Line, Exterior Side' is inserted: "a side lot line which is also a street lot line."
- xx. The definition of 'Lot Line, Interior Side' is inserted: "a side lot line which is not a street lot line."
- xxi. The definition of 'Lot Line, Rear' is deleted and replaced by the following: "the lot line farthest from and opposite the front lot line".
- xxii. The definition of 'Lot Line, Side' is deleted and replaced by the following: "any lot line other than the street lot line or the rear lot line".
- xxiii. The definition of 'Business Office' is amended by replacing the words "Animal Hospital" with "a veterinary clinic".
- xxiv. Definition of 'Personal Service Shop' is amended by deleting the following text, "not more than twelve (12)".
- xxv. The definition of 'Recreational Vehicle' is inserted: "any vehicle so constructed that it is no wider than 2.5 m and is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled and is capable of being used on a short term recreational basis for living, sleeping, or eating accommodation of persons. The term "Recreational Vehicles" includes the following: motor homes, travel trailers, tent trailers, and campers."
- xxvi. The definition for 'Seasonal Trailer' is deleted.
- xxvii. The definition for 'Short Term Rental' is inserted: "a dwelling unit that, in whole or in part, is rented or available for gain or profit for a period of 30 consecutive days or less, but does not include a bed and breakfast, boarding house, hotel, or motel."
- xxviii. The definition for 'Similar Use' is amended by replacing "the Zoning designation"

with “a particular Zone”.

- xxix. The definition of a ‘Tourist Camp’ is inserted as per the following: “land used to provide temporary accommodation for the public, or members of an organization, in tents, recreational vehicles, cottages, cabins or other structures.”
- xxx. The definition for ‘Utility Sheds’ is deleted and replaced by the following: “an accessory structure used for storage or domestic workshop purposes.”.
- xxxi. Definition title of ‘Reserved Yard’ is revised to ‘Required Yard’
- xxxii. The text immediately after the definition of ‘Reserved Yard’, beginning from “In this by-law” and ending with “include a corporation” is deleted.

7. That the title of Section 5.1.3 is revised to ‘Garages and Sheds’, and this Section is further amended by deleting the existing provisions and replacing with the following:

“Garages and sheds in residential zones are subject to the following provisions:

- i. A private garage shall be no larger than:
 - a. The ground floor area of the primary residential dwelling;
 - b. Ten (10) percent of the lot area; or
 - c. 68 sqm, whichever is the lesser.
 - ii. A shed shall be limited to one (1) storey in height and not exceed 22.3 sqm in floor area.
8. That the provisions in Section 5.1.5: ‘Portable Garages’ are deleted and replaced with the following:

“Portable garages are permitted in all residential zones, subject to the following provisions:

- i. Such structure is not located in the required front yard; and
 - ii. Such structure meets all setback provisions;
 - iii. Such structure shall be counted in the calculation of lot coverage;
 - iv. If such structure is not rated for snow load, it shall be removed from October 1 to April 1 of each year; and
 - v. Such structure shall require a temporary permit.”
9. That a new Section addressing Recreational Vehicles is inserted immediately following Section 5.1.5 as follows, and the subsequent sections are renumbered.

“5.1.6: Recreational Vehicles

Any recreational vehicle shall be permitted to be stored in a Residential Zone provided it is parked in the rear or interior side yard.”

10. That Section 5.1.6: ‘Shipping Containers’ is renumbered as 5.1.7. This Section is amended by adding the following text in paragraph 1, line 3, after the words ‘primary use in the’: “Tourist Highway Commercial or”. This Section is further amended by inserting the following provisions immediately after the completion of paragraph 2:

“The following provisions apply to all shipping containers:

- i. The shipping container is only used for storage purposes and not used to

- accommodate work areas, shops, office uses, or retail sales.
- ii. The shipping container is maintained to the City's satisfaction (i.e. painted and not rusted) and is not visible from the street;
- iii. The shipping container is anchored to the ground in accordance with the Ontario Building Code;
- iv. An Engineer's report is required in accordance with the Ontario Building Code.

In the Tourist Highway Commercial Zone such shipping container is permitted in accordance with the following provisions:

- i. A maximum of two (2) containers are permitted unless an agreement is entered into with the City; and
- ii. Such structure(s) shall only be permitted in the rear yard."

