West Nipissing Ouest

Joie de vivre

ZONING BY-LAW

By-law No. 2026-58

PLANSCAPE

BUILDING COMMUNITY THROUGH PLANNING

Municipality of/Municipalite de

West Nipissing Ouest

Comprehensive Zoning By-law

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Municipality of/Municipalite de West Nipissing Ouest
Comprehensive Zoning By-law 2026-58

Section 1: Administration and Interpretation

1.1 Title

This By-law shall be known as the "Municipality of West Nipissing Zoning By-law".

1.2 Application

a) The provisions of this By-law apply to all lands, including islands, within the boundaries of the Municipality of West Nipissing.

b) The provisions of this By-law may not apply to Crown Land. However, this By-law reflects the established planning policies of the Municipality, and it is intended that the Crown shall have regard for the provisions of this By-law.

1.3 Administration and Enforcement

a) This By-law shall be administered and enforced by municipal staff as appointed by the Council of the Municipality.

b) Any designated employee of the Municipality acting under their direction may, at any reasonable hour and upon producing proper identification, enter and inspect any property but shall not enter any building or structure used as a dwelling unit without the consent of the occupier, or the authority of a Search Warrant issued pursuant to the provisions of the Provincial Offences Act.

1.4 Conformity and Compliance with By-law

a) No land, building or structure may be used, erected or altered except in accordance with the provisions of this By-law.

b) In the event of an inconsistency or conflict between two or more provisions in this By-law, the more restrictive provision shall apply.

c) Any existing use or structure established in compliance with the provisions of a predecessor of this By-law or in accordance with a variance granted by the Committee of Adjustment continues to be permitted by this By-law. Any new use or structure, or addition to an existing structure shall meet the provisions of this By-law.

d) Any use established in contravention or violation of a predecessor of this By-law is deemed to have been established unlawfully and shall not be considered in compliance with this By-law.

1.5 Interpretation

a) The provisions of this By-law are the minimum requirements except where the word "maximum" is used, in which case the maximum requirement applies.

b) Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the Municipality or any requirement of the Province of Ontario or Government of Canada that may affect the use of lands, buildings or structures in the Municipality.

c) All measurements in this By-law appear in metric. Reference shall always be made to the metric figures in determining conformity with the By-law.

d) Illustrations have been included in Appendix "B" to assist in providing a visual interpretation of various provisions in the By-law.

e) The identification of public and private roads as shown on the schedules of this By-law are approximate, and are shown for illustration purposes only. Where there is uncertainty regarding the access to a lot, the Municipality will confirm the ownership and maintenance status of the road.

1.6 Penalties for Contravention

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

1.7 Severability

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

1.8 Technical Revisions to the By-law

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 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.

c) Changes to appendices, footnotes, headings, indices, marginal notes, table 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.

d) Minor adjustments to the boundary of the Hazard (HZ) Zone overlay on a property may be made without amendment to the Zoning By-law, where the official for the Municipality is satisfied that the mapping of the Hazard (HZ) Zone overlay on a schedule is in obvious error.

1.9 Transition Provisions

a) Where a building permit has been issued prior to the effective date of this By-law, the provisions of this By-law, as they apply to such building or structure, shall be deemed to comply with the zone regulations in effect at the time of issue of the building permit.

b) Where the Committee of Adjustment has issued a decision on a variance to any previous Zoning By-law in the Municipality prior to the effective date of this By-law, the decision of the Committee of Adjustment shall continue to apply.

c) Despite the provisions of Section 1.4, a building or structure that was legally constructed or legal uses established prior to the effective date of this By-law shall be deemed legal non-complying or legal non-conforming.

d) Where a Site Plan Agreement has been entered into prior to the effective date of this By-law, and the timeframes specified in the Agreement have not yet lapsed, the provisions of this By-law, as they apply to such land, building or structure, shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement.

e) Despite any provision of this By-law, any Planning Act application which has been deemed complete prior to the passing of this By-law shall be permitted to proceed and be evaluated under the zoning By-law provisions in force at the time the application was deemed complete.

f) Official Plan Approval Contingency:

   i) Certain provisions of this By-law are intended to implement the Municipality of West Nipissing Official Plan adopted by Council in 2026 (the “New Official Plan”).

   ii) Where any provision of this By-law relies on policies, land use designations, or permissions established in the New Official Plan that is not yet approved and in force under the Planning Act, such provisions shall be deemed not to apply until the New Official Plan, or the relevant part thereof, comes into force.

iii) Until such time as the New Official Plan comes into force, the provisions of this By-law shall be interpreted and applied in a manner that conforms with the Official Plan currently in force.

iv) For greater certainty, where there is a conflict between a provision implementing the New Official Plan and the applicable policies of the Official Plan in force, the provision that ensures conformity with the Official Plan in force shall prevail. Where uncertainty exists in the interpretation of this By-law during the transition period between the Official Plan in force and the New Official Plan, the provisions shall be interpreted to maintain conformity with the Official Plan in force and to have regard to the intent of the New Official Plan.

Section 2: Establishment of Zones

2.1 Zones & Zone Symbols

For the purposes of this By-law, the Municipality is divided into the following Zones:

ZONE	SYMBOL
Residential Zones	
Residential One	R1
Residential Two	R2
Residential Three	R3
Residential Four	R4
Shoreline Residential	SR
Rural Residential	RR
Mobile Home Residential	MHR
Commercial Zones	
General Commercial	C1
Highway Commercial	C2
Tourist Commercial	C3
Neighbourhood Commercial	C4
Rural Commercial	C5
Industrial Zones	
Light Industrial	M1
Heavy Industrial	M2
Extractive Industrial	M3
Waste Disposal Industrial	M4
Agricultural and Rural Zones	
Agriculture One	A1
Agriculture Two	A2
Rural	RU
Other Zones	
Community Facilities	CF
Open Space	OS
Provincially Significant Wetland	PSW
Overlay Zone	
Hazard	HZ
Waste Management Influence Area	WM

2.2 Zone Schedules

The zones set out in Section 2.1 and the boundaries of such zones are shown on the schedules attached to this By-law. The schedules form part of this By-law.

2.3 Zoning of Water and Islands

a) Where a zone boundary abuts a waterbody, such zone shall be deemed to extend into the waterbody and to apply to all structures which are affixed to the property such as docks, boathouses, boat ports and any other structures appertaining to the lot.

b) All islands not identified as being within a Zone on the Zone Schedules shall be zoned Shoreline Residential (SR).

2.4 Site Specific Zones

Where a Zone symbol on the attached Schedule(s) is followed by a dash "-" and a number, such as "R1-17", the number refers to a site-specific exception that applies to the lands noted.

2.5 Overlay Zones

a) Where a property is identified within the Hazard (HZ) Zone Overlay on the schedules to this By-law, the property shall be subject to the provisions in Section 4.10 and the provisions of the underlying zone.

b) Where a property is identified within the Waste Management Influence Area (WM) Overlay on the schedules to this By-law, the property shall be subject to the provisions in Section 11.2 and the provisions of the underlying zone.

2.6 Holding Zones

Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter "H" and a number, no person shall use the land to which the letter "H" applies for any use other than the use which existed or for any interim use specified on the date this By-law was passed, until the "H" is removed in accordance with the policies of the Official Plan and the provisions of Section 11 of this By-law and/or the requirements of any amending By-law, and the requirements of the Planning Act, as amended.

2.7 Determining Zone Boundaries

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

a) a boundary indicated as following lot lines shown on a registered plan of subdivision,

or reference plan, or the municipal boundaries of the Municipality shall follow such lot lines;

b) a boundary indicated as following a highway, street, lane, railway right-of-way, utility corridor or watercourse shall be the centre line of such highway, street, lane, railway right-of-way, utility corridor or watercourse;

c) where a boundary passes through a lot and the distance is not indicated, the Zone boundary shall be measured using the scale of the Schedules;

d) where none of the above provisions apply, the Zone boundary shall be scaled from the legally approved Schedules.

2.8 Limited Service Areas

Where development is permitted on a lot without access from a year-round maintained public road, the provision of access-based public services to the lot may be limited due to the standard and level of maintenance of the access to the lot.

2.9 Multiple Uses on One Lot

Where any land, building or structure is used for more than one purpose, the applicable provisions of this By-law which serve to regulate each such use shall be complied with.

2.10 Multiple Zones on One Lot

Where a lot is divided into more than one Zone under the provisions of this By-law, each such portion of the lot shall be used in accordance with the Permitted Uses and Zone Requirements of this By-law for the applicable Zones. However, not more than one dwelling shall be permitted on the entire lot, except where specifically permitted in this By-law.

Section 3: Definitions

3.1 **ABATTOIR**: a slaughterhouse designed for the purpose of killing animals, skinning, dressing and cutting up of carcass, wrapping for sale for human consumption with cooler and freezer storage, smoking, curing or manufacturing of meat by-products and includes indoor confinement of animals while awaiting slaughter but shall not include any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer or any other inedible product.

3.2 **ABUT, ABUTS OR ABUTTING**: having a common lot line in any yard with an adjacent property, street, or other feature.

3.3 **ACCESSORY:** a use which is commonly incidental, subordinate and exclusively devoted to the principal building or use situated on the same lot.

3.4 **ACCESSORY BUILDING OR STRUCTURE:** a detached or attached building or structure that is not used for human habitation (except for an Additional Residential Unit or sleeping cabin) and the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot.

3.5 **AGRICULTURAL PROCESSING ESTABLISHMENT:** the use of land, buildings and structures for the processing and storage of agricultural produce, including the initial cleaning, culling, storing or packing of products produced on the farm or in conjunction with farms in the vicinity which produce the same agricultural products, and in preparation for shipment to food processing establishments or market. Without limiting the generality of the foregoing, an agricultural processing establishment shall include a feed and grain mill or a seed mill.

3.6 **AGRICULTURAL PRODUCE WAREHOUSE:** a building or part of a building used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail use for the sale of such agricultural produce to the general public, but does not include an agricultural processing establishment.

3.7 **AGRICULTURAL USE:** general farming and without limiting the generality of the foregoing includes the raising and harvesting of field, bush, tree or vine crops, truck gardening, nurseries, greenhouses, dairying, animal husbandry, raising of poultry, and the sale of produce grown on the farm from which the sale is made. A dwelling for the owner of the farm and accommodation for employees engaged in the operation of the farm is permitted, except where specifically prohibited in the Agricultural Two (A2) Zone.

3.8 **AGRICULTURE-RELATED USE**: Shall mean farm-related commercial and/or farm-related industrial uses that are directly related to the farm operations, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a principal use.

3.9 AGRICULTURAL PRODUCT SALES OUTLET: a building, part of a building, or a stand in which farm products produced on the farm are offered for sale at retail, but shall not include a slaughter house or abattoir.

3.10 AGRICULTURAL SUPPLY/IMPLEMENT DEALERSHIP: a building, structure or area where farm implements, equipment and farm supplies are kept for sale at retail and may include facilities for the servicing of such implements or equipment but shall not include any other establishment otherwise defined or classified herein.

3.11 ALTER:

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

i. to change any one or more of the external dimensions of such building or structure; or

ii. to change the type of construction of the exterior walls or roof of such building or structure.

b) When used in reference to a lot:

i. to change the boundary of such lot with respect to a street or lane; or

ii. to change any dimension or area, relating to such lot, which is covered herein by a zone provision.

c) When used in reference to a use:

i. To discontinue and replace, in whole or in part, a use with any other use;

ii. To change the number of uses; or

iii. In the case of an industrial use, to change the mode of operation thereof or the type of commodity being produced or processed;

iv. In the case of a residential use, to change the number of dwelling units or guest rooms in a dwelling or shared housing, or to change the number of mobile home dwellings in a mobile home park; or

v. In the case of a use not specifically defined herein, to change in any way the type or scale thereof.

3.12 ARTISAN STUDIO: a workspace of an artist or craftsperson for the creation, finishing or similar production of paintings, pottery, quilts, sculptures, photographs, and other such activities which do not ordinarily result in the emission of noise, odors, fumes, dust, and vibrations, together with the sale of such commodities, but does not include any use otherwise defined in this By-law.

3.13 ASSEMBLY, FABRICATION, MANUFACTURING OR PROCESSING ESTABLISHMENT: an industrial use involving the assembly, fabrication, manufacturing, or processing of materials, goods, or products, whether by hand, machinery, or automated systems, and

may include related activities such as storage, packaging, distribution, and incidental retail or office functions directly associated with the principal operation.

3.14 **ATTIC:** the top most storey of a building, situated within a roof, where 50% or more of the horizontal space within such roof has less than 2.0 metres vertical clearance from the base of such storey.

3.15 **BAKERY, RETAIL:** a building, or part of a building, in which the milling of grain, production of bread and other similar products is undertaken, and includes ancillary uses of storage, warehouse, office facilities in connection with this operation and the retail sale of such products and associated goods such as hot drinks. Does not include a Food or Beverage Manufacturing Establishment.

3.16 **BALCONY:** a raised platform projecting from the main wall of a building above the first storey which is not supported by vertical uprights other than the wall itself and which is only accessible from within the building.

3.17 **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.

3.18 **BASEMENT:** any space of the dwelling that is partly below grade, which has less than fifty percent (50%) of its interior height measured from floor to ceiling above the average finished grade around the exterior of the building which is not a crawlspace.

3.19 **BED AND BREAKFAST ESTABLISHMENT:** a dwelling, or part thereof, in which the owner resides and in which not more than 4 bedrooms are used or maintained for the accommodation of the travelling or vacationing public, in which the owner supplies lodgings with or without meals for the persons so accommodated, but does not include a boarding house, group home, or tourist establishment.

3.20 **BOARDING HOUSE:** premises in which the proprietor resides and supplies for remuneration to more than four (4) other persons lodging or meals or both, in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants, and shall not include a hotel, hospital, motel, nursing home or residential care facility.

3.21 **BOATHOUSE:** a detached accessory building or structure, that is located over the lake/river bed or adjacent thereto, which is designed or used for the sheltering of a boat or other form of water transportation and may include storage of household equipment incidental to the residential use permitted on the lot.

3.22 **BOAT PORT:** a detached accessory structure 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, at or over the shoreline of a navigable waterway or on land.

3.23 **BUFFER AREA:** a landscaped or naturally vegetated strip of land devoted exclusively to the provision of visual amenity and a physical barrier between adjacent uses.

3.24 **BUILDING:** any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels other than a lawful boundary wall or fence.

3.25 **BUILDING LINE**: a line within a lot drawn parallel to a lot line at the façade of the main building.

3.26 **BUILDING SEPARATION**: The shortest horizontal dimension between the closest parts of any two detached buildings on the same lot.

3.27 **BUILDING SUPPLY ESTABLISHMENT:** a building or structure in which building or construction and home improvement materials are offered or kept for sale and may include the fabrication of certain materials related to home improvements, and may include outdoor storage.

3.28 **BULK SALES ESTABLISHMENT:** the use of land, structure or building for the purposes of buying and selling fuels, ice and allied commodities, but does not include any manufacturing, assembling or processing uses.

3.29 **BUSINESS, PROFESSIONAL OR ADMINISTRATIVE OFFICE:** a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff service clients or patients who seek advice, consultation or treatment, and for the purposes of this By-law may include the administrative offices of a non-profit or charitable organization.

3.30 **CABIN, HOUSEKEEPING:** a separate building designed to provide sleeping accommodations and facilities for the preparation and cooking of food for the travelling or vacationing public for remuneration.

3.31 **CABIN, SLEEPING:** an accessory building not attached to the principal residential dwelling that provides sleeping accommodation for guests from which there shall be no monetary gain and which does not contain cooking or bathroom facilities.

3.32 **CAMPGROUND:** the use of land for the provision of overnight or short-term accommodation for camping trailers and tents, and may include services and facilities normally incidental and subordinate to such a use including washroom and bathing facilities, active and/or passive recreational uses, and an entrance kiosk.

3.33 **CARPORT:** an enclosed or partially enclosed structure having a minimum of fifty percent (50%) open area with a roof which is designed or used for the storage of one or more private vehicles.

3.34 **CEMETERY:** land that is set apart or used as a place for interment of human remains, or for the scattering of cremated human remains in accordance with The Funeral, Burial and Cremation Services Act, 2002, and amendments thereto. A cemetery may include such accessory uses as a mausoleum and columbarium.

3.35 **CLUSTER DEVELOPMENT:** a development design technique that locates multiple single detached buildings, semi-detached buildings, street townhouse buildings, and/or stacked townhouse buildings on a lot to allow the remaining land to be used for a variety of open space and common element purposes.

3.36 **COMMERCIAL USE:** the use of land, structure or building for the purposes of buying or selling commodities and supplying services, as distinguished from such uses as manufacturing or assembling of goods, warehousing and contractors' yards.

3.37 **COMMUNITY CENTRE:** a place designed to provide residents with a variety of cultural, social, instructional and community service programs such as clubs, legion halls, community halls, lodges, and places of worship. Excludes places of assembly and funeral home.

3.38 **CONSERVATION USE:** land used solely for the preservation and enhancement of the natural environment and may include a conservation area, and fish and wildlife management.

3.39 **CONSTRUCT:** to do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere.

3.40 **CONTRACTOR'S ESTABLISHMENT:** the use of land, buildings or structures where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other use or activity otherwise defined or classified herein.

3.41 **CONVENIENCE STORE:** a retail store serving the daily or occasional needs of the residents of the immediate area with a variety of goods such as groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines and/or newspapers.

3.42 **COVERAGE:** the percentage of land or lot area covered by buildings and structures above ground level including roofed decks and carports and excludes that portion of such land or lot area which is occupied by a building or portion thereof which is completely below

ground level.

3.43 **CRAWLSPACE:** a portion of a building which is partly or wholly below grade and from finished floor to finished ceiling or to the underside of the floor joints of the first floor, is less than 2.0 m.

3.44 **CREMATORIUM:** a building that is fitted with appliances for the purpose of cremating human remains and that has been approved as a crematorium or established as a crematorium in accordance with the requirements of The Funeral, Burial and Cremation Services Act, 2002, or a predecessor of it and includes everything necessarily incidental and ancillary to that purpose.

3.45 **CROWN LAND**: land held under the ownership of the Crown in right of the Province of Ontario, but does not include land in the actual use or occupation of the Crown, or of a public department of the Government of Canada or of the Province of Ontario, or of an officer or servant thereof, or under lease or license of occupation from the Crown, or set apart or appropriated by lawful authority for a public purpose or vested in the Ontario Northland Transportation Commission.

3.46 **DAYCARE FACILITY:** a day nursery within the meaning of the Day Nurseries Act of Ontario, R.S.O. 1990, c D.2, as amended.

3.47 **DECK**: an unenclosed accessory structure, consisting of a platform raised 0.6 metres or more above finished grade which is constructed on piers, a foundation or cantilevered above grade for use as an outdoor living space.

3.48 **DOCK**: a structure temporarily or permanently built at or anchored over water used to provide access to the water for persons and watercraft and which may provide a foundation for a boathouse.

3.49 **DOMESTIC APPLIANCE STORE:** any building or part thereof where household appliances, machinery, and home entertainment equipment are sold, serviced or repaired, but excludes any manufacturing or processing.

3.50 **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.

3.51 **DRIVING RANGE:** a public or private area operated for the purpose of developing golfing techniques, including miniature golf courses, but excluding golf courses.

3.52 **DRY CLEANING ESTABLISHMENT:** a building or part of a building in which the business of dry cleaning, dry dyeing, cleaning, spotting, stain removal or pressing of articles and/or

goods of fabric is carried on, through the use of chemicals which emit no odours or fumes.

3.53 **DWELLING, APARTMENT:** a building containing four or more dwelling units, each unit having common entrance from the street level and the occupants of which have the right to use, in common, halls and/or stairs and/or elevators and yards.

3.54 **DWELLING, ADDITIONAL RESIDENTIAL UNIT:** a separate self-contained dwelling unit that is located within a single detached, semi-detached, duplex, or street townhouse building, or within an accessory structure.

3.55 **DWELLING, DUPLEX:** a building that is divided into two dwelling units, each of which has an independent entrance either directly or through a common vestibule and which has one set of municipal sewer and water services and is located on a single lot.

3.56 **DWELLING, MOBILE HOME:** any dwelling that is designed to be mobile, and constructed or manufactured to provide a permanent residence for one or more persons in accordance with C.S.A. Standard Z240, but does not include a camping trailer or trailer otherwise designed.

3.57 **DWELLING, MODULAR:** a factory-built home which is a single detached dwelling unit designed and built to be transported to a site. It may contain parts that can be folded, collapsed, or telescoped when being towed and expanded later to provide additional floor space, and will sit on a permanent foundation. It shall be a minimum of two or more separately towable components that are joined on the chosen site. The modular dwelling is designed for long-term year-round occupancy. It has facilities for cooking, eating, living, sleeping and sanitation. A modular dwelling does not include a park model mobile home trailer, camping trailer, or trailer otherwise designed. For the purposes of this definition, a modular home having an A277 Standard is permitted, while those having either a Z240, Z241 Standard or a combination of either of these with the A277 Standard are not permitted.

3.58 **DWELLING, MULTIPLE:** a building containing four or more dwelling units, each unit has an independent entrance either directly or through a common vestibule, but excludes an apartment dwelling, or a street townhouse.

3.59 **DWELLING, STREET TOWNHOUSE:** a building that is 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.

3.60 **DWELLING, SEMI-DETACHED:** a building that is divided vertically by a common wall into two dwelling units, each of which has an independent entrance either directly or through a common vestibule and each unit is located on a separate legally conveyable parcel of land and have individual sewer and water services.

3.61 **DWELLING, SINGLE DETACHED:** a completely detached dwelling unit to which entrance is gained only by a private entrance outside the building. Includes pre-fabricated and modular dwellings.

3.62 **DWELLING, SURPLUS**: an existing habitable farm dwelling that is located on a separate legally conveyable lot due to the consolidation of farming operations.

3.63 **DWELLING UNIT:** one room or a group of rooms within a building, used or designed, or intended to be used by the occupants for residential occupancy as a single, independent and separate housekeeping establishment in which food preparation and sanitary facilities are provided for the exclusive use of such occupants.

3.64 **DWELLING UNIT IN A NON-RESIDENTIAL BUILDING:** A dwelling unit located within a non-residential building, to which entrance is gained either directly or through a common vestibule.

3.65 **EDUCATIONAL ESTABLISHMENT:** the use of lands, buildings or structures as an elementary or secondary school, private school, university or community college authorized by the Province of Ontario, or alternative education and skills development centre such as continued education, return to school programs, or career training.

3.66 **EMERGENCY SERVICES**: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

3.67 **EQUESTRIAN FACILITY:** a commercial establishment where horses are housed or boarded and are available for riding, riding instruction, agility training or jumping or similar activities.

3.68 **EQUIPMENT SALES, SERVICE AND RENTAL ESTABLISHMENT:** premises in which machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation, and which are also serviced, but shall not include any other establishment defined or classified in this By-law.

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

3.70 **EXISTING:** a use, building or structure lawfully existing on the day of the passing of this By-law.

3.71 **EXPAND:** to increase or enlarge the size of a building or structure or to increase the area

of land occupied by a use or increase the intensity of a use, in compliance with the provisions of this By-law, but does not include expansion onto another lot.

3.72 **EXTERIOR LIGHTING:** any form of artificial illumination located outside of a building or structure affixed to the exterior façade of a structure or freestanding.

3.73 **FENCE:** a structure which forms a barrier for enclosing, bounding, delineating or protecting land.

3.74 **FINANCIAL ESTABLISHMENT:** a building, or part thereof, which is used to provide for financial services in which money is deposited, kept, lent, or exchanged, including accessory clerical functions and shall include a bank, trust company, credit union, or other similar banking service.

3.75 **FLOOR AREA, HABITABLE:** the total floor area within a building which is measured between the exterior faces of the exterior walls, or in the case of a semi-detached dwelling measured to the centre line of a common wall, but excluding any private garage, breezeway, porch, verandah, balcony, sunroom, attic, crawlspace, and any floor area with a ceiling height less than 2 metres.

3.76 **FLOOR AREA, COMMERCIAL:** the total floor area of all storeys, including a basement and attic, exclusive of any part of the building or structure which is used for mechanical equipment, the storage or parking of motor vehicles, breezeways, porches, verandahs, decks, or locker storage.

3.77 **FOOD OR BEVERAGE MANUFACTURING ESTABLISHMENT:** a building, or part thereof, which is used for the processing and producing of food and/or beverage products for human consumption which are to be consumed at a different location.

3.78 **FORESTRY USE:** the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, protection of water supplies, and preservation of the recreation resource, and shall include reforestation areas owned or managed by the Ministry of Natural Resources.

3.79 **FUNERAL HOME:** a commercial establishment providing funeral supplies and services to the public.

3.80 **GARAGE, PRIVATE:** an accessory building or a portion of a residential building, which is designed or used for the storage of one or more motor vehicles by the residents of the principal building

3.81 **GARDEN CENTRE:** the use of land, buildings or structures for the growing, display and retail

sale of trees, shrubs, flowers, plants and similar vegetation. May also include the outdoor display and sale of landscaping, lawn and garden equipment, furnishings and supplies.

3.82 **GAS BAR:** one or more pump islands, each consisting of one or more gasoline pumps, and a shelter, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles, but shall not include any other establishment otherwise defined or classified in this By-law.

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

3.84 **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 such building, and, when used with reference to a structure, means the average elevation of the finished grade of the ground immediately surrounding such structure.

3.85 **GREEN SPACE:** the area on a lot predominantly used for the growth of trees, shrubs, grasses and other vegetation, and may include some permeable accessory ground cover. Excludes areas used for driveways, loading, parking, and outdoor display areas.

3.86 **GROCERY STORE:** a retail establishment engaged in the business of selling primarily groceries, meat, fruit and vegetables as well as other personal, convenience, and household items to the general public.

3.87 **GROUP HOME:** a dwelling unit in which three to ten residents, excluding staff or receiving family, live under responsible supervision consistent with the requirements of its residents. The group home is licensed or approved under Federal or Provincial statutes.

3.88 **HABITABLE:** any floor space used or capable of being used for human living, sleeping, cooking or eating purposes within a building.

3.89 **HEALTH SERVICES ESTABLISHMENT:** a building or part of a building used for health or medical services, including dental, surgical, psychiatric, chiropractor, optometrist, medical clinic, associations or organizations formed to provide medical or health services or therapeutic treatment of human beings, but does not include a public or private hospital or a professional office of a doctor located in their residence.

3.90 **HEIGHT OF BUILDING:** the vertical distance of a building measured between the established grade and:

i) the highest point of the roof surface of a flat roof;

ii) the roof deck of a mansard roof; or

iii) the midpoint between the eaves and the ridge of a gable, hip, gambrel or other type of pitched roof.

3.91 **HIGHWAY COMMERCIAL USE:** a use of land, buildings or structures oriented to vehicular use and includes a motel/hotel, drive-through restaurant or motor vehicle service station. Highway Commercial uses also include ancillary retail uses such as gift shops.

3.92 **HOME-BASED BUSINESS:** any occupation carried on, in accordance with the provisions of this By-law relative thereto, which is accessory and subordinate to the principal residential use of a dwelling unit.

3.93 **HOME-BASED PERSONAL WELLNESS:** an occupation whose purpose is to refresh the mind and body through therapy, relaxation, and/or fitness activities such as a psychologist, chiropractor, naturopath, massage therapist, and personal trainer. Excludes dental, surgical, optometry, and other such health services.

3.94 **HOSPITAL:** any institution, building or other premises that is established for the purposes of the treatment of patients and that is approved under the Public Hospitals Act, R.S.O. 1990, Ch. P.40, as amended, as a public hospital.

3.95 **HOTEL:** an establishment that consists of one building or two or more connected or adjacent buildings consisting of at least four individual rental units which cater to the needs of the travelling public by furnishing sleeping accommodations for remuneration which may or may not supply food, but does not include a rooming or boarding house, an apartment dwelling, a group home or similar facility.

3.96 **HUNT CAMP:** a base camp used solely for the activity of hunting or fishing, which provides seasonal or temporary accommodation in a remote location and without public access, where municipal or community services are usually not available.

3.97 **HUNT FARM**: an area of land set aside for maintenance of wildlife for commercial hunting purposes.

3.98 **INDUSTRIAL USE:** the use of land, building or structure designed for the purpose of fabricating, manufacturing, assembling, making, printing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing or storing or adapting for sale any goods, substance, article or thing, or any part thereof, and the storage of building and construction equipment and materials, as distinguished from the buying and selling of retail commodities and the supplying of personal services.

3.99 **KENNEL:** a building or structure, including fenced outdoor areas where domesticated animals are kept, bred or boarded and which is licensed by the Municipality.

3.100 **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 is 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.

3.101 **LAUNDROMAT:** a building or structure where the services of coin-operated laundry machines, using only water, detergents and additives, are made available to the public for the purpose of laundry cleaning.

3.102 **LOADING SPACE:** an area of land which is provided and maintained upon the same lot or lots upon which the principal use is located, for the temporary parking of one or more commercial motor vehicles while merchandise or materials are being loaded or unloaded from such vehicle(s).

3.103 **LOT:** any parcel of land which can be legally conveyed under the Planning Act, R.S.O. 1990, c P.13, as amended.

3.104 **LOT AREA:** the total horizontal area within the lot excluding any area of the lot that is below the normal high-water mark and, in the case of a corner lot having street line rounding at the corner with a radius of six (6) metres or less, the lot area of such lot is to be calculated as if the lot lines were projected to this point of intersection.

3.105 **LOT, CORNER:** a lot bounded on two or more sides by one or more public or private roads, provided that the angle of intersection of such public or private roads is not more than one hundred and thirty-five (135) degrees.

3.106 **LOT COVERAGE:** the percentage of the lot area covered by all buildings, including accessory buildings, covered decks, porches, verandahs and carports, excluding parking areas, driveways, unenclosed unroofed decks, patios, walkways, sewer and water services, docks and swimming pools.