11. That Section 5.3 Community Gardens and Farm Produce/Product Stands renumbered to Section 5.2.

12. That Section 5.2: *Building Line Encroachments* is renumbered to Section 5.3, the title of is revised to 'Encroachments Permitted into Required Yards', and this Section is inserted immediately after Section 5.2: Community Gardens and Farm Produce/Product Stands. This Section is further revised by replacing the existing text with the following:

"The following encroachments are permitted beyond the building line into required yards:

Structure or Feature	Applicable Required Yard(s)	Required Setback or Permitted Encroachment
Balconies, canopies, and unenclosed porches less than 1 storey in height	Required rear or interior side yard	May encroach 1.83 m
Balconies and canopies where located above the level of the ceiling of the first storey	Required rear or interior side yard	May encroach 1.2 m
Barrier free access ramps, unenclosed with no roof or walls, designed to the requirements of the Ontario Building Code	Required front or rear yard	Permitted (95-87)
Fences and hedgerows 0.9 m or less in height in R1, R1M, R2, R2M Zones	Any yard	Permitted
Fences and hedgerows more than 0.9 m in height in R1, R1M, R2, R2M Zones, to a maximum height of 1.9 m	All yards other than the required <i>front</i> and or required <i>corner side yards</i>	Permitted
Fences in all other	Any yard	Permitted, provided

zones, to a maximum height of 2.44 m		compliance with Section 5.17 Sight Triangles
Fire escapes	Required rear yard	May encroach 1.52 m
Sills, belt course, cornices, eaves or gutters, chimney breasts, and pilasters	Any yard	May encroach 0.61 m
Stairs	Any yard	Not closer than 0.6m to any lot line

13. That Section 5.4: *Established Building Line in Residential Zones* is revised by changing the title to 'Established Setback in Residential Zones', deleting the existing provisions and replacing them with the following: "For the purposes of lots located in a R1 and R2 Zone, with existing dwellings that conform to previously legal front yard setbacks, the front yard shall be deemed to be the legal non-conforming building setbacks from the street lot lines. (95-104)".
14. That Section 5.5: *Fences* is revised by deleting the existing text and replacing it with: "Unless otherwise provided for in this By-law or any other By-law of the Corporation, fences shall be permitted subject to provisions in Section 5.2 Permitted Encroachments".
15. That Section 5.10 'Height Exceptions' be moved and renumbered to Section 5.6. and that Section 5.6: *Home Based Businesses* is renumbered to 5.7, and 5.7 (ii) is then further revised by inserting the words "or place of practice" immediately after the words "consulting room".
16. That a new section addressing 'Landscaping' be added, immediately after Section 5.7 as follows, and the subsequent sections are renumbered:

"5.8 Landscaping

- i. Where, in a yard in any zone, a parking area which is required to provide for more than four (4) off-street parking spaces adjoins a lot in any Residential Zone, or where any non-residential lot abuts a lot in any Residential Zone:
 - a. A continuous strip of landscaped open space of a minimum width of 3.0 m shall be provided and maintained from the lot line of the said yard or lot.
 - b. Plant materials shall be trees and shrubs of not less than 3.0 m and 1.0 m respectively in height at the time of planting and whose heights at maturity will reach at least 9.0 m and 3.0 m respectively and will be of a type which will provide an effective visual screen between the particular properties.
 - c. Such plant materials may be combined with or replaced by landscaped berms continuous wall, and fencing, or screen 0.9 m in height erected at least 1.5 m from the lot line to provide an effective visual screen.
- ii. Where, in any yard in any zone, a parking area which is required to provide for more than four (4) off-street parking spaces adjoins a street:
 - a. Landscaped open space shall be provided and maintained along

the lot line adjoining the street, and shall include trees, low growing shrubs, and turf.

- b. Landscaping shall be continuous except for aisles or driveways required for access to the parking area and shall be a minimum width of 3.0 m.
- iii. In any zone, any portion of any front yard which is not used for any other permitted purpose shall be devoted to landscaped open space.
- iv. Any wall, fence or screen shall be maintained in a stable condition, and all landscaping shall be kept free of refuse and debris and maintained in a healthy, growing condition, neat and orderly in appearance.”

17. That Sections 5.8: *Reserved Yards* and 5.9 *Reduction of Lot Area and Movement of Lot Lines* are renumbered to 5.15 and 5.15.1.

18. That a new section addressing ‘Non Complying Buildings, Structures and Lots’ is inserted, immediately after Section 5.11 as follows, and subsequent sections are renumbered.

“5.12 Non-Complying Buildings, Structures and Lots

5.12.1 Alterations to Non-Complying Buildings and Structures:

Nothing in this By-law shall prevent the enlargement, reconstruction, renovation, or repair of an existing non-complying building or structure provided such enlargement, reconstruction, renovation, or repair shall not:

- i. Further aggravate the non-compliance; or
- ii. Contravene any other zone provisions.

5.12.2 Use of Undersized Lots

Where a lot having less than the minimum lot area or frontage required by this By-law, exists on the date of passing of this By-law or is increased in area or frontage but still does not meet the minimum area or frontage requirements of this By-law, such lot may be used for a purpose permitted in the zone in which it is located provided that all other applicable provisions in this By-law are met.

5.12.3 Expropriation and/or Road Widening

If any legally existing building or structure would become non-complying as a result of a road widening or an expropriation, by having its front yard, exterior side yard, or setback reduced, the said existing building or structure shall be deemed to be complying for the purposes of this By-law.

If any legally existing lot would become non-complying as a result of a road widening or an expropriation, by having its lot area and/or lot frontage reduced, the said existing lot shall be deemed to be complying for the purposes of this By-law.”