3.107 **LOT, FRONTAGE:** the straight-line distance between the intersection of the side lot lines and the front lot line, measured at the front lot line, except as follows:

a) where there are no side lot lines, such as a peninsula, the greatest distance between any point on the front lot line and any point on the rear lot line.

b) where there are no side lot lines and no rear lot lines, such as on an island, the greatest distance between any two points.

c) where a lot abuts a navigable watercourse or the unopened original shore road allowance along the navigable watercourse, frontage shall be measured as a straight-line distance between the intersection of the side lot lines or their straight-line

projections and the high water mark.

d) where there are two or more front lot lines abutting the same street, the longer of the lines shall be used to measure lot frontage. Where a corner lot has a curve, the lot frontage is to be calculated as if the lot lines were projected to a point of intersection.

3.108 **LOT, INTERIOR:** a lot other than a corner lot.

3.109 **LOT LINE:** any boundary of a lot.

3.110 **LOT LINE, EXTERIOR SIDE:** a side lot line that abuts a street.

3.111 **LOT LINE, FRONT:** the lot line that divides the lot from the public road, provided that,

a) In the case of a corner lot, the shorter lot line that abuts the public road shall be the front lot line;

b) in the case of a lot that abuts a navigable watercourse, the lot line at the shoreline shall be the front lot line;

c) in the case of a lot that does not abut a public road, the lot line where the principal access to the lot occurs shall be considered the front lot line; and

d) in the case of a through lot, both lot lines which are parallel to each other and abut a public or private road shall be considered the front lot lines.

3.112 **LOT LINE, REAR:** the lot line furthest from or opposite to the front lot line.

3.113 **LOT LINE, SIDE:** a lot line other than a front or rear lot line.

3.114 **LOT, THROUGH:** an interior lot bounded on two opposite sides by public or private roads, but not a corner lot or a lot that fronts on a navigable watercourse.

3.115 **MAIN BUILDING:** the building designed or used for the principal use on the lot.

3.116 **MARINA:** a commercial establishment or premises, usually containing docking facilities or mooring facilities where boats or boat accessories are berthed, or stored inside or outside, serviced, repaired, constructed or kept for sale or rent and where facilities for the sale of marine fuels or lubricants, accessory retail sales and a taxi and/or barging service are provided and where waste water pumping facilities may be provided. A marina may include a Recreational Vehicle Sales and Service Establishment.

3.117 **MARINE STORAGE FACILITY:** an accessory building located near a watercourse that is used to moor, berth or store boats or other watercraft and to store boat supplies and marine accessories.

3.118 **MARKET:** an area of land consisting of buildings, stalls, or an open area used primarily for

the display and retailing of farm produce, and without limiting the generality of the foregoing, meat, poultry, foodstuffs, wares, or commodities.

3.119 **METAL CONTAINER:** a metal vessel commonly or initially designed for the transportation of freight goods or commodities and shall include but not be limited to a shipping container, cargo container, and truck trailer. Excludes refuse bins, motor vehicles, camping trailers, and portable garage structures.

3.120 **MICROBREWERY:** a building, or part thereof, used for the small-scale production of beverages including beer, wine, cider, and spirits, including brew-your-own establishments as well as small-batch non-alcoholic beverages. A microbrewery may be operated ancillary to a restaurant.

3.121 **MINIMUM DISTANCE SEPARATION (MDS):** means formulae and guidelines developed by the Province, as amended from time to time, to determine a recommended distance between livestock and manure storage facilities and non-agricultural uses.

3.122 **MOBILE FOOD SERVICE EQUIPMENT:** mobile equipment, whether or not permanently parked, containing propane or other hydrocarbon fuel fired cooking appliances and, if applicable, associated fuel storage.

A mobile food service equipment may be:

a) a self-propelled vehicle such as a truck or van fitted with food service equipment and either equipped with propane or other hydrocarbon fuel supply cylinders or intended for connection to a propane supply cylinder at the operation site.

b) a trailer or cart fitted with food service equipment intended to be towed to the operation site and either equipped with propane or other hydrocarbon fuel supply cylinders or intended for connection to a propane or other hydrocarbon fuel supply cylinder at the operation site.

c) a portable cart fitted with service equipment that is not towed but may be transported to an operation site and provided with a propane or other hydrocarbon fuel supply cylinder that may be enclosed in the cart.

3.123 **MOBILE HOME PARK:** a parcel of land used for the parking or storage of mobile homes and includes all accessory buildings necessary to the operation of said park.

3.124 **MOBILE HOME SITE:** an area of land within a mobile home park which is used as the site of, and pertains to, not more than one (1) mobile home dwelling.

3.125 **MOTEL:** an establishment which consists of one or more than one building containing three

or more attached accommodation units, accessible from the exterior, which cater to the needs of the travelling public by furnishing sleeping accommodation with or without facilities for the serving of meals, provides such facilities for remuneration, and may or may not be a liquor licensed premises, and shall not include any other use or activity otherwise defined herein.

3.126 **MOTOR VEHICLE:** a vehicle within the meaning of the Highway Traffic Act, R.S.O. 1990, c H.8, as amended.

3.127 **MOTOR VEHICLE BODY REPAIR SHOP:** an establishment used for making repairs or alterations to the body or paint work of any vehicle.

3.128 **MOTOR VEHICLE, COMMERCIAL:** a commercial motor vehicle within the meaning of the Highway Traffic Act, R.S.O. 1990, c H.8, as amended.

3.129 **MOTOR VEHICLE DEALERSHIP:** an establishment for the storage and sale of new or used vehicles and may include ancillary servicing of said vehicles and may include outdoor storage of vehicles but all other facilities must be within a building.

3.130 **MOTOR VEHICLE SERVICE STATION:** a building for the servicing, maintenance and repair of motor vehicles and may include the sale of gasoline, oil, tires, batteries and other similar products for the maintenance of motor vehicles. The outdoor storage of vehicles may be provided in a clearly defined space on a lot but all other operations must be located within a building.

3.131 **MOTOR VEHICLE TOWING ESTABLISHMENT:** an establishment operating a tow-truck service for compensation, including storage facilities for towed vehicles. For the purposes of this definition, a tow truck is a motor vehicle equipped with a boom or booms, winches, slings, tilt beds or similar equipment designed for the towing or recovery of vehicles and other objects, and includes a transporter designed to transport more than one vehicle on a non-emergency basis.

3.132 **MOTOR VEHICLE WASHING ESTABLISHMENT:** an establishment for washing, cleaning and polishing motor vehicles by means of either production line cleaning methods and/or mechanical devices and includes a coin-operated self-service operation but does not include a motor vehicle service station or gas bar, a public garage or a motor vehicle dealership where car washing operations are incidental to the principal activity of business.

3.133 **MUNICIPALITY:** the Corporation of the Municipality of West Nipissing.

3.134 **NAVIGABLE WATERCOURSE or WATERWAY:** any body of water that is capable of affording reasonable passage of watercraft of any description for the purpose of transportation, recreation or commerce, and includes any river, stream or lake considered navigable by

law.

3.135 **NON-COMPLYING:** the use of land, building or structure which does not comply with the provisions and/or standards of this By-law for the zone in which such land, building or structure is situated.

3.136 **NON-CONFORMING:** a use which is not a use permitted in the zone in which the said use is situated.

3.137 **NURSING HOME:** a building other than a hospital in which the proprietor supplies for hire or gain, lodging with nursing, medical or similar care and treatment, if required, and includes a rest home or convalescent home, but does not include any other establishment otherwise defined in this By-law.

3.138 **OBNOXIOUS USE:** any use which shall reasonably be a nuisance to the occupants or owners of any neighbouring land or buildings by reason of the emission from the said land or any part thereof, or the creation thereon, of odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot, waste or depositing or leaving unsightly objects or chattels thereon or otherwise.

3.139 **ON-FARM DIVERSIFIED USE:** means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to agri-tourism uses, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and energy storage systems.

3.140 **OUTDOOR DISPLAY AND SALES:** an unenclosed display area accessory to a commercial or industrial use used for the display of merchandise associated with the principal use. Excludes motor vehicle dealership and recreational vehicle sales and service establishment.

3.141 **OUTDOOR RECREATION, ACTIVE:** a public or private area operated for the purpose of playing golf, driving ranges, miniature golf courses, tennis courts, outdoor skating rinks, recreational trails, public park, private park, ski-lifts and similar uses, together with necessary and accessory buildings and structures, but shall not include a theme park.

3.142 **OUTDOOR RECREATION, PASSIVE:** the use of land which is typically unobtrusive and not disturbing to the surrounding natural landscape and may include walking trails, natural interpretive facilities, bird and wildlife observation areas and similar uses involved in the enjoyment of the natural environment.

3.143 **OUTDOOR STORAGE:** the storage of goods in the open air or in unenclosed portions of buildings which are open on the sides, but shall not include a limited display of goods and products for advertising and demonstration purposes.

3.144 **PARK, PUBLIC:** a park owned or controlled by a Public Authority or by any Board, Commission or other Authority established under any statute of the Province of Ontario, or the Government of Canada.

3.145 **PARKING LOT**: an area other than a street used for the temporary parking of two or more motor vehicles as accommodation for visitors, clients, customers, residents or employees without charge.

3.146 **PARKING LOT, FOR PROFIT:** an area other than a street used for the temporary parking of two or more motor vehicles as accommodation for visitors, clients, customers, residents or employees for profit or gain.

3.147 **PARKING SPACE:** an area of not less than 18.5 square metres measuring 6 metres by 3 metres exclusive of any aisles or ingress or egress lanes, useable for the temporary parking or storage of motor vehicles, and may include a private garage or carport.

3.148 **PATIO:** a raised platform that is independent from the ground, which is less than 0.6 metres above grade and is unenclosed and open to the air above the walking surface.

3.149 **PERMANENT BASIS:** means (i) occupancy by persons who do not maintain a usual or normal place of residence elsewhere; or (ii) a camping trailer intended for use primarily on the lot on which it is situate.

3.150 **PERSONAL SERVICE ESTABLISHMENT:** a building or part of a building in which a business provides personal or pet grooming, services related to care of apparel, or professional consultation services and the ancillary retailing of products or services related to the above uses. A personal service establishment may include, but is not limited to, a hair salon, beautician, tattoo parlour, pet groomer, tailor, shoe repair shop, travel agency, accounting service, and other like uses, but excludes funeral homes, health services establishments, and any manufacturing or fabrication of non-wearable goods.

3.151 **PIT:** a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit.

3.152 **PIT, WAYSIDE:** a temporary pit opened and used by a public road authority, or their agents, solely for the purpose of road construction or an associated road project or contract and which is not located on the road right-of-way.

3.153 **PLACE OF ASSEMBLY:** a building or part thereof used to host events such as trade shows, banquets, weddings, receptions, and conventions, or to provide cultural, musical, theatrical, and educational services such as an art gallery, library, performing arts centre, or museum. May include catering services and live entertainment but excludes a

restaurant.

3.154 **PLACE OF ENTERTAINMENT:** a motion picture or other theatre, auditorium, billiard or pool room, bowling alley, dance hall, or music hall, but does not include any place of assembly or recreation otherwise defined or classified in this By-law.

3.155 **PLACE OF RECREATION:** the use of a building, or part thereof, for the provision of athletic and amusement facilities involving the active participation of the user in a sports-related activity and includes without limiting the generality of the foregoing, such facilities as racquet courts, fitness clubs, martial arts, dance studios, billiard parlours, bowling alleys, arenas, or water sports, but shall not include a theme park.

3.156 **PLACE OF WORSHIP:** a building dedicated to religious worship and may include such accessory uses as a nursery school, an assembly hall, a school of religious education, convent, monastery or parish hall.

3.157 **PORCH:** a structure attached to a permitted building which is covered and may be enclosed partially or wholly on its sides by screening.

3.158 **PORTABLE GARAGE SHELTER:** A portable fabric or polyethylene covered structure for temporary or long term outdoor storage, and includes a portable carport or storage shed. For the purposes of this By-law, a Portable Garage Shelter is considered an accessory structure.

3.159 **PRINCIPAL USE:** the predominant purpose for which any land, building, structure or premises, or part thereof, is used, designed, arranged, occupied or maintained. Where a property contains an agricultural use and a dwelling, the agricultural use shall be considered the principal use.

3.160 **PRIVATE HOME DAYCARE:** the temporary care for reward or compensation of five children or less who are under ten years of age where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours.

3.161 **PRINTING AND PUBLISHING ESTABLISHMENT:** a building or part of a building in which the business of producing books, newspapers or periodicals, by mechanical means, and reproducing techniques, such as photocopying, is carried on, and may include the sale of newspapers, books, magazines, periodicals, or like, to the general public.

3.162 **PUBLIC AUTHORITY:** shall mean:

a) The Municipality, Government of Ontario, Government of Canada, or any board, authority or commission of any of them; or

b) Any utility company providing telephone, electrical or natural gas services; or

c) Any railway company authorized under the Railway Act of Canada; or

d) Any corporation providing serviced to the public, that has an operating budget entirely funded by one or more entities described in clause (a)

3.163 **PUBLIC USE:** the use of land, building or structure by a public authority or authorized by a public authority, for the purpose of providing its services to the public, or carrying out its public mandate.

3.164 **QUARRY:** an area where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit or mine.

3.165 **RECREATIONAL VEHICLE:** Any vehicle that is used for recreational purposes. For the purposes of this By-law, a recreational vehicle shall include but is not limited to a camping trailer, watercraft, snowmobile, and all-terrain vehicle

3.166 **RECREATIONAL VEHICLE SALES AND SERVICE ESTABLISHMENT:** a building, or part of a building, where new or used recreational vehicles and related equipment and accessories are displayed for sale or rent in conjunction with which there may be facilities for the servicing of such vehicles.

3.167 **RECONSTRUCTION OR RENOVATION:** the repair and restoration of a building to good condition, but shall not include its replacement.

3.168 **RESIDENTIAL CARE FACILITY:** an establishment providing supervised or supportive in-house care for those who need assistance with daily living, that may also provide on-going medical or nursing care or counseling and social support services and which may include services such as medical, counseling, and personal services.

3.169 **RESIDENTIAL OCCUPANCY:** the occupancy or use of a building or part of a building by persons for whom sleeping accommodation is provided but who are not harboured or detained there to receive medical care or treatment or who are not involuntarily detained there.

3.170 **RESTAURANT, DRIVE-THROUGH OR TAKE OUT:** an eating establishment which serves or is intended to serve patrons seated in a motor vehicle parked on a parking lot or driveway, or where prepared foods are sold and taken out of the building to be consumed.

3.171 **RESTAURANT, EAT IN**: An eating establishment in which the principal business is the preparation and serving of food and refreshments to the public for consumption at tables within or outside the building and which may include the preparation of food in a ready-

to-consume state for consumption outside of the premises.

3.172 **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 process or construction uses.

3.173 **ROAD, PRIVATE:** a street, laneway or easement over private property or Crown Land not assumed by the municipality and is usually travelled and maintained by a private individual or group of individuals.

3.174 **ROAD, PUBLIC:** an improved public highway which affords the principal means of access to an abutting lot and, which is dedicated, assumed and/or maintained by and under the jurisdiction of a public authority.