19. That Section 5.13: *Non-Conforming Uses and Yard Requirements Prior December 7, 1987* is revised by deleting the existing text and replacing it with the following:

“5.13.1 All uses and all construction in existence prior to December 7, 1987 will be deemed to be in conformance with this By-law.

5.13.2 Rebuilding, Repair, and Strengthening Permitted

Nothing in this By-law shall prevent the rebuilding, repair, and strengthening to a safe condition of a non-conforming building or structure, including the installation of eaves troughs, siding, brick, or insulation whose sole purpose is to improve the exterior of the building, subsequent to the date of passing of this By-law, provided that the external dimensions of the original building or structure are not increased, and the use of the building or structure is not altered, unless altered to a permitted use.

5.13.3 Change of Use

The use of any lot, building, or structure which is not permitted in the zone in which it is located shall not be changed except to a use which is listed as a permitted use in such zone or to a use which is authorized by the City pursuant to its powers under the *Planning Act*.

20. That Section 5.14: *Park Model Homes* is deleted, and subsequent sections are renumbered.

21. That a new Sections 5.16 and 5.17 be inserted immediately after Section 5.15.1 as per the following, and subsequent sections are renumbered:

5.16 Short Term Rentals

Where short term rentals are permitted, the following provisions apply:

- i. Such short term rental shall be in compliance with the City's Licensing By-law, if applicable.

5.17 Sight Triangles

Notwithstanding any provisions of this By-law to the contrary, within any area defined as a sight triangle, the following uses shall be prohibited:

- a. a building, structure, or use which would obstruct the vision of drivers of motor vehicles;
- b. a fence or tree, hedge, bush, or other vegetation, other than agricultural crops, the top of which exceeds 0.9 m in height above the elevation of the centerlines of abutting streets;
- c. a parking area; and
- d. a finished grade which exceeds the elevation of the centerlines of abutting streets by more than 0.5 m.

22. That Section 5.17 *Temporary Uses* is renumbered to Section 5.19, and is amended by inserting the following after the completion of the second paragraph:

“iii Temporary fencing shall not require a permit.”

23. That Section 5.18: *Water and Sewage Disposal Services-Municipal or On-site (Private) Services* is renumbered to Section 5.20, and the title of this Section is revised to 'Water and Sewage Disposal Services – Municipal'. This Section is further amended by deleting the existing text and replacing it with the following:

“No person shall hereafter erect and use in whole or in part any building or structure without municipal piped services for any purpose in the R1, R1M, R2, R2M, C1, C2, C3, C4, M, CM, and I Zones, except where specifically permitted

as an exception to this By-law.”

24. That Section 6.1 titled ‘Parking Space Requirements’ is inserted immediately after the title of Section 6, and subsequent sections are renumbered. This Section is further amended by moving the following text in paragraph 1, Line 4, after the word ‘as follows’ to a new Section 6.1.2: “Unless stated otherwise, parking requirements based on an area criteria shall be calculated on Floor Area as defined”.
25. That Section 6 is amended by inserting Subsection 6.1 and 6.1.1, and Subsection 6.1.1 is amended by inserting minimum parking requirements for Additional Residential Units. This section is further amended by deleting the minimum parking space requirements for the additional uses identified below, contained in the Table after paragraph 1, and replacing them with the following:

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED TO BE PROVIDED
Non-Residential Uses	
Retail Stores	1 spaces per 30 sqm of floor area on ground floor, 1 spaces per 50 sqm of floor area on all other floors
Retail or Wholesale Store in Industrial M Zones	1 spaces per 30 sqm only of the floor area used for retail or wholesale purposes
Offices (including Government)	1 per 30 sqm of floor area
Private Clubs	1 per 20 sqm of floor area
Personal Service Shops	1 per 20 sqm of floor area
Child Car Centre	1 spaces per 25 sqm of gross floor area.
Shopping Centres in C4 Zone	1 space per 25 sqm of gross leasable floor plus additional spaces for the following:
Automobile Service Station, Automotive Heavy, Automobile Body Shop, Automotive Light, Automobile Dealership	1 per repair bay and 1 per 37 sqm of floor area, not including repair bays
Buildings with 3 or more commercial uses	1 per 20 sqm of floor area
Any general business and commercial uses not specifically listed above.	1 per 27.8 sqm of floor area

26. That Section 6 is amended by deleting minimum parking space requirements for ‘Barber Shops & Hairdressing Shops’ and ‘Video Rental Outlets’ from the Table after Paragraph 1.

That Section 6.4.1, 6.4.2, and 6.4.3 are moved and renumbered as follows:

6.1.3 Seating Capacity

Where reference is made to seating capacity, 1 seat is equal to 0.5 m of bench space.

6.1.4 Employees

Where reference is made to number of employees, the number is the maximum number of persons employed on the premises at one time.

6.1.5 Rounding

Where the application of ratios result in a fraction of a parking space, the required number of spaces shall be rounded to the next highest whole number.”

27. That Section 6.2.1 is renumbered to Section 6.3.1 and is further amended by deleting the following text after the word ‘C1 Zone’: “where such lands are located within 100 m of a municipal parking station.”