3.175 **SALVAGE OR WRECKING YARD:** a place where motor vehicles are wrecked or disassembled and resold; a place where second-hand goods, including waste paper, bottles, automobile tires, clothing, other scrap materials and salvage are collected to be sorted, and a place where used lumber and used building materials are stored for sale or resale.

3.176 **SAUNA**: An accessory building or structure wherein facilities are provided for the purpose of a sauna bath, either dry or wet.

3.177 **SAWMILL:** a building or structure used to process wood from raw lumber to another use and may include land used for outdoor storage of raw or finished lumber or products.

3.178 **SELF STORAGE FACILITY:** a building, group of buildings, or permanent metal containers used for the storage of household and personal items, including recreational vehicles and automobiles, for compensation. Excludes a cartage depot, transportation depot, or warehouse.

3.179 **SEPTIC SYSTEM LEACHING BED:** an absorption system constructed as absorption trenches or a filter bed, located wholly in filter media that is contained between the surface to ground or raised or partially raised above ground as required by local conditions, to which effluent from a treatment unit is applied for treatment and disposal but, does not include the mantle area.

3.180 **SETBACK:** the distance between any lot line and the nearest part of any main wall of any building or structure.

3.181 **SEWER AND WATER SERVICES (Full Municipal):** both water and sewage disposal infrastructure that is owned and operated by the Municipality and is designed to adequately service the water and sewage disposal needs of a use, building or lot.

3.182 **SEWER AND WATER SERVICES (Partial Municipal):** infrastructure where either water or sewage disposal facilities is owned and operated by the Municipality and is designed to adequately service the water and sewage disposal needs of a use, building or lot.

3.183 **SEWER AND WATER SERVICES (Private):** infrastructure on a lot which is privately owned and operated, which is designed to service the water and sewage disposal needs of that lot, and without limiting the generality of the foregoing, shall include a private septic system and a private well.

3.184 **SHORELINE:** the line where the normal or controlled high water mark of a navigable watercourse meets the land.

3.185 **SHORELINE BUFFER:** a natural area, adjacent to a shoreline, maintained or re-established in its natural predevelopment state (with the exception of minimal pruning of vegetation and the removal of trees for safety reasons) for the purpose of protecting natural habitat and water quality and minimizing visual impact of buildings or structures on a lot. Where the natural shoreline of a property is a natural beach or is a rock outcropping with little or no soil, such shall be deemed to comply. A shoreline buffer shall not include a grassed or lawn area.

3.186 **SIGHTLINE TRIANGLE**: The triangular portion of a lot which is delineated by a diagonal line drawn between points which are 6 metres from the intersection of two roads or the intersection of a road and a railway right-of-way.

3.187 **SIGN:** a structure or advertising device having illustrations affixed thereto or displayed thereon in any manner, which is used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization firm, group, profession, enterprise, industry or business, or which display or include any letter, work, model number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement.

3.188 **STOREY:** the portion of a building, other than a basement, attic or crawlspace, 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 such floor and the ceiling above it.

3.189 **STREET LINE:** any boundary line of a public or private road or highway.

3.190 **STRUCTURE:** anything that is erected, built or constructed of parts joined together or requiring a foundation to hold it erect and located under, on or above ground level, including anything prefabricated on or off the site.

3.191 **TOURIST ESTABLISHMENT:** the use of land, buildings or structures for the provision of commercial roofed accommodation and/or campsites where commercial accommodation

units are offered for rent on a short term or transient basis to the public who is travelling, vacationing, engaged in leisure or recreation, or participating in conventions or meetings. A tourist establishment may include accessory buildings, structures, facilities, uses, or services normally incidental to such accommodation such as common washrooms, recreational facilities, a convenience store, and a restaurant. A tourist establishment does not include a dwelling unit except for a dwelling unit for the owner or operator, or staff quarters that are accessory to the principal use and does not include the use of a campsite as a dwelling, off season storage of tents or recreational vehicles on campsites, or a use otherwise defined by this By-law.

3.192 **TRAILER, CAMPING:** a trailer designed to be temporarily used for living, shelter and sleeping accommodation, with or without cooking facilities, which is not permanently affixed to the ground. Includes a motorhome, camping trailer, fifth wheel, truck camper, tent trailer, and pop-up trailer, but shall not include a utility trailer, mobile home, or modular dwelling.

3.193 **TRAILER, UTILITY:** a trailer that may be fully enclosed or have an open bed and is designed to store and transport goods, equipment, animals, or other items while being drawn by a motor vehicle but does not include living, sleeping, or cooking accommodations.

3.194 **TRANSPORTATION DEPOT:** a building or premises where buses, trucks, or tractor trailers are rented, leased, kept for hire, stored or parked for commercial purposes only.

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

3.196 **VETERINARY CLINIC:** premises in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals and in conjunction with which there may be facilities provided for the sheltering of animals during the treatment period.

3.197 **WAREHOUSE:** A building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for wholesaling, or for accessory retail sales of goods, wares, merchandise, substances or articles otherwise stored or manufactured within the building, but shall not include a transportation depot or self storage facility.

3.198 **WASTE DISPOSAL SITE:** premises where garbage, refuse or domestic or industrial waste is disposed of or dumped and which is approved by The Ministry of Environment pursuant to the provisions of The Environmental Protection Act, R.S.O. 1990, c E.19, as amended.

3.199 **WIND FACILITY:** a renewable energy generation facility at which wind is used to generate electricity through the use of one or more wind turbines, as defined in Ontario Regulation 359/09 under The Environmental Protection Act, R.S.O. 1990, c E.19, as amended.

3.200 **WHOLESALE ESTABLISHMENT:** the use of land, or building or structure, or part thereof in which goods, wares, merchandise, substances, or articles are offered or kept for sale at wholesale and may include an accessory store.

3.201 **YARD:** an open, uncovered area of land, that is unoccupied and unobstructed except as may be expressly permitted in this By-law, which extends from the main wall of the principal building to the lot line.

3.202 **YARD, EXTERIOR SIDE:** a yard extending across the full width of the lot between the exterior side lot line and the nearest part of the main building or structure on the lot, jointly comprising part of the front yard and rear yard where such yards coincide with the exterior side yard.

3.203 **YARD, FRONT:** a yard extending across the full width of the lot between the front lot line and the nearest part of the main building or structure on the lot.

3.204 **YARD, INTERIOR SIDE:** a yard extending from the front yard to the rear yard, between the interior side lot line and the nearest part of the main building or structure on the lot.

3.205 **YARD, REAR:** a yard extending across the full width of the lot between the rear lot line and the nearest part of the main building or structure on the lot.

3.206 **YARD, REQUIRED:** the minimum yard required by the provisions of this By-law.

3.207 **ZONE**: A designated area of land use(s) shown on the Zone Maps of this By-law.

Section 4: General Provisions

4.1 Additional Residential Units

A maximum of two additional residential units shall be permitted per lot in the Residential One (R1), Residential Two (R2), Residential Three (R3), Residential Four (R4), Rural Residential (RR), Rural (RU) and Agricultural One (A1) zones and shall only be constructed or used in accordance with the following:

4.1.1 General Provisions

a) Additional Residential Units are subject to the availability of adequate servicing whether such servicing is provided via municipal services or private individual on-site services to the satisfaction of the Municipality of West Nipissing.

b) The maximum floor area of an additional residential unit shall be no more than an amount equal to 75% of the habitable floor area of the main dwelling.

c) In all cases the additional residential unit shall be clearly secondary and subordinate to the main dwelling.

d) Driveway access to both the main dwelling and the additional residential unit shall be limited to one access or as otherwise permitted by the Private Entrances By-law 2017-39, as amended or replaced.

e) One parking space will be provided for each additional residential unit, in addition to the required parking for the main dwelling.

f) Shall not be permitted within hazardous lands as identified by the Official Plan and Zoning By-law Schedules unless all openings are above the flood elevation as per section 4.10.

g) Shall be required to conform to all Ontario Building Code and Ontario Fire Code regulations to be suitable for year-round habitation.

h) Shall be required to conform to Minimum Distance Requirements (4.16), where applicable.

i) Where residential uses are permitted in any Agricultural zone, Additional Residential Units are in addition to farm worker housing as permitted.

j) Additional residential units which were illegal on the passing of this By-law must meet all the required criteria for an additional residential unit and receive a valid building permit under the Ontario Building Code to be considered a legal additional residential unit.

4.1.2 Attached Additional Residential Unit

One or two additional residential unit(s) is(are) permitted within the main dwelling or attached to the main detached dwelling, subject to the provisions in Section 4.1.1 and the following:

a) If the additional residential unit is located in a basement, the additional residential unit may occupy the whole of the basement if these spaces would meet the definition of a habitable room as permitted by the Ontario Building Code.

b) When exterior additions to the main dwelling are proposed for an attached additional residential unit, the following applies:

   i. The siting of an additional residential unit shall be to the rear or side of the main dwelling; and

   ii. Shall comply with the yard and setback requirements of the Zone in which such buildings are situated.

4.1.3 Detached Additional Residential Unit

A maximum of one additional residential unit is permitted in an accessory building or structure, subject to the provisions in Section 4.1.1 and the following:

a) No more than one additional residential unit is contained within the primary residential dwelling.

b) A detached additional residential unit can occupy a part of, or the entirety of an accessory building or structure.

c) An accessory building or structure which contains a detached additional residential unit shall:

   i. Comply with the minimum required side yard setback for the principal use on the lot;

   ii. Comply with the minimum required front yard setback for the principal use on the lot; and

   iii. Be located no closer than 4.0 metres from the principal dwelling.

d) In the Rural (RU) and Agricultural One (A1) zones, accessory structures containing a detached additional residential unit shall have:

   i. a minimum rear yard setback of 6.0 metres; and

   ii. a maximum building height of 11 metres.

e) in all other zones which permit an additional residential unit, an accessory structure containing a detached additional residential unit shall:

i. have a minimum rear yard setback of 4.0 metres; and

ii. Comply with the maximum building height of an accessory structure within the respective zone.

4.1.4 Additional Residential Units within Shoreline Residential Zoning

A maximum of one additional residential unit shall be permitted per lot in the Shoreline Residential Zone and on all other privately serviced properties which have a different zone but front onto a navigable watercourse, and shall only be constructed or used in accordance with Section 4.1.1 and the following:

a) Shall not be permitted within the required watercourse setback as a detached unit.

b) If the additional residential unit is located in a basement, the additional residential unit may occupy the whole of the basement if these spaces would meet the definition of a habitable room as permitted by the Ontario Building Code.

c) Additional residential units are not permitted within 300 metres of the highwater mark of an at capacity lake.

d) An additional residential unit shall not be permitted in a boathouse or boat port.

e) An additional residential unit shall not include a sleeping cabin where cooking and bathroom facilities are not contained.

4.2 Accessory Uses, Buildings and Structures

4.2.1 Permitted accessory uses: Where this By-law permits the use of land, buildings or structures for a specific use, such use shall include any buildings, structures or uses accessory to the permitted use, subject to the provisions of this By-law for the particular zone in which the building, use or structure is located.

4.2.2 Uses Permitted in detached accessory buildings and structures: No detached accessory building or structure shall be used for human habitation or an occupation for gain, except for a permitted sleeping cabin, additional residential unit, agriculture-related use, on-farm diversified use, or for a home-based business.

4.2.3 Location on a lot: Accessory buildings, structures or uses are permitted in any yard, provided such building, structure or use:

a) is not permitted in the required front yard or the required exterior side yard; and

b) in the R1-R4, SR, C1-C3 Zones is not built closer than 1.2 metres to any lot line except that common semi-detached private garage may be centered on the mutual lot line.

c) In all other zones is not built closer than 3.0 metres to any lot line.

d) Is not built closer than 3.0 metres to the rear lot line where a lot fronts on a navigable watercourse and the rear yard abuts a public or private road.

4.2.4 **Principal Building to be erected first**: No accessory building or structure shall be erected on any lot until the principal building has been erected, with the exception of:

i. Following the issuance of a building permit for the principal use;

ii. A dock;

iii. An outhouse;

iv. On a lot zoned for Agricultural One (A1), Agricultural Two (A2) or Rural (RU).

4.2.5 **Maximum Number:** The maximum number of accessory buildings permitted on a lot less than 0.5 hectare in any Residential Zone shall not exceed 3 unless otherwise specifically permitted in this By-law. An outhouse, pumphouse, sauna, boathouse, ground-mounted solar panel, boatlift, launch ramp, marine railway, or unenclosed decks are excluded from the maximum number.

4.2.6 **Maximum Coverage:** The maximum lot coverage of all accessory buildings and structures excludes an unenclosed unroofed deck, ground-mounted solar panels, boathouse, and swimming pool. Accessory coverage shall be counted towards total lot coverage.

4.2.7 **Shoreline Structures**:

4.2.7.1 **Identification**: Shoreline structures refer to accessory buildings and structures erected at or near the shoreline in the required yard located between the shoreline and the dwelling on any lot that abuts a watercourse. They include buildings and structures that are on the lot and/or attached to the land that forms the bed of a navigable waterway adjacent to the lot.

4.2.7.2 **Permitted Structures**: Shoreline structures include a boathouse, boat port, dock, boatlift, launch ramp, marine railway, marine storage facility, pumphouse, deck, gazebo, or sauna.

4.2.7.3 **Maximum Width**: The maximum cumulative width of docks, boathouses, boat ports, boatlifts, launch ramps, marine railway and marine storage facilities shall not exceed 25% of the lot frontage to a maximum of 15.0 metres of the shoreline. The width shall be measured from the exterior walls or posts of a boathouse, boat port, boatlift or marine storage facility, and from the outer edge of a dock, launch ramp or marine railway.

4.2.7.4 **Boathouses and Boat Ports**: A boathouse or boat port may be erected and used in the required yard of a lot abutting a navigable watercourse provided:

a) a maximum of one boathouse or one boat port shall be permitted per lot provided the lot has a minimum of 30.0 metres of water frontage;

b) the maximum height for a boathouse is 5.0 metres, measured from top of dock;

c) a minimum setback of 5.0 metres is maintained from the side lot lines and/or the straight-line projection of the lot line into the water from the shoreline;

d) An additional residential unit shall not be permitted in or on a boat port or boathouse.

4.2.7.5 **Docking Facilities**: A dock, boatlift, launch ramp or marine railway may be erected and used in the required yard of a lot abutting a navigable watercourse provided all applicable Provincial and Federal statutes and regulations are adhered to and provided a minimum setback of 5.0 metres is maintained from the side lot lines and/or the straight-line projection of the lot line into the water from the shoreline. Where a lot is used for solely residential purposes, no part of any dock shall extend beyond 20 metres from the high water mark abutting the lot.

4.2.7.6 **Gazebo**: One freestanding gazebo may be permitted within the required yard abutting a navigable watercourse, provided that:

a) the structure does not exceed 25.0 square metres in floor area;

b) the gazebo is not be located on a dock;

c) the gazebo is set back a minimum of 4.0 metres from the shoreline; and,

d) the gazebo is set back a minimum of 4.0 metres from any side lot line.

4.2.7.7 **Marine Storage Facility**: A marine storage facility may be erected and used in the required yard of a lot abutting a navigable watercourse provided:

a) boathouse does not exist on the lot and/or attached to the land that forms the bed of a navigable watercourse adjacent to the lot;

b) the gross floor area of the marine storage facility does not exceed 45.0 square metres;

c) a minimum setback of 8.0 metres is maintained from the high-water

mark; and,

d) a minimum setback of 4.0 metres is maintained from the side lot lines.