28. That Section 6.2.2 is renumbered to Section 6.3.2, and is further amended by deleting the existing text and replacing it with the following:

“6.3.2 The parking space requirements shall not apply for any building in existence at the date of the passing of this By-law provided that the gross floor area, as it existed at such date, is not increased and no change in use occurs. If an addition is made to the building or structure which increases the gross floor area, or a change in use occurs requiring a greater parking demand, then additional parking spaces for the addition or area changed in use, shall be provided.”

29. That Section 6.3.1: *Accessible Parking Requirements* is renumbered to Section 6.4.1, and further amended by deleting the existing Table after paragraph 1 and replacing it with the following:

Total Parking Spaces Provided	Accessible Spaces Required (minimum)		
	Total	(Type A)	Type B
Up to 37	1	1	
38-62	2	1	1
63-86	3	1	2
87-133	4	2	2
133-166	5	2	3
167-200	6	3	3
For each additional 50 spaces thereof	1 additional space		

30. That Section 6.4 ‘Interpretation’ is deleted.

31. That Section 6.5 *Location of Parking* is amended by deleting the existing provisions and replacing them with the following:

- i. Subject to Subsection 6.3.1 all parking spaces required by this By-law shall be on the same lot or block as the building or use they serve.
- ii. In all R1, R1M, and RS zones, required parking spaces shall not be located in the required front or exterior side yard.
- iii. In all R2 and R2M zones, both required parking spaces for each individually owned townhouse unit shall be located on the same lot.
- iv. No employee or visitor parking spaces in a M Zone shall be permitted in the front yard or side yard adjacent to a Residential Zone.
- v. The minimum distance between a driveway and intersecting street lines at a corner, measured along street lines shall be 7 m.

32. That Section 6.7 *Supplementary Requirements for Parking Areas and Parking*

Stations is amended as per the following:

- i. 6.7 (iii) is amended by replacing the words “residentially zoned property” with “Residential Zones”
- ii. 6.7 (iv) is amended by deleting the existing provision and replacing it with the following: “iv) Landscaping shall be provided in parking areas as per Section 5.8.”

33. That Section 6.8: *Supplementary Regulations for Parking in Residential Areas* is deleted and replaced with the following:

6.8 Parking of Commercial Vehicles in Residential Areas

Parking of Commercial Vehicles shall comply with the City’s Parking By-law 02-18, or successors.

34. That the provisions contained in Section 6.9: *Off Street Loading Requirements*, together with Subsections 6.9.1, 6.9.2, 6.9.3, 6.9.4 are deleted and replaced by the following:

6.9.1 Residential Zones

On a lot used for an apartment building, unobstructed indoor or outdoor loading spaces shall be provided and maintained on the same lot, in accordance with the provisions of this Section.

Use	Number of Loading Spaces
Apartment Building containing 50 or more units	1

6.9.2 Commercial, Institutional, or Industrial Zones

In any commercial, institutional, or industrial zone, unobstructed *indoor or outdoor loading spaces* shall be provided and maintained on the same *lot*, in accordance with the provisions of this Section.

- i. The number of spaces required shall be determined by the gross leasable floor area of the buildings or structures as follows:

Gross Floor Area of Building	Number of Loading Spaces
Less than 200 sqm	0
201 – 750 sqm	1
751 – 2,000 sqm	2
2,001-4,500 sqm	3
Above 4,500 sqm	1 additional space for each additional 10,000 sqm

- ii. Off-street loading spaces shall have the following dimensions:

Space width, minimum:	3.6 m
Space depth, minimum:	9.0 m
Vertical clearance, minimum:	4.3 m
Maneuvering apron depth, minimum, required in the C4, M and CM Zones, only:	18.3 m

- iii. No part of a lot between the front wall of the main building and the street line that abuts or is opposite a residential zone shall be used as loading space. In addition to this requirement, on a corner lot, no portion of the property located between the side wall of the main building and the street line shall be used as a loading space.
- iv. This section does not apply to lands zoned C1 Zone where 100% lot coverage is permitted. For uses in C1 zones which because of practicality must have loading facilities (docks, access doors, etc.) said facilities should be oriented towards the abutting laneway.
- v. Existing buildings are exempt from the requirements provided there is no increase in the external dimensions or gross floor area of the building.

35 That Section 7.1 is amended by inserting “Short Term Rentals” as a permitted use.

36 That Section 7.2.1 is amended by deleting the following text: “No person shall erect more than one (1) single dwelling on any lot”. Further, the Table contained in Section 7.2.1 is amended as per the following:

- Row 2: Replace “Lot Width for corner lots” with “Lot width for corner lots, minimum”.
- Row 4: Replace “Building Line from Street Lot lines, minimum” with “Front and exterior side yard setback, minimum”
- Row 5: Replace “Building line from rear lot lines for interior lots” with “Rear yard setback, minimum”
- Row 6: Replace “Building Line from side lot lines, minimum” with “Interior Side Yard setback, minimum”.
- Row 8: Delete “Density, maximum” and “Thirty (30) units per net ha”.

37 That the Table contained in Section 7.2.2 is amended as per the following:

- Row 2: Replace “Lot Width for corner lots” with “Lot width for corner lots, minimum”.
- Row 5: Replace “Building Line from Street Lot lines, minimum” with “Front and exterior side yard setback, minimum”
- Row 6: Replace “Building line from side lot lines, minimum” with “Interior side yard setback, minimum”
- Row 9: Replace “Building line from rear lot lines for interior lots” with “Rear yard setback, minimum”.
- Row 11: Delete “Density, maximum” and “Thirty (30) units per net ha”.

38 That the Table contained in Section 7.2.3 is amended as per the following:

- Row 1: Replace “Building Line from Street Lot lines, minimum” with “Front and Exterior side yard setback, minimum”
 - Row 2: Replace “Building line from any other lot line minimum” with “Rear and Interior side yard setback, minimum” and “0.6 m” with “1.2 m”.
- 39 That Sections 7.3.1 and 7.3.2 are deleted and subsequent sections are renumbered.
- 40 That Section 7.3.3 is renumbered to 7.1.1 and further amended by deleting provision (c). The subsequent provisions are renumbered.
- 41 That Section 7.4.5 and 7.4.7 is amended by replacing “Building Line, southerly” with “Lot Line setback, southerly” in Row 3 of the Table contained in this Section.
- 42 That Section 7.4.8 is amended by replacing ‘family building’ with ‘dwelling’ in Line 2 of the text contained in this Section.
- 43 That Section 8.1 is amended by inserting Short Term Rentals as a permitted use.
- 44 That Section 8.2.1 is amended by deleting the following text: “No person shall erect more than one (1) single dwelling on any lot”. Further, the Table contained in Section 8.2.1 is amended as per the following:
- Row 4: Replace “Building Line from Street Lot lines, minimum” with “Front and exterior side yard setback, minimum”
 - Row 5: Replace “Building line from side lot lines for interior lots” with “Interior side yard setback, minimum”
 - Row 8: Replace “Building line from rear lot lines for interior lots” with “Rear yard setback, minimum”
 - Row 9: Insert the word “maximum” after “Lot Coverage”
 - Row 10: Delete “Density, maximum” and “Thirty (30) units per net ha”.
- 45 That the Table contained in Section 8.2.2 is amended as per the following:
- Row 5: Replace “Building line from side lot lines” with “Interior side yard setback, minimum”
 - Row 8: Replace “Building Line from Street Lot lines, minimum” with “Front and exterior side yard setback, minimum”
 - Row 9: Replace “Building line from rear lot lines for interior lots, minimum” with “Rear yard setback, minimum”
 - Row 10: Replace “Lot Coverage” with “Lot Coverage, maximum”.
 - Row 11: Delete “Density, maximum” and “Thirty (30) units per net ha”.
- 46 That the Table contained in Section 8.2.3 is amended as per the following:
- Row 1: Replace “Building Line from Street Lot lines, minimum” with “Front and exterior side yard setback, minimum”
 - Row 2: Replace “Building line from any other lot line, minimum” with “Rear and Interior side yard setback, minimum” and “0.6 m” with “1.2 m”.
- 47 That Section 8.3.1 is deleted.

- 48 That Section 9.1 is amended by deleting “and Townhousing and Rowhouses” from the second entry in the list of Permitted Uses and inserting “Townhouses” as a separate entry in list of permitted uses.
- 49 That the table contained in Section 9.2.1 is amended as per the following:
- Row 2: Replace “Building Line from Street Lot lines, minimum” with “Front and exterior side yard setback, minimum”
 - Row 3: Replace “Building line from any other line, minimum” with “Interior side and rear yard setback, minimum”
 - Row 5: Delete “Density, maximum” and “Sixty (60) units per net ha”.
- 50 That Sections 9.2.2 and 9.2.3 are deleted and replaced with the following, and all subsequent sections are renumbered.

9.2.2 Townhouses

Lot area, interior townhouse, minimum	185 sqm
Lot area, corner townhouse, minimum	325 sq m
Lot width, interior townhouse, minimum	5.5 m
Lot width, corner townhouse, minimum	9 m
Front and Exterior Side Yard Setback, minimum	6 m
Interior Side Yard Setback for Townhouse Blocks, minimum	3.5 m or half height of building, whichever is the greater
Rear Yard Setback, minimum	10.67 m
Distance between adjacent buildings on same lot, minimum:	4.5 m or half height of building, whichever is the greater
Dwelling Unit Area, minimum	70 sq m
Lot coverage of main building, maximum:	45%
Total lot coverage of all structures, maximum:	50%

- 51 That Section 9.2.4: *Accessory Buildings* is renumbered to Section 9.2.3, and the first Table (for Apartment Buildings) contained in this Section is amended as per the following:
- Row 1: Replace “Building Line from Street Lot lines, minimum” with “Front and exterior side yard setback, minimum”
 - Row 2: Replace “Building line from any other lot line, minimum” with “Rear and Interior side yard setback, minimum” and “0.6 m” with “1.2 m”.
 - Row 3: Replace “Building Line” with “Setback”.