4.2.7.8 **Pumphouse**: A pumphouse may be erected and used in the required yard of a lot abutting a shoreline provided:

a) it complies with the minimum required side yard;

b) does not exceed a height of 2.0 metres; and

c) Does not exceed an area of 4.65 square metres.

4.2.7.9 **Sauna**: One freestanding Sauna may be permitted provided that:

a) the structure does not exceed 10 square metres in floor area;

b) the sauna is set back a minimum of 4.0 metres from the shoreline; and,

c) the sauna is set back a minimum of 4.0 metres from any side lot line.

4.2.7.10 **Patio**: A freestanding, unenclosed patio may be permitted within the required yard abutting a shoreline, provided that the structure:

a) does not exceed 30.0 square metres in area; and

b) is located no closer than 5.0 metres to the shoreline, except where such patio is attached to a dock.

4.2.8 Metal Containers:

a) A metal container shall, for the purposes of this By-law, be considered an accessory structure and subject to all the regulations relating thereto including placement, lot coverage, number of accessory structures, etc;

b) No person shall, in the Shoreline Residential (SR), Residential One (R1), Residential Two (R2), Residential Three (R3) or Rural Residential (RR) Zone, use any metal container, or similar structure of any kind, for the purpose of an accessory structure, unless:

i. The lot on which the metal container is to be located has an area of more than 2000 square metres;

ii. Where the lot abuts a watercourse, the metal container is not located in the required watercourse setback;

iii. Where the lot does not abut a watercourse, the metal container is located in the rear yard; and

iv. No more than one (1) metal container is permitted on the property.

c) There shall be no limit on the number of metal containers or similar structure of any kind, for the purpose of an accessory structure in the Agricultural One (A1), Agricultural Two (A2), Rural (RU), and all Industrial Zones.

4.2.9 Sleeping Cabin: A sleeping cabin may be erected on a lot within the Rural (RU), Rural Residential (RR) or Shoreline Residential (SR) Zones, subject to the following provisions:

a) such sleeping cabin complies with the minimum yard requirements for the principal use within the Zone;

b) such sleeping cabin does not exceed a maximum gross floor area of 50.0 square metres;

c) such sleeping cabin does not include kitchen or cooking or bathroom facilities;

d) a maximum of one sleeping cabin is permitted per lot; and,

e) a sleeping cabin may be permitted on the second storey of a detached garage.

4.2.10 Swimming Pools: A swimming pool is permitted in the Agricultural One (A1), Rural (RU), Tourist Commercial (C3), and all Residential zones, subject to the following:

a) In the interior side yard of any lot provided, that;

i. no part of such pool is located closer to any lot line or street line than the minimum setback required for principal building located on such lot, and

ii. the maximum height of such pool is 1.0 metres above the average finished grade level of the ground adjoining and within 5.0 metres of such pool, and

iii. any building or structure, other than a dwelling, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, comply with the provisions of this By-law respecting accessory buildings on such lot.

b) In the rear yard of any lot if no part of such pool is located closer to any lot line or street line than the minimum distance required for an accessory building located on such lot.

c) Where a lot abuts a navigable watercourse, in the front yard of the lot, provided no part of any pool is located within 10 metres of the high-water mark.

d) Every swimming pool shall be enclosed by a fence of at least 1.2 metres in height and located at a distance of not less than 1.5 metres and not more than 5.0 metres from the pool. The main and accessory building may form part of the enclosure.

e) Notwithstanding anything to the contrary, an inground swimming pool is not permitted within the Hazard (HZ) Zone Overlay.

4.2.11 Antennae and Satellite Dishes: Radio and television antennae and satellite dishes are permitted in any zone. Antennae or satellite dishes greater than 1.0 metres in diameter shall be required to meet the applicable yard requirements for the principal uses in a zone.

4.2.12 Solar Panels: No ground mounted solar panels are permitted in the Residential Four (R4) or Mobile Home Residential (MHR) zones. Ground-mounted solar panels are permitted in all other zones provided that they:

a) Comply with the minimum required side yard setback for a principal use on the lot;

b) Are located no closer to the front lot line than the established building line;

c) Are suitably anchored and secured; and

d) do not exceed 2.5 metres in height at their maximum tilt.

4.2.13 Wind Facilities:

a) Wind facilities are limited to Class 1 wind facilities as defined in Ontario Regulation 359/09, and are permitted as an accessory use for personal use only in the Agriculture One (A1), Rural (RU) and Rural Residential (RR) Zones;

b) Wind facilities are only permitted in the rear yard, and shall meet the setback requirements of the principal building.

4.3 Architectural Projections

4.3.1 Permitted Encroachments in Yards: Notwithstanding the yard and setback provisions of this By-law to the contrary, drop awnings, clothesline poles, flag poles, garden trellises, retaining walls not exceeding 1.2 metres, fences, signs or similar uses which comply with this By-law are permitted in any required yard.

Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky except that those structures listed in Table 4.1 shall be permitted to project from the principal building into the minimum yards required by this By-law for the following specified distances:

TABLE 4.1 - PERMITTED ENCROACHMENTS IN YARDS

Structure	Yards in which projection is permitted	Maximum projection into required yard permitted	Minimum Distance from Lot Line
Sills, eaves or canopies, gutters, chimneys or other such roof components	Any yard	1.0 metre	1.0 metre
Window bays	Front, rear and exterior side yards only	1.0 metre over a maximum width of 4.0 metres	1.0 metre
Balconies	Any yard for apartment dwellings; Front, rear and exterior side yards only for all other dwellings	2.0 metres for front and rear 1.5 metres for exterior	2.0 metres
Unenclosed roofed porches and decks not exceeding one storey in height. Uncovered terraces.	Front and rear yards only	3.0 metres including eaves and cornices	4.0 metres

4.3.2 Notwithstanding anything to the contrary, an unenclosed metal fire escape required by applicable law shall be permitted to project into any yard provided that it does not encroach on the abutting property.

4.3.3 Ramps, lifts, railings and other such structures used for accessibility purposes shall be permitted to project into any yard provided that it does not encroach on the abutting property.

4.4 Bed and Breakfast Establishment:

4.4.1 The following provisions apply to any bed and breakfast establishment:

a) The bed and breakfast shall be permitted only in the zones indicated in this By-law and shall be accessory to the main residential use and shall not change the residential character of the lot and dwelling;

b) A bed and breakfast is not permitted on a property which contains an additional residential unit;

c) No person other than a person residing in the dwelling containing the bed and

breakfast shall be employed except as in necessary for housekeeping purposes;

d) The bed and breakfast shall not have more than four (4) rooms for overnight guest purposes;

e) The guest rooms shall not contain kitchen or cooking facilities;

f) Only one plate or sign, attached to the dwelling or located in the front yard shall be permitted and no flashing or illuminated sign shall be used; and

4.5 Cluster Developments:

4.5.1 Notwithstanding anything to the contrary, for cluster developments, buildings shall comply with the regulations in Table 4.2 below and the regulations of the zoning applied to the lot, whichever is more restrictive:

TABLE 4.2 – CLUSTER DEVELOPMENT PROVISIONS

Common element or private road width (minimum):	One-way: 3.5 metres Two-way: 6 metres
Common element or private road setback:	6 metres
Building separation (minimum):	4 metres

4.6 Communication Tower:

4.6.1 a receiving/transmitting tower or any steel tower used for signaling purposes and associated buildings, provided the tower and buildings are located at a minimum distance of 150 metres from the boundary of a residential zone, and provided the minimum lot area is 2 hectares;

4.7 Decks:

4.7.1 A deck may be permitted provided that the deck:

a) is abutting a building or providing access to an above-ground swimming pool;

b) complies with the side yard setback of the principal building;

c) has a rear yard setback of 4 metres;

d) Where located on the front façade of the building, has a front yard setback of 5 metres;

e) Has a watercourse setback of 10 metres.

4.7.2 Notwithstanding anything to the contrary, the area of a deck that is roofed shall be included in lot coverage calculations.

4.8 Established Building Line:

4.8.1 A permitted building or structure or addition may be erected closer to the front lot line than required by this By-law, provided such permitted building or structure is not erected closer to the front lot line than the average setback of the existing residential dwellings on each side. This provision does not apply to lands abutting a watercourse or a Provincial Highway.

4.9 Group Home:

4.9.1 A Group Home shall be a permitted use where a residential use is permitted provided that:

a) All the provisions of the respective zone in which a group home is located shall be complied with;

b) All provincial and federal regulations pertaining to Group Homes are complied with;

c) A Group Home may be subject to site plan control as per the applicable municipal By-law.

4.10 Hazard Zone Overlay

Identification: Lands shown on the attached schedules to this By-law as Hazard Overlay may be susceptible to flooding. The construction of buildings and structures is discouraged in these areas, but may be permitted subject to confirmation that the location proposed for development has no history of flooding. Lands located in the Hazard Overlay Zone shall be subject to the use permissions and regulations of the underlying zone category.

The following provisions take precedence over the provisions of the underlying zone. Any development permitted shall be subject to the corresponding site regulations for setbacks, building height and lot coverage.

4.10.1 Minimum Elevations: The minimum elevation of doors, windows or other openings in habitable buildings or structures shall be located above the following flood elevation for the following waterbodies:

197.25 metres G.S.C. above sea level on the French River, Lake Nipissing and the Sturgeon River below the dam in Sturgeon Falls.

The minimum elevation on all other watercourses shall be the flood contour that is established by a qualified Ontario Land Surveyor (OLS).

4.10.2 Requirements: Despite the provisions of the underlying zone, development is subject to the following:

a) Development of an existing vacant lot is subject to applicable flood proofing of buildings and motor vehicle access.

b) Minor alterations and repairs to buildings which legally existed on the date of the passing of this By-law, not exceeding an increase of 25% in habitable floor area to the existing building, shall be permitted without flood proofing.

c) Alterations, replacements, repair, reconstruction or enlargements of existing buildings in excess of that permitted in b) above, or the construction of new buildings shall be permitted provided such building is flood proofed above the identified regulatory flood level.

d) New accessory buildings shall be permitted subject to Section 4.2 provided such buildings, other than shoreline structures, are flood proofed above the identified regulatory flood level.

4.10.3 Institutional Uses, essential emergency services and other sensitive uses, including day nurseries, community centres, government facilities, hospitals, long-term care homes or nursing homes, retirement homes, schools, and University and Colleges, shall be prohibited in areas subject to flooding.

4.10.4 Flood control structures are permitted in the Hazard Zone overlay and within identified floodplain areas.

4.11 Height Exceptions:

4.11.1 The following structures shall not be included when calculating building height:

- Air conditioner duct;
- Barn, silo, conveyor or grain elevator used for farm purposes;
- Belfry;
- Church spire;
- Chimney;
- Clock tower;
- Drive-in theatre screen;
- Elevator enclosure;
- Flag pole;
- Forestry tower;
- Radio or television tower or antenna;

- Rooftop architectural elements such as parapets or cupolas;
- Structure for crushing, washing, screening or processing relating to an asphalt, aggregate, concrete or cement plant;
- Structure containing heating, cooling or other mechanized equipment pertaining to a building; and
- Water tank.

4.12 Home-Based Business:

4.12.1 The following uses may be permitted as a home-based business:

a) Artisan studio;

b) Business, professional or administrative office;

c) Home-based bakery;

d) Home-based personal wellness;

e) Personal service establishment;

f) Private home daycare

4.12.2 In addition to the uses listed in 4.12.1, the following uses may be permitted as home-based business in an accessory structure in the Rural (RU), Rural Residential (RR) and Agricultural One (A1) zones:

a) Carpentry and woodworking;

b) Metal working and fabricating;

c) Repair services excluding motor vehicles, recreational vehicles, and heavy equipment;

d) Small engine repair;

e) Welding shop;

f) Other such similar small-scale crafts, trades and services, excluding motor vehicle repair and servicing;

g) Outdoor storage of recreational vehicles.

4.12.3 Where a home-based business is a permitted use, the following provisions shall apply:

a) The home-based business shall only be conducted within a residential dwelling unit, attached garage, or an accessory building, with the exception

of outdoor storage of recreational vehicles which may be conducted outside of a building or structure;

b) The home-based business shall clearly be secondary and accessory to the main residential use of the property and the nature or scope of the home-based business shall not change the residential character of the dwelling or property, with the exception of a permitted sign;

c) Where a home-based business is conducted within the dwelling, the use shall not occupy more than 25% of the habitable floor area of the dwelling, with the exception of home daycare;

d) Where a home-based business is conducted in an attached garage, the use shall not occupy more than 25% of the total of the habitable floor area of the dwelling and the floor area of the attached garage.

e) Where a home-based business is conducted in an accessory building, the use shall not occupy more than 140.0 square metres of gross floor area;

f) Where a home-based business is conducted in an accessory building, such building shall be subject to the same side yard provisions as required for the principal residential use for the zone;

g) A maximum of two (2) employees, one of whom must reside in the dwelling, may be employed on site and additional employees may be employed off-site;

h) A maximum of eight (8) clients may be permitted on-site at one time, with the exception of a private home daycare for which the maximum number of clients shall be as set out in the Child Care and Early Years Act, as amended;

i) The premises shall not be used to assemble or rally persons who are employed by or associated with the home-based business for transportation to a work site;

j) There shall be no goods, wares or merchandise offered for sale or rent from the dwelling which are not manufactured or processed on the lot with the exception of a limited number of complementary associated products;

k) No outdoor storage of equipment, goods or materials is permitted, except for in the Rural (RU) and Agricultural One (A1) zones. Permitted outdoor storage shall be screened from view from the public road and adjacent dwellings;

l) The outdoor storage of recreational vehicles as permitted by 4.12.2.g shall:

i. be limited to five percent (5%) of the total lot area, to a maximum of 1 hectare;

ii. comply with all setback provisions as required for the principal use for

the zone; and

iii. be screened from properties and streets abutting the lot by a building, planting strip, and or a fence at least 2.0 metres in height;

m) The home-based business shall not emit noise, vibration, smoke, gas, light, odour or dust, or interfere with the television or radio reception of others in neighbouring buildings or structures, or create or become a public nuisance, in particular with regard to traffic, parking, or refuse;

n) One non-illuminated sign which does not exceed 0.4 square metres in area is permitted, except where a lot fronts on a Provincial Highway, in which case the requirements of the Province shall be complied with;

o) The driveway accessing the parking spaces for the home-based business must be shared with the driveway that is utilized for the principal use on the lot.

p) Off-street parking shall be provided in accordance with Table 5.1 and is permitted to be tandem parking. One (1) of the parking spaces required by Table 5.1 is permitted to be located on the public road, in accordance with the Traffic and Parking By-law.

4.13 Kennels

4.13.1 Notwithstanding anything to the contrary, no kennel shall be permitted on a lot with an area of less than 4 hectares.

4.13.2 Where kennels are a permitted use, any enclosed area, structure or building, including runs and fenced outdoor play areas, used as a kennel must be a minimum of 30 m from any lot line.