Further, the second table (for Townhouses and Rowhouses) in Section 9.2.4 is amended as per the following:

- Row 1: Replace “Building Line from Street Lot lines, minimum” with “Front and exterior side yard setback, minimum”

- Row 2: Replace “Building line for unenclosed decks from side lot lines” with “Setback for unenclosed decks from interior side lot lines of adjoining units”
- Row 3: Replace “Building line from any other lot line, minimum” with “Rear and Interior side yard setback, minimum” and “0.6 m” with “1.2 m”.

52 That the Table contained in Section 9.3.5 is amended as per the following:

- Row 3: Replace “Building line from side lot line, minimum” with “Interior side yard setback, minimum”

53 That the Table contained in Section 9.3.7 is amended as per the following:

- Row 4: Replace “Building line from side lot line” with “Interior side yard setback”
- Row 5: Replace “Building line from rear lot line” with “Rear yard setback”
- Row 6: Replace “Building line from rear lot line” with “Rear yard setback”

54 That Section 10.1 is amended by deleting “and Townhousing” from the second entry in the list of permitted uses, and inserting “Townhouses” as a separate entry in the list of permitted uses.

55 That the table contained in Section 10.2.1 is amended as per the following:

- Row 2: Replace “Building Line from Street Lot lines, minimum” with “Front and exterior side yard setback, minimum”
- Row 3: Replace “Building line from any other line, minimum” with “Rear and Interior side yard setback, minimum”
- Row 6: Delete “Density, maximum” and “Sixty (60) units”

56 That Sections 10.2.2 and 10.2.3 are deleted and replaced with the following, and all subsequent sections are renumbered.

10.2.2 Townhouses

Lot Area, interior townhouse, minimum	200 sq m
Lot Area, corner townhouse, minimum	325 sq m
Lot Width, interior townhouse, minimum	5.5 m
Lot width, corner townhouse, minimum	9.0 m
Front and exterior side yard setback, minimum	6 m
Interior side yard setback for townhouse block, minimum:	3.5 m or half height of building, whichever is the greater
Rear yard setback, minimum:	10.5 m
Distance between adjacent buildings on same lot, minimum:	4.5 m or half height of building, whichever is the greater
Dwelling unit area, minimum:	70.0 sqm
Lot coverage of main building, maximum	45%
Total lot coverage of all structures, maximum	50%

57 That Section 10.2.4: *Accessory Buildings* is renumbered to Section 10.2.3, and the first Table contained in this Section is amended as per the following:

- Row 1: Replace “Building Line from Street Lot lines, minimum” with “Front and exterior side yard setback, minimum”
- Row 2: Replace “Building line for unenclosed decks from side lot lines” with “Setback for unenclosed decks from interior side lot lines of adjoining units”
- Row 3: Replace “Building line from any other lot line, minimum” with “Rear and Interior side yard setback, minimum” and “0.6 m” with “1.2 m”.

58 That Section 11.1 is amended by replacing “Single dwelling mobile homes” with “Mobile Homes” in the first entry in the list of permitted uses.

59 That two (2) new subsections are inserted immediately after the title of Section 11.2 as follows:

11.2.1 Mobile Home Park

Lot area, minimum:	2.0 ha
Lot width, minimum:	75 m
Lot depth, minimum:	150 m
Front and exterior side yard setback, minimum:	10 m
Rear yard setback, minimum:	5.0 m
Interior side yard setback, minimum:	5.0 m
Lot coverage, maximum:	35%

11.2.2 Mobile Home Sites

Site area, minimum	550 sqm
Site width, minimum	16.5 m
Site depth, minimum	33 m
Front and exterior side yard setback, minimum:	5.0 m
Rear yard setback, minimum:	5.0 m
Interior side yard setback, minimum:	2.0 m
Building height, maximum:	5.0 m
Lot coverage, maximum:	35%
Gross floor area per dwelling unit, minimum:	55 sqm
Dwelling units per site, maximum:	1

61 That three (3) new subsections are added immediately after the title of Section 11.3 as follows:

11.3.1 Site Boundaries and Foundations

Each mobile home site shall be clearly and permanently defined by stakes, fencing, or hedges and will be provided with a foundation or a concrete or gravel pad upon which the mobile home will be located.

11.3.2 Landscaping

The required yards around a mobile home park shall be landscaped open space except that visitor parking and recreational facilities may be permitted with these minimum yards up to 3.0 m from the lot line.

11.3.3 Required Recreation Areas

One or more outdoor recreation areas equivalent to 5% of the land proposed for development shall be provided. No such recreation area shall contain less than 500 sqm.

62 That Section 12.2.2 is amended by replacing “building line” with “setback from any lot line” in Line 1 of this Section.