4.13.3 Any portion of the lot used for kennel purposes shall be fenced from adjacent lots.

4.13.4 A Kennel shall be subject to site plan control as per the applicable municipal By-law.

4.14 Landscaping Buffer:

4.14.1 A minimum 1.5 metre wide landscaped buffer shall be provided along the side and rear lot line(s) of a Commercial, Industrial or Residential Four (R4) Zone where it abuts a Residential zone or Community Facility zone.

4.14.2 Landscaping shall be provided, planted or located, and maintained in a healthy condition by the owner of the land on which the landscaping is located. Every buffer strip shall consist of a solid and unbroken planting of shrubs or trees, the ultimate height of which is not less than 2.0 metres. Such plant material shall not be less than 1.0 metre in height when planted.

4.14.3 Where landscaping is required on a lot, such lot shall not be used for any purpose other than that which existed at the date of passing of this By-law, until the required planting strip/privacy fence is planted or located, unless as otherwise provided for in a registered site plan agreement.

4.14.4 Where a lot abuts a watercourse, a shoreline buffer shall be restored and maintained across a minimum of 50% of the lot, and shall maintain a minimum depth of 7.5 metres from high-water mark of navigable watercourse.

4.14.5 Notwithstanding section 4.27, no landscape buffer is required in a required sightline triangle.

4.15 Lighting:

4.15.1 Lighting fixtures designed to provide exterior illumination on any lot shall be installed with the light directed or deflected away from adjacent lots and streets and in such a manner as to not confuse or distract persons driving vehicles on such streets, and shall be directed downward.

4.16 Minimum Separation Distances for Farms:

4.16.1 Notwithstanding any other yard or setback provisions of this By-law to the contrary, the following provisions apply to those lands located outside of the settlement area boundaries as identified on the Schedules to this By-law:

a) New non-agricultural development in proximity to existing livestock operations must comply with provincial regulations regarding minimum distance separation (Formula I).

b) The development of new livestock facilities or the expansion of existing livestock facilities must comply with the government regulations regarding minimum distance separation (Formula II).

c) Despite subsection 4.16.1(a), development is permitted for one detached dwelling on a vacant lot in existence as of the date of adoption of this By-law, provided that the dwelling is located the furthest distance possible from the livestock operation and that the applicable zone setback provisions are complied with.

d) Existing non-farm residential uses may be replaced where destroyed by a catastrophic event and are exempt from the MDS Separation formulae calculations.

e) Calculations for any MDS setback shall be made based on the Minimum Distance Separation Formulae as developed by the Ontario Ministry of Agriculture, Food and Agribusiness, as amended from time to time.

4.17 Motor Vehicle Service Stations and Gas Bars:

4.17.1 No portion of any fuel pump island, fuel storage tank, fuel pump island canopy or kiosk, shall be located closer than 5.0 metres to any street line or sightline triangle.

4.17.2 The minimum distance between access driveways shall be 10.0 metres.

4.17.3 For a one-way entrance or exit, the interior angle of intersection between an access driveway and the street shall not be less than 45 degrees. For a two-way entrance or exit, the interior angle of intersection shall not be less than 70 degrees and not greater than 90 degrees.

4.17.4 All repair and mechanical servicing of motor vehicles shall be conducted within a wholly enclosed building and any outdoor storage located on site shall be screened from roadways and adjacent residential uses by the structure, fence, or landscaped buffer.

4.18 Non-Complying Lots, Buildings and Structures

4.18.1 Existing undersized lots:

a) Where a lot, having a lesser lot area or lot frontage than that required:

i. is held under distinct and separate ownership from abutting lots; or

ii. was legally created prior to the passing of this By-law; or,

iii. is created as a result of an expropriation; or

iv. is created as a result of a natural severance such as the presence of a public road, a navigable waterway or a railway;

then the lot shall be deemed to comply to the requirements of this By-law with respect to the lot area or lot frontage, and the provisions respecting lot area and lot frontage shall not apply to prevent a permitted use, building or structure, provided that all other applicable provisions of this By-law are complied with and provided that a sewage disposal system (where required) can be installed on the lands.

b) Where lands are added to an existing undersized lot that complies with (a) above, the resulting lot shall be deemed to comply with (a) above.

4.18.2 Reconstruction and Repair of Existing Non-Complying Buildings and Structures:

a) Where in any Zone, a non-complying building or structure is destroyed by fire or natural disaster, such non-complying building or structure may be reconstructed provided the height, size or volume of the building or structure is not increased.

b) Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof lawfully used on the date of passing of this By-law, provided that the strengthening or restoration does not increase the building height, size or volume.

c) The voluntary replacement of an existing non-complying building or structure shall be permitted where the building height, size and volume are not increased.

d) Notwithstanding (c), the floor area of the building or structure may be increased by 25%, subject to the regulations of Section 4.18.3.

e) Where an existing non-complying building or structure is located in the required watercourse setback, the voluntary replacement of such structure shall be required to meet the minimum watercourse setback as set out in the applicable zone requirements, except where precluded by other existing structures on the lot or physical site constraints.

f) Submission of an application for a building permit to reconstruct or repair a legal structure, relying upon Subsections (a) and (b) above, must occur within two years of the damage or destruction, otherwise these subsections do not apply.

4.18.3 Addition, Extension, or Enlargement of Existing Non-Complying Buildings and Structures:

a) The enlargement, extension or addition to a legal non-complying building or structure that does not comply with the front yard, rear yard, side yard or setback requirements may be permitted, provided:

i. the situation of non-compliance is not further increased;

ii. the amount of floor area in a required yard or setback area is not increased by more than 25% from the date of passing of this By-law;

iii. it does not pose a threat to public health or safety; and,

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

b) A legal non-complying single detached or semi-detached dwelling located in a zone which does not permit such a use shall be subject to the Residential Two (R2) zone provisions for the purposes of an extension or addition.

4.18.4 Interior Alterations: Nothing in this By-law shall prevent the interior alteration of a legal non-complying building or structure.

4.18.5 Intensification of Parking: Notwithstanding anything to the contrary, when the intensity of a legal non-conforming building or structure is increased through the addition of dwelling units, floor area, seating capacity, or when the existing use of a legal non-conforming building or structure is changed to a new use, off-street parking for such intensified or new use shall be provided for the whole building or structure in accordance with the parking requirements of this By-law.

4.19 Non-Conforming Uses

4.19.1 Continuation of Use: The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by the By-law if such lot, building or structure was lawfully used and legally established for such purposes on the date of the passing of this By-law so long as it continues to be used for that purpose and the use has not been discontinued.

4.19.2 Change of Use: No change in the use of any land, building or structure shall be permitted, unless such change in use complies with the permitted uses within the zone in which such land, building or structure is located or unless such change has been approved through the provisions of the Planning Act.

4.19.3 Exterior Extensions: No building or structure, which at the date of passing of this By-law was lawfully used for a purpose not permitted within the zone in which it is located, shall be enlarged or extended unless such building is thereafter to be used for a purpose permitted within such Zone and complies with all requirements of the By-law or unless approved through the provisions of the Planning Act.

4.19.4 Reconstruction or Repair of Existing Non-Conforming Buildings and Structures: Where a building or structure containing a legal non-conforming use is damaged or destroyed, the use shall not be deemed to be discontinued provided that the reconstruction or repair of the building or structure occurs within two years.

4.19.5 Interior Alterations: Nothing in this By-law shall prevent the interior alteration of a legal non-conforming building or structure.

4.20 Outdoor Storage, Display of Goods and Material

4.20.1 Outdoor Display and Sales: Outdoor display and sales is permitted provided that:

a) Such outdoor display and sales shall be accessory to a permitted commercial or industrial use carried out on the same lot;

b) The goods and materials displayed shall be limited to goods and materials offered for sale or rent by the principal use on the lot;

c) The area used for outside display and sales shall not be located, whether temporary or permanent, in any areas required for parking, loading or green space; and,

d) The area used for outside display of goods and materials shall be located a minimum of 5 metres from the side and rear lot line(s) where it abuts a residential zone.

4.20.2 Outdoor Storage: Outdoor storage is permitted ancillary to a permitted commercial or industrial use, provided that:

a) Outdoor storage shall be located behind the building line of the main building facing any street and comply with all yard requirements;

b) Any portion of a lot used for outdoor storage shall be screened from adjacent residential and institutional uses and streets adjoining the lot by a building, planting strip, and or fence at least 2.0 metres in height from the ground; and,

c) Outdoor storage is not permitted in areas required for parking, loading and green space.

4.21 Permitted Uses in All Zones:

4.21.1 The following uses are permitted in any zone:

a) a telephone booth;

b) decorative walls, fences, planting strips, walkways and other landscaping structures subject to the regulations contained herein;

c) recreational trails and minor associated structures including outdoor sports courts/fields;

d) an aerodrome;

e) the processing of firewood for private sale;

f) temporary special events licensed or approved by the Municipality of West Nipissing;

g) a conservation use;

h) flood or erosion control facilities

4.22 Public uses:

a) Nothing in this By-law affects the erection, alteration or use of any building or structure or the use of any lot by a public authority for a public use.

b) Nothing in this By-law prevents the use of land for a public road or private road or prevents the installation of a water main, sanitary sewer main, storm sewer main, municipal drain, gas main, pipeline, lighting fixture, transit shelter, or overhead or underground hydro or telephone lines.

4.23 Pits and Quarries:

4.23.1 The making, establishment or operation of pits or quarries is prohibited within the area covered by this By-law, except in the locations specifically permitted by this By-law, and in accordance with the provisions of this By-law. No person shall use land or erect any building or structure for the purpose of processing, blasting, washing, screening, sorting or crushing rock, sand or gravel, except as expressly provided for in this By-law.

4.24 Prohibited Uses/Activities:

4.24.1 Except as otherwise specifically permitted in this By-law, the following uses are prohibited in any zone:

a) The use of any motor vehicle or metal container for storage, sales or human habitation except in accordance with 4.2.2.

b) The storage of derelict vehicles, metal containers, truck bodies, or trailers unless specifically permitted by this By-law;

c) No camping trailer shall be used on a permanent basis from November 30th to April 15th of the following year, unless it is in a recognized trailer park.

d) The outdoor storage of partially dismantled motor vehicles, recreational vehicles, or parts of vehicles other than in a permitted salvage or wrecking yard or as part of a motor vehicle service station or body repair shop. All outdoor storage must comply with the outdoor storage regulations in 4.20.

e) Tracks or other areas developed for the racing or running of motorcycles, all terrain vehicles, snowmobiles, or other motorized recreational vehicles unless

specifically permitted by this By-law. This is not intended to interfere with any lawful use of a public road or highway, or enjoyment of private property by the owners or tenants of such property or the use of an organized trail approved by the Municipality;

f) The manufacturing, refining, rendering, bulk storage or distillation of fertilizers, oil, glue from organic sources, acids, ammonia, chlorine, coal, creosote, explosives, petroleum, tar, fireworks, ammunition, glue, petroleum, tar, or other hazardous materials unless specifically permitted as a use in this By-law or stored for sale in direct association with a permitted use in the Zone and on the property on which the permitted use occurs;

g) The bulk storage of industrial chemicals and the storage of radioactive, hazardous waste, hazardous biological waste, or liquid industrial waste unless specifically permitted by this By-law or stored for sale in direct association with a permitted use in the Zone and on the property on which the permitted use occurs;

h) The manufacturing or bulk storage of combustible, explosive, inflammable, or dangerous liquids, gases, or materials unless specifically permitted as a use in this By-law or stored for sale in direct association with a permitted use in the Zone and on the property on which the permitted use occurs;

i) Rendering of fats or animal products, a tannery, or an abattoir unless specifically permitted; and,

j) A hunt farm.

A prohibited use above shall only be permitted through a site specific amendment to this zoning By-law.

4.24.2 OBNOXIOUS USE: Notwithstanding any other provision of this By-law, no use shall be permitted which, from its nature or the materials used therein, is declared under the Public Health Act, to be an obnoxious use.

4.25 Public Road, Private Road, Condominium Access or Navigable Waterway:

4.25.1 No person shall erect any building or structure in any zone unless the lot fronts upon and is directly accessible from a public road. This provision shall not apply to prevent the erection of a permitted building or structure:

a) Where there is a road use agreement with the Municipality granting use over an unopened or unmaintained public road allowance, or where the lot is used for a hunt camp or resource use.

b) On a lot in a Registered Plan of Subdivision where a properly executed subdivision agreement has been entered into with the Municipality where the street or streets will not be assumed by the Municipality until such time as specified in the agreement.

c) On a lot that meets all of the other requirements of this By-law and has access by way of a legal private right-of-way or approval from the Ministry of Natural Resources where the private road crosses over Crown Land; and

d) The applicant, prior to a building permit being issued, provides a written acknowledgement that:

i. the owner acknowledges and agrees that the lot in question does not front on a public road;

ii. the owner acknowledges and agrees that the Municipality does not maintain or snow plow the private road; and

iii. the owner acknowledges and agrees that the Municipality will not take over or assume a private road as a public road unless it has been built according to Municipal standards and the Municipality deems it to be desirable to assume the road.

e) On a lot that meets all of the other requirements of this By-law and is accessed only by navigable water. The owner is responsible for obtaining access to the lot.

f) Where a lot is developed by condominium description, the lot frontage and access may be on a private road for individual units within the condominium description.

4.26 Recreational Vehicles:

4.26.1 Storage of Recreational Vehicles:

a) Recreational vehicles may be stored outdoors on a lot in the Shoreline Residential (SR), Rural Residential (RR), Rural (RU) or Agricultural One (A1) zones provided that:

i. No unlicensed, dilapidated or unserviceable recreational vehicles shall be permitted;

ii. No recreational vehicles shall be situated closer than 3 metres to any side or rear lot lines;

iii. No recreational vehicles shall be situated in the required front yard; and

iv. No storage of recreational vehicles shall be for the purpose of

remuneration unless as a home-based business or on-farm diversified use in accordance with the provisions of Section 4.12 or 9.5.4.

b) Recreational vehicles may be stored outdoors on a lot in a Residential One (R1), Residential Two (R2), or Residential Three (R3) zone, provided that:

i. The recreational vehicle shall be owned by a resident of the dwelling;

ii. No unlicensed, dilapidated or unserviceable recreational vehicles shall be permitted;

iii. No recreational vehicle shall be situated closer than 1.5 metres to any side or rear lot lines;

iv. No recreational vehicle shall be situated in the required front yard unless it is situated in a driveway and is no closer than 3 metres to the street line; and

4.26.2 Occupancy of Camping Trailers:

a) No camping trailer shall be used on a permanent basis in any zone between November 30th and April 15th of the following year.

b) No camping trailer shall be situated on a lot on a permanent basis unless adequate sanitary services, being black water and grey water disposal, are constructed and maintained in accordance with the Ontario Building Code.

c) On a vacant lot, no camping trailer shall be located closer to any lot line than the minimum required setbacks for the principal use permitted in the applicable zone;

d) On a lot which contains a principal dwelling in the Residential One (R1), Residential Two (R2), Shoreline Residential (SR), Rural Residential (RR), Rural (RU), and Agricultural One (A1) zones, every camping trailer shall be located in accordance with the minimum setbacks set out in section 4.26.1.