63 That Section 12.3.3 is deleted.

64 That Section 16.1 is amended by deleting the first entry in the List of permitted uses, and inserting the following immediately after the 13th entry (Dry Cleaners):

“Industrial Use that is conducted within an enclosed building or structure, subject to Section 16.2;”

65 That Section 16.1 is amended by replacing “minimum living conditions” with “Accessory Dwelling Unit” and “Individual watchman” with “employee” in the 28th entry in the list of permitted uses.

66 That the table contained in Section 16.2 is amended as per the following:

- Row 1: Replace “Building Line from Street Lot line, minimum” with “Front and exterior side yard setback, minimum”
- Row 2: Replace “Building line from any other lot line, minimum” with “Rear and Interior side yard setback”

67 That Section 17.1 is amended by inserting “Commercial Vehicle Parking Lot” immediately after the second entry in the list of permitted uses.

68 That the table in Section 17.2 is amended as per the following:

- Row 4: Replace “Front Building Line, minimum” with “Front yard setback, minimum”
- Row 5: Replace “Side Lot Line, minimum” with “Interior Side Yard Setback, minimum”
- Row 6: Replace “Side Lot Line” with “Interior Side Yard setback”
- Row 7: Replace “Side Lot Line abutting a street” with “Exterior side yard setback”
- Row 8: “Replace “Rear Lot Line, minimum” with “Rear yard setback, minimum”.
- Row 10: Delete “of the lot area”
- Row 5: Replace “Building line from side lot lines for interior lots” with “Interior side yard setback, minimum”
- Row 8: Replace “Building line from rear lot lines for interior lots” with “Rear yard setback, minimum”
- Row 10: Delete “Density, maximum” and “Thirty (30) units per net ha”.

69 That Section 17.3.3 is amended by replacing the word “M2” in the first line of this section with “CM”.

- 70 That Section 17.3.4 (b) is deleted and replaced with the following:
- “b. where the lot is a corner lot, a landscaped area in the entire required front and corner side yard; and,”
- 71 That Section 18.1 is amended by inserting “Religious Institutions including” immediately before the word “Churches” and “,or similar;” immediately after the word “Convents” in the third entry in the list of permitted uses.
- 72 That the Table contained in Section 18.2 is amended as per the following:
- Row 2: Replace “churches, church halls, and Sunday Schools” with “religious institutions”
- 73 That the Table contained in Section 18.3.2 is amended as per the following:
- Row 1: Replace “building line” with “front yard setback”
- 74 That the Table contained in Section 18.3.6 is amended as per the following:
- Row 1: Replace “building line, front lot line, minimum” with “front yard setback”
- 75 That Section 21.1 is amended as per the following:
- i. Delete the following text after “Seasonal Trailer Parks”: “on land owned by the Municipality whether operated by the Municipality or any other person;”
 - ii. Delete “Ski Lifts and Ski tows” from the list of permitted uses;
 - iii. Delete the following text after “Summer Camps for Children”: “operated by non-profit organization, including boy scout and girl guide camps;
- 76 That the Table contained in Section 21.2 is amended as per the following:
- Row 3: Replace “building line from any street lot line, minimum” with “front and exterior side yard setback, minimum”
 - Row 4: Replace “building line from any other lot line, minimum” with “Rear and interior side yard setback, minimum”
- 77 That the Table contained in Section 21.3.3 is amended as per the following:
- Row 1: Delete Row 1
 - Row 2: Replace “building line from any other lot line, minimum” with “Setback from any other lot line aside from the waterfront, minimum”
- 78 That the Table contained in Section 21.3.8 is amended as per the following:
- Row 4: Replace “Front Building Line, minimum” with “Front Yard Setback. Minimum”
 - Row 6: Replace “Side Lot Line, minimum” with “Side yard setback. Minimum”
- 79 That Section 22.1 is amended as per the following:
- a. Delete the following text after “Tourist Camps”: “and other vacation

establishments, designed and operated for the short term accommodation of the vacationing public;”

- b. Insert “Short Term Rentals” in the list of permitted uses.
- c. Delete the following text after “Summer Camps for Children”: “operated by non-profit organization, including boy scout and girl guide camps;”

80 That the Table contained in Section 22.2.1 is amended as per the following:

- Row 4: Replace “Building Line from another lot line, minimum” with “Interior side yard setback, minimum”.
- Row 5: Replace “0.4047 ha” with “0.4 ha”.

81 That the Table contained in Section 22.2.3 is amended as per the following:

- Row 1: Replace “Building line from street lot line” with “Front and exterior side yard setback, minimum”.
- Row 2: Replace “Building Line rom side lot line and rear lot line” with “Rear and interior side yard setback”.

82 That the table contained in Section 22.2.4 is amended as per the following:

- Row 5: Replace “6.09 m” with “6.1 m”.

83 That Section 23.1 is amended as per the following:

- i. Insert “Short Term Rentals” in the list of permitted uses.
- ii. Replace “Structures Accessory to the above uses” with “Accessory Uses incidental to any of the above permitted uses”.