4.27 Sight Triangles

4.27.1 Street Intersections: Notwithstanding any other provisions of this By-law, in any corner lot, no building, structure, berm, fence, tree, hedge, or shrub with height exceeding 1.2 metres above the grade of the road, shall be erected within the triangular space measured along the street lines for a distance of 6 metres from their point of intersection;

4.27.2 Railway Intersections: Where any public street crosses a railway at the same grade, no building, structure, berm, fence, tree, hedge or shrub with a height exceeding 1.0 metres above the grade of the road or railway shall be erected within 9 metres of the

point of intersection of the centre line of both the railway and the street.

4.27.3 **Curved Corner Lots:** Where a corner lot is curved, the sightline triangle shall be measured from the point where the front lot line and exterior side lot line would intersect if they were extended.

4.28 Signs:

4.28.1 Any sign shall be in conformity with the respective requirements of the Ministry of Transportation, and conform to the Municipal Sign By-law.

4.29 Special Setback Requirements

4.29.1 **Provincial Highways:**

a) Notwithstanding any other provision in this By-law, properties located adjacent to a provincial highway will be subject to the setback requirements of the Ministry of Transportation.

b) In addition to all applicable municipal requirements, all proposed development located in proximity of a provincial highway, within Ministry of Transportation permit control area, will be subject to the approval of the Ministry of Transportation. A Ministry of Transportation permit shall be obtained prior to any construction being undertaken.

4.29.2 **Pipelines:** No building or structure shall be located within 7.5 metres of a Pipeline right- of-way.

4.29.3 **Watercourses:** Buildings and structures, unless specifically permitted in this By-law, shall be setback a minimum of 18.0 metres from any watercourse (excluding a municipal drain), with the setback to be measured from the high water mark.

4.29.4 **Shoreline Road Allowances**: where a lot is separated from a navigable waterway only by an original shore road allowance, the lot shall be considered for the purpose of permitted land uses and required setbacks in this By-law as if it abuts the navigable waterway.

4.29.5 **Municipal Drains:** In the absence of a drain report which stipulates the width of a working corridor, no building or structure shall be located within 20 metres from the centreline of a municipal drain.

4.29.6 **Maintained and Travelled Roads**: Notwithstanding anything to the contrary, where a legal property boundary extends into the travelled portion of a public road, the setback shall be calculated starting 10 metres from the centreline of the travelled

roadway.

4.30 Temporary Uses

4.30.1 Construction:

a) a tool shed, scaffold or other such building or structure incidental to any construction, provided it is located on the premises where such work is under way, until such construction has been finished or discontinued for sixty (60) days;

b) A temporary building, structure, metal container or utility trailer incidental to construction and used temporarily for office or storage purposes provided that:

   i. The structure, metal container or utility trailer is located on the same lot as the construction;

   ii. The structure, metal container or utility trailer is in compliance with the yard requirements for an accessory structure for the zone on which it is located;

   iii. A building permit for said construction has been issued; and

   iv. The structure, container or trailer is on the lot only for so long as it is necessary for the work in progress and until 60 days after the work is completed or abandoned. In this case, 'abandoned' shall mean the failure to proceed with the work within a one-year time period.

c) The continued use of an existing dwelling or building on a lot during the construction of a dwelling or building intended to replace such dwelling or building is permitted provided that:

   i. In no case may such existing building remain un-demolished on the lot for longer than 60 days after the building intended to replace such existing building is ready in whole or in part for occupancy, or two years after the date of issue of the building permit for the building intended to replace such existing building, whichever comes first;

   ii. Safety and emergency access are provided and maintained to the satisfaction of the Chief Building Official and the Fire Chief; and,

   iii. The Owner enters into a demolition agreement with the Municipality including the posting of securities sufficient to cover the costs of such demolition of such existing building by the Municipality in the event it is not demolished within the timeframe stipulated above.

d) Notwithstanding 4.26.2(a), a camping trailer may be used on a permanent

basis provided that:

i. The camping trailer is located on the same lot as the construction;

ii. The camping trailer is in compliance with the yard requirements as set out in 4.26.1;

iii. A building permit for the construction of a principal residential dwelling has been issued; and

iv. In no case may such camping trailer be used on a permanent basis outside the time period set out in 4.26.2(a) for longer than 60 days after the principal residential dwelling is ready in whole or in part for occupancy, or two years after the date of issuance of the building permit for the residential dwelling, whichever comes first.

4.30.2 Metal Containers for Moving:

a) Notwithstanding 4.2.8, a metal container may be permitted on a residential lot used for the purpose of loading and unloading household items during the process of moving, provided that the storage container is:

i. a minimum of 5 metres from the front lot line;

ii. a minimum of 1.2 metres from the side and rear lot lines;

iii. not located on the lot for more than twenty-one (21) consecutive days.

4.30.3 Sales office/model home: One temporary sales office incidental to the construction and sale of the lots, units or buildings and/or up to four (4) model homes may be located on lands which are the subject of a draft approved plan of subdivision or condominium in any Residential, Commercial or Industrial Zone provided that:

i. The temporary sales office and model home are located in accordance with the zone provisions of the zone in which it is located, but no such sales office shall be established within 30 metres of an occupied dwelling;

ii. The temporary sales office and model home(s) are located on the lot subject to the draft approved plan of subdivision or condominium;

iii. An Agreement has been executed with the Municipality addressing the temporary sales office and model homes. The agreement may permit up to four (4) model homes;

iv. The temporary sales office is removed from the property once construction has been finished or discontinued for sixty (60) days;

4.30.4 **Special Event:** The conducting of an occasional or special event, whether or not for profit, and whether or not located in a tent, shall be permitted in all zones save and except that:

i. Such an event may not occur on more than two (2) occasions in a calendar year and each event is not to exceed four (4) consecutive calendar days;

ii. Should a tent be erected, it shall comply with the setback requirements of an accessory structure in accordance with the provisions that apply to the lot; and

iii. All requirements of the current Ontario Building Code and Ontario Fire Code must be adhered to.

4.31 Waste, Garbage and Refuse Storage

4.31.1 Garbage, recycling and other waste in the Residential Four (R4) Zone, and all Commercial and Industrial Zones, shall only be stored:

a) in a fully enclosed waste storage enclosure, with or without a roof;

b) within a wholly enclosed building; or

c) within an in-ground refuse container.

4.31.2 A waste storage enclosure shall only be permitted in an interior side yard or rear yard.

4.31.3 A waste storage enclosure, where required, shall be setback a minimum of 3 metres from any abutting residential zone.

4.31.4 A waste storage enclosure shall not be permitted within any required landscaped buffer and shall not obstruct any required parking space, parking aisle, or driveway.

4.31.5 The provisions of this section shall not apply to any temporary waste disposal structure used in conjunction with a temporary construction use. The provisions shall also not apply to prevent any temporary storage for the purposes of any scheduled removal.

4.32 Water Supply and Sewage Disposal Systems:

4.32.1 **Connection to Services - Full or Partial Municipal Sewer and Water Service**: No land may be used, and no building or structures may be erected unless:

a) connected to a municipal sanitary sewer and/or water supply within the settlement areas identified on the schedules to this By-law; or

b) where municipal services are not available, alternative servicing arrangements are provided to the satisfaction of the Municipality.

c) Where municipal services are available, development is not permitted to be privately serviced.

d) Where a building or structure that is serviced by an existing sanitary septic system connects to a municipal sanitary service, the existing sanitary septic system shall be decommissioned in accordance with applicable law.

e) Where a building or structure that is serviced by an existing private water well connects to a municipal water service, the existing private water well shall be decommissioned in accordance with applicable law.

4.32.2 Commercial or Industrial Uses in Areas without Full Municipal Services:

Notwithstanding any other provisions of this By-law with regard to servicing requirements for an industrial or commercial use, where full municipal services are not available, and privately serviced development is permitted, only dry industrial or commercial uses shall be permitted. Dry industrial or commercial uses are those in which only the disposal and treatment of domestic waste of employees and customers is permitted. No treatment of industrial liquid wastes or processed waste is allowed. This provision does not apply to prevent the on-site treatment of kitchen or sanitary wastes from a permitted commercial eating establishment. This provision also does not apply where a use has been approved by the Municipality or any other responsible authority, on the basis of an advanced private treatment system. In such cases, it must be demonstrated to the satisfaction of the Municipality, Ministry of the Environment, and/or other responsible authorities, in studies submitted by the applicant, that appropriate treatment can be provided with no detrimental impact to surface, groundwater resources, and the surrounding environment.

4.33 Wayside Pits and Quarries and Portable Asphalt Plants

4.33.1 Where specifically permitted in the By-law, a wayside pit or quarry or a portable asphalt plant shall be subject to the following provisions:

a) the wayside pit or quarry or the portable asphalt plant shall be used by or on behalf of a Public Authority;

b) the wayside pit or quarry or the portable asphalt plant shall have a Certificate of Approval from the Ministry of Environment and Energy or its designate;

c) the wayside pit or quarry or portable asphalt plant shall not be located closer than 300 metres from an existing residence; and

d) upon completion of the public project, the site shall be rehabilitated to its former use.

Section 5: Parking and Loading Requirements

5.1 General

5.1.1 The parking and loading space requirements of this Section of the By-law shall apply:

a) when any new development is constructed;

b) when any existing development is enlarged; or

c) when any use is changed.

5.1.2 No person shall use any land, building or structure in any Zone for any purpose permitted by this By-law, unless parking spaces are provided in accordance with the requirements of this Section.

5.1.3 Parking and loading spaces required by this By-law and all driveways and aisles leading to those spaces must be set aside for and used exclusively for that purpose.

5.2 Parking Space Requirements

5.2.1 **Number of Parking Spaces:** Off-street motor vehicle parking shall be provided for any land use at the rate set out in Table 5.1.

TABLE 5.1- PARKING REQUIREMENTS

USE	Parking Spaces Required
Any commercial or non-residential use, except those uses specifically listed elsewhere in this Section	1 parking space for each 25 square metres of gross floor area
Any industrial use, except those uses specifically listed elsewhere in this Section	1 parking space for each 50 square metres of gross floor area
Abattoir	1 parking space for each 50 square metres of gross floor area
Agricultural Processing Establishment	1 parking space for each 50 square metres of gross floor area
Agricultural Produce Warehouse	1 parking space for each 100 square metres of gross floor area
Agricultural Use	A minimum of 2 parking spaces per farm or agricultural use.
Agricultural-Related Use	1 parking space for every 25 sq. metres of gross floor area devoted to retail sales and 1 parking space for every 50 sq. metres of gross floor area devoted to processing or manufacturing uses.
Agricultural Product Sales Outlet	1 parking space for each 25 square metres of gross floor area

USE	Parking Spaces Required
Agricultural Supply/Implement Dealership	1 parking space for each 50 square metres of gross floor area
Assembly, Fabricating, Manufacturing or Processing	1 parking space for each 50 square metres of gross floor area
Bakery, Retail	1 parking space for each 20 square metres of gross floor area
Bar	1 parking space for each 5 person maximum occupancy or 1 parking space per 10.0 square metres of gross floor area devoted to public use, whichever is greater
Bed and Breakfast Establishment	1 parking space for each guest room, plus 1 parking space per 10.0 square metres of gross floor area devoted to meeting, dining and banquet facilities
Boarding House	1 parking space for each room for rent
Building Supply Establishment	1 parking space for each 50 square metres of gross floor area
Bulk Sales Establishment	1 parking space for each 50 square metres of gross floor area
Business, Professional or Administrative Office	1 parking space for each 20 square metres of gross floor area
Campground	1.25 parking space for each camp site plus 1 parking space per 20.0 square metres of gross floor area devoted to meeting, dining and banquet facilities
Cemetery	1 minimum parking space
Community Centre	1 parking space for each 25 square metres of gross floor area
Concrete Plant	1 parking space for each 50 square metres of gross floor area
Contractor's Establishment	1 parking space for each 50 square metres of gross floor area
Convenience Store	1 parking space for each 20 square metres of gross floor area
Crematorium	1 parking space for each 50 square metres of gross floor area
Daycare Facility	2 parking spaces per classroom or 1 space per 25 square metres which ever is greater
Domestic Appliance Store	1 parking space for each 50 square metres of gross floor area

USE	Parking Spaces Required
Driving Range	1 parking space for each tee
Dry Cleaning Establishment	1 parking space for each 50 square metres of gross floor area
Dwelling, Apartment	1.25 parking spaces per dwelling unit
Dwelling, Additional Residential Unit	1 parking space per dwelling unit
Dwelling, Duplex	2 parking spaces per dwelling Unit
Dwelling, Mobile Home	when not located in a Mobile Home Park, 2 parking spaces per dwelling Unit
Dwelling, Multiple	1.25 parking spaces per dwelling unit
Dwelling, Street Townhouse	2 parking spaces per dwelling Unit
Dwelling, Semi-detached	2 parking spaces per dwelling Unit
Dwelling, Single detached	2 parking spaces per dwelling
Dwelling, Surplus	2 parking spaces per dwelling
Dwelling Unit in non-residential building	1.25 parking spaces per dwelling unit
Educational Establishment	2 parking spaces per teaching area or classroom for an elementary school; 5 parking spaces per teaching area or classroom for a secondary school and all other education institutions
Equestrian Facility	2 minimum parking spaces
Equipment Sales, Service and Rental Establishment	1 parking space for each 50 square metres of gross floor area
Financial Establishment	1 parking space for each 25 square metres of gross floor area
Food or Beverage Manufacturing Establishment	1 parking space for each 50 square metres of gross floor area
Funeral Home	1 parking space for each 5 persons maximum occupancy or 1 parking space per 20 metres of gross floor area devoted to public use, whichever is greater, with a minimum of 10 parking spaces
Gas Bar	1 parking space for each 25 square metres of gross floor area
Golf Course	2.5 parking spaces for each hole plus 1 parking space per 25 square metres of gross floor area devoted to meeting, dining and banquet facilities
Government Office	1 parking space for each 20 square metres of gross floor area

USE	Parking Spaces Required
Garden Centre	1 parking space for each 25 square metres of gross floor area
Grocery Store	1 parking space for each 20 square metres of gross floor area
Group Home	1 parking space for each 2 beds
Health Services Establishment	1.5 parking spaces per examination room
Home Based Business	1 parking space required for each non-resident employee plus 0.75 spaces per client or customer of the business on site at one time.
Hospital	1 parking space for each 2 beds.
Hotel	1 parking space for each guest room, plus 1 parking space per 10.0 square metres of gross floor area devoted to meeting, dining and banquet facilities
Kennel	1 parking space for each 50 square metres of gross floor area
Laundromat	1 parking space for each 20 square metres of gross floor area
Marina	1.25 parking spaces for each boat slip
Mobile Food Service Equipment	Minimum 2 parking spaces
Mobile Home Park	1.5 parking spaces per unit/site
Motel	1 parking space for each guest room, plus 1 parking space per 10.0 square metres of gross floor area devoted to meeting, dining and banquet facilities
Motor Vehicle Body Repair Shop	3 parking spaces per service bay plus 1 parking space per 20.0 square metres of gross floor area for the office and any retail use.
Motor Vehicle Dealership	1 parking space per 30 square metres gross floor area exclusive of display and storage parking
Motor Vehicle Service Station	3 parking spaces per service bay plus 1 parking space per 20.0 square metres of gross floor area for the office and any retail use.
Motor Vehicle Washing Establishment	1 parking space for each washing bay
Nursing Home	1 parking space for each 2 beds.
On-Farm Diversified Use	1 parking space for every 20 sq. metres of gross floor area devoted to retail sales and 1 parking space for every 50 sq. metres of gross floor area