84 That the following text is inserted immediately after the title of Section 23.2:

“A land development permit shall be obtained from the Building Department before any land development work takes place, including initial brushing and/or tree felling for a driveway, buildings or pathways to the water. Application for this permit would include a preliminary Lot Development Plan.”

85 That the Table contained in Section 23.2 is amended as per the following:

- Row 1: Replace “0.4047 ha” with “0.4 ha”.
- Row 3: Replace “20 m” with “30 m”
- Row 4: “Replace “Building line from street lot line” with “Front and exterior side yard setback, minimum”.
- Row 5: Replace “Building line from rear lot line” with “Rear Yard Setback, minimum”.
- Row 6: Replace “building line from another lot line, minimum” with “Interior Side Yard Setback, minimum”.
- Row 9: Replace “single family dwelling” with “single dwelling”.

86 That the Table contained in Section 23.2.1.1 is amended as per the following:

- Row 1: “Replace “Building line from street lot line” with “Front and exterior side yard setback, minimum”.

- Row 5: Replace “Building line from side lot line and rear lot line” with “Rear and Interior Side Yard Setback, minimum” and “3 m” with “6 m”
- 87 That the Table contained in Section 23.2.1.2 is amended as per the following:
- Row 3: Replace “Building line from another lot line” with “Setback from another lot line, minimum” and “3 m” with “6 m”.
- 88 That the Table contained in Section 23.2.1.5 is amended as per the following:
- Row 2: Replace “Distance” with “Setback” and insert the word “minimum” after the word “mark”.
 - Row 3: Insert the word “minimum” after the word “line”.
- 89 That the Table contained in Section 23.2.1.6 is amended as per the following:
- Row 1: Replace “Building line from street lot line” with “Front and exterior side yard setback, minimum”.
 - Row 2: Insert the word “minimum” after the word “line” and replace “3.0 m” with “6.0 m”.
- 90 Section 23.3 (i) is amended by replacing “building line” with “required setback” in Line 1 of this Section.
- 91 That the Table contained in Section 23.3.1 is revised as per the following:
- Row 3: Replace “10 m” with “12.0 m” for minimum perimeter buffer requirement from the rear lot line.
 - Row 4: “Replace “5 m” with “6.0 m” for minimum perimeter buffer for any other lot line.
- 92 Section 23.3.1 (iii)(a) is amended by deleting the existing provisions and replacing them with the following, and the subsequent sections are renumbered.
- a. The lands located in a shoreline buffer area shall be maintained in a natural state except for the following upon approval of a Lot Development Plan:
 - i. Dead or decaying vegetation shall not be removed unless it poses a safety hazard. Dead or decaying standing trees that pose a risk to safety may be felled and left to decay on the forest floor on the subject property. Other dead or decaying vegetation may be relocated within the buffer area so that it no longer poses a safety risk.
 - ii. A maximum 2.0 m wide pedestrian pathway may be cleared from the dwelling to the shoreline.
 - iii. A maximum 4.0 m wide utility access route including minimal removal of the duff layer for underground utility installations (may include hydro, cable, internet, natural gas, water) is permitted. This area shall be restored immediately to original grade and native vegetation must be planted.

- iv. Up to a maximum of 9 m width for driveway(s) to cross or occupy the Buffer Area along the side or rear lot line to provide vehicular and pedestrian access from the road onto the lot.
 - v. For water-access only properties, up to a maximum of 4.5 m width for access from the water.
 - vi. Encroachments may occur for an accessory building where the structure has a lesser setback than the required buffer.
- 93 That Section 23.5 is amended by inserting the following definitions based on the alphabetical order in this Section:
- i. Front Lot Line: refers to the water side.
 - ii. Rear Lot Line: refers to the lot line that is opposite to or furthest away from the water.
- 94 That Section 23.6.1 is amended by replacing “Single Family dwelling” with “Single Dwelling”.
- 95 That Section 24.1 is amended as per the following:
- i. Replace “Single Family Buildings” with “Single Dwellings” in the list of permitted uses.
 - ii. Insert “Short Term Rentals” in the list of permitted uses.
- 96 That Sections 24.2 (i) and 24.2 (ii) are amended by replacing “A Single Family Building” with “A Single Dwelling”.
- 97 That Section 26 is amended by inserting the following words after the words “affect the” in Line 2 of this Section: “validity, effectiveness or enforceability of the other”
- 98 That Sections 26.1 and 26.2 are renumbered to Sections 27.1 and 27.2 respectively.
- 99 That the Section on “Repeal of previous By-laws” is renumbered to Section 28.
- 100 That Section 28 is renumbered to Section 29 and “Local Planning Appeals” is replaced with “Ontario Land” in the final clause.
- 101 That Rural Map Schedule “B” is amended as per Schedule “A” of this By-law.

This By-law shall come into full force and effect in accordance with the *Planning Act*, R.S.O. 1990.

READ a first and second time this [REDACTED] day of [REDACTED], 2022.

READ a third time and finally passed this [REDACTED] day of [REDACTED], 2022.

Dan Marchisella
Mayor

Natalie Bray
City Clerk

SEAL

Schedule "A"