USE	Parking Spaces Required
	devoted to processing or manufacturing uses.
Outdoor Recreation, Active	1 parking space for each 5 persons maximum occupancy
Outdoor Storage	1 parking space for each 100 square metres of gross floor area
Personal Service Establishment	1 parking space for each 20 square metres of gross floor area
Pit or Quarry including wayside Pit or Quarry	1 parking space for each 25 square metres of gross floor space on the lot.
Place of Assembly	1 parking space for each 5 persons maximum occupancy or 1 parking space per 20 metres of gross floor area devoted to public use, whichever is greater, with a minimum of 10 parking spaces
Place of Entertainment	1 parking space for each 5 persons maximum occupancy or 1 parking space per 20 metres of gross floor area devoted to public use, whichever is greater, with a minimum of 10 parking spaces
Place of Recreation	1 parking space for each 5 persons maximum occupancy or 1 parking space per 20 metres of gross floor area devoted to public use, whichever is greater, with a minimum of 10 parking spaces
Place of Worship	1 parking space for each 5 persons maximum occupancy or 1 parking space per 10 metres of gross floor area devoted to public use, whichever is greater, with a minimum of 10 parking spaces
Printing and Publishing Establishment	1 parking space for each 50 square metres of gross floor space on the lot.
Recreational Vehicle Sales and Service Establishment	1 parking space per 30 square metres gross floor area exclusive of display and storage parking
Residential Care Facility	1 parking space for each 2 beds.
Restaurant, Drive-Through or Take Out	1 parking space for each 20 square metres of gross floor area
Restaurant, Eat In	1 parking space for each 5 person maximum occupancy or 1 parking space per 10.0 square metres of gross floor area devoted to public use, whichever is greater
Retail Store	1 parking space per 20 square metres of gross floor area
Salvage or Wrecking Yard	1 parking space for each 50 square metres of gross floor space on the lot.
Sawmill	1 parking space for each 50 square metres of gross floor space on the lot.

USE	Parking Spaces Required
Self Storage Facility	Minimum of 2 parking space; plus 1 parking space per 100.0 square metres of gross floor area of
Tourist Establishment	1.25 parking space for each guest room, cottage, cabin or camp site plus 1 parking space per 20.0 square metres of gross floor area devoted to meeting, dining and banquet facilities
Veterinary Clinic	1.5 parking spaces per examination room
Warehouse	1 parking space for each 100 square metres of gross floor area

5.2.2 Parking Space Calculation:

Where the minimum number of parking spaces is calculated on the basis of a rate, the required number of spaces shall be rounded to the next highest whole number.

5.2.3 More than One Use on a Lot

When a lot, building or structure accommodates more than one type of use, the parking space requirement for the whole building or site shall be the sum of the requirement for the separate parts of the building or site occupied by the separate types of use.

5.2.4 Parking Space Size: A motor vehicle parking space shall have:

a) A minimum width of 3.0 metres; and,

b) A minimum length of 6.0 metres, except for parallel parking, where a minimum length of 6.5 metres is required.

5.2.5 Width of Aisles

The minimum width of an aisle providing access to a parking space within a parking area shall be 6.0 metres, except in the case of angled off-street parking accessed by a one-way aisle, which shall be a minimum width of 4.5 metres.

5.2.6 Width of Access Ramps and Driveways

a) Access ramps and driveways accessing a parking area or parking lot shall be a minimum of 4.5 metres in width for one-way traffic and a minimum of 6.0 metres in width for two-way traffic.

b) For a Commercial, Industrial, Institutional or Municipal Parking Lot, a minimum of 9.0 metres in width shall be provided.

c) In all Residential Zones, for a driveway providing access to a single detached dwelling unit, the maximum driveway width shall not exceed 50% of the lot frontage.

d) Notwithstanding c), the maximum driveway width for a semi-detached dwelling is 6.0 metres or 50% of the lot frontage, whichever is greater.

5.2.7 Tandem Parking

Tandem parking is permitted for the required parking spaces for a single detached dwelling, duplex, semi-detached dwelling, townhouse unit, Additional Residential Unit, and bed and breakfast establishment. For the purposes of this Section, tandem parking refers to parking spaces that are located one behind the other, without access from a separate driveway or aisle.

5.2.8 Parking Area Surface Treatment

All required parking spaces and parking areas and all driveways to any parking area or parking lot shall be maintained with a stable surface which is treated with asphalt, concrete, concrete pavers, gravel or similar material which is treated so as to prevent the raising of dust or loose particles.

5.2.9 Location of Required Parking Spaces

Parking spaces and all driveways and aisles leading to those spaces shall be:

i) located on the same lot as the use or building for which they are provided; or

ii) located on a lot located within 150.0 metres of the site in the C1 zone, provided the parking facilities are legally secured for that use, to the satisfaction of the Municipality.

5.2.10 Water Access Only Properties

Properties which are accessed only by water are exempt from parking requirements on the owned lot, but confirmation of mainland parking shall be demonstrated.

5.2.11 Parking Area Location on a Lot

Parking areas will be permitted in any required yard in accordance with Table 5.2.

TABLE 5.2 – PARKING AREA ON LOT

Zone	Yard in Which Required Parking Permitted
Residential Zones, except Shoreline Residential (SR)	All yards. No parking space shall be permitted within 3.0 metres of a street line.
Shoreline Residential (SR) Zone	All yards except the front yard.
Commercial, Community Facility, Industrial, Open Space and Hazard Zones	A parking area is allowed in any yard as long as: • No parking spaces are closer than1 metre to any street line; • No parking space is closer than 1.5 metres to any property line; • No parking space is inside a required sightline triangle; • No parking space shall be located in a required landscape buffer.
Agricultural and Rural Zones	All yards provided that no part of any parking area, other than the ingress and egress points used for access from the street, is located closer than 5.0 metres to any street line or any other lot line.

5.2.12 Winter Use

In all commercial, industrial and Residential Four (R4) zones, a development must demonstrate dedicated and adequate snow storage equal to 20% of the required parking area. Snow storage can be located in the required green space.

5.2.13 Parking Illumination

Where parking areas are illuminated, the lighting fixtures shall be provided in accordance with the following provisions:

a) No part of the lighting fixture shall be more than 9.0 metres above grade;

b) Lighting fixtures shall be installed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture is projected below the lamp and onto only the lot the lighting is intended to serve; and,

c) Setback 1.5 metres from any street line.

5.3 Designated Barrier Free Parking

5.3.1 Number of Barrier Free Parking Spaces Required

The minimum designated accessible parking spaces requirements for new development shall be as noted in Table 5.3.

TABLE 5.3 – ACCESSIBLE PARKING REQUIREMENTS

Total Number of Parking Spaces Required	Minimum Barrier Free Spaces Required
1 – 25	1
26 – 50	2
51 – 75	3
76 – 100	4
101 and beyond	5 spaces plus 1 additional space for each 50 spaces beyond 150 spaces
Additional Requirements: In the case of eating establishments, community centres and health services, the minimum number of designated accessible parking spaces noted in Table 5.3 shall be increased by one.	

5.3.1 Parking Space Size: A designated accessible parking space for motor vehicles shall have:

a) A minimum width of 3.5 metres;

b) A minimum length of 6 metres;

c) An adjacent 1.75-metre-wide aisle that is hatch marked on the parking lot, which may be shared by two adjacent designated accessible spaces;

d) A firm, level surface;

e) Easy access for disabled persons, whether via ramps, depressed curbs or other means and shall be located within easy access distance for the building or complex intended to be accessed; and

f) Signs to identify barrier-free parking spaces in conformance with the regulations made under the Highway Traffic Act.

5.4 Queuing Lane Requirements (Drive through service):

5.4.1 Where drive-through service facilities are permitted, queuing lanes are required and shall be exclusive of any other parking space and aisle requirements contained within this By-law and shall be provided in accordance with the provisions of this section.

The minimum queuing space requirements within a designated queuing lane shall be as set out in Table 5.4. In addition, one space shall be provided for each point of service delivery.

TABLE 5.4 – QUEUING LANE REQUIREMENTS

Use Associated with Drive-Through Service Facility	Minimum Required Ingress Spaces	Minimum Required Egress Spaces
Financial Institution	3	1
Restaurant	10	2
Motor vehicle service station or Gas Bar	3	1
Motor vehicle washing establishment	3 per bay	2
All Other Uses	3	1

5.4.2 Location of Ingress and Egress Spaces

Required ingress spaces shall be located before the first point of contact and required egress spaces shall be located after the final point of contact.

5.4.3 Length of Queuing Lane

The length of the queuing lane associated with the drive-through service facility shall be the total number of required ingress spaces and egress spaces, plus one space for each point of service delivery and shall not form part of the required parking spaces or aisles.

5.4.4 Size of Queuing Space

All queuing spaces shall be rectangular in shape, with a minimum length of 6.0 m and a minimum width of 2.75 m.

5.5 Parking of Special Vehicles

5.5.1 Parking of School Buses

In a Residential Zone, a maximum of one (1) school bus is permitted to be parked on a lot provided that:

a) the school bus is driven by an occupant of the dwelling unit;

b) the school bus is parked in the driveway; and

c) the school bus is located no closer than 2 metres from the front lot line

5.5.2 Prohibition on Parking of Unlicensed Motor Vehicles

a) The parking of unlicensed motor vehicles is prohibited in all residential zones unless said unlicensed motor vehicle is wholly contained within a private garage or other accessory structure.

b) The parking of unlicensed motor vehicles is only permitted in where a permitted motor vehicle dealership, motor vehicle service station, motor vehicle body repair shop, motor vehicle towing establishment or recreational vehicle sales and service establishment is located on the same lot.

c) The parking of unlicensed farm vehicles which have not been abandoned and are in a workable condition, is permitted on properties which have a permitted and operating agricultural use.

5.6 Loading Space Requirements

5.6.1 Off-Street Loading Spaces

Off-street loading spaces shall be provided in accordance with the standards of this By-law for any Commercial, Industrial, Institutional or Residential Four (R4) Zone. Required loading spaces shall be located on the same lot as the use that requires the loading space and shall be provided as set out in Table 5.5.

TABLE 5.5 – LOADING SPACE REQUIREMENTS

Gross Floor Area	Number of Loading Spaces Required
250 square metres or less	0 loading space
251 square metres to 1,999 square metres	1 loading spaces
2,000 square metres or greater	2 loading spaces

5.6.2 Size of Loading Space/Loading Area

Each loading space shall be a minimum of 12.0 metres long, 3.5 metres wide and have a vertical clearance of at least 4.2 metres, except where more than 1 loading space is required the additional loading space may be reduced to a minimum of 6.0 metres long, 3.5 metres wide and have a vertical clearance of at least 3.0 metres.

5.6.3 Location of Loading Spaces

a) Required Loading spaces shall be provided on the same lot for the use or building for which it is required, and the loading space(s) shall be located within 20.0 metres of the use or building for which is it required.

b) Such loading space shall not be located in a required yard.

c) Loading spaces shall not obstruct any required parking spaces or vehicular movement on the lot.

d) In all Zones, with the exception of any Industrial Zone, loading spaces are not permitted in the front yard or exterior side yard and loading bay doors are not permitted on any wall facing a street unless the loading space is located no closer than 10.0 metres from any street line.

5.6.4 Access to Loading Spaces

Where a loading space(s) is required, the access to the loading space(s) shall be provided by means of a driveway that is a minimum of 6.0 metres wide in the Industrial Zones and Institutional Zones and a minimum of 3.5 metres wide in a Commercial Zone.

Section 6: Residential Zones

6.1 Establishment of Residential Zones

The Residential Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
Residential One Zone	R1	Single detached Residential Zone
Residential Two Zone	R2	Single detached and Two Unit Residential Zone
Residential Three Zone	R3	Medium Density Residential Zone (3 to 8 dwelling units)
Residential Four Zone	R4	High Density Residential Zone (8+ dwelling units)
Shoreline Residential Zone	SR	Shoreline Residential
Rural Residential	RR	Rural
Mobile Home Residential	MHR	Mobile Home Park

6.2 General Prohibition

No person shall within any Residential Zone, use any land, or erect, alter, or use any building or structure except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

6.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol "●" in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table.

TABLE 6.1 – PERMITTED USES

PRINCIPAL USE	ZONES						
	R1	R2	R3	R4	SR	RR	MHR
Cluster Development			●	●			
Dwelling, Single Detached	●	●			●	●	
Dwelling, Semi-detached		●	●				
Dwelling, Duplex		●	●				
Dwelling, Multiple			●	●			
Dwelling, Street Townhouse			●	●			
Dwelling, Apartment				●			
Dwelling, Mobile Home					●	●	●
Mobile Home Park							●

TABLE 6.2 – ACCESSORY USES

ACCESSORY USE	ZONES						
	R1	R2	R3	R4	SR	RR	MHR
Additional Residential Units	●	●	●	●	●	●	
Boarding House		●	●			●	
Group Home	●	●	●	●	●	●	
Home Based Business	●	●	●		●	●	●
Bed & Breakfast Establishment	●	●			●	●	

6.4 Lot Requirements

TABLE 6.3 – RESIDENTIAL ZONE REQUIREMENTS

REGULATION			ZONE						
			R1	R2	R3	R4	SR	RR	MHR
Minimum Lot Area (m^2)		full services	450	450	900	900	8000	4000	1 ha
		partial services	2000	2000	2000	n/a	8000	4000	4 ha
		private services	4000	4000	4000	n/a	8000	8000	4 ha
Minimum Lot Frontage (m)		full services	15	15	18	18	45	45	60
		partial services	30	30	n/a	n/a	45	45	135
		private services	45	45	n/a	n/a	45	45	135
Maximum Lot Coverage (%)		full services	50	50	40	40	40	40	25
		partial services	25	25	20	20	20	20	25
		private services	10	10	15	15	15	15	25
Yard Requirements (m)	Front Yard		6	6	7.5	7.5	18	10	10
	Rear Yard		7.5	7.5	7.5	7.5	7.5	10	10
	Interior Side Yard	full services	1.2	1.2	3	6	1.2	1.2	6
		partial services	3	3	3	6	3	3	6
		private services	3	3	7.5	7.5	3	3	6
	Exterior Side Yard		3	3	7.5	7.5	10	10	10
Setback from Watercourse (m)			18	18	18	18	18	18	18
Maximum Building Height (m)			11	11	11	13	11	11	4
Maximum Accessory Building Height (m)			6	6	6	6	7.5	7.5	6
Minimum Landscaped Green Space (%)			3%	30	30	30	50	30	40

6.5 Residential Regulations

6.5.1 The minimum frontage for a street townhouse shall be 7 metres for an interior unit and 10 metres for an end/exterior unit. If a townhouse block is located on the same lot, the total lot frontage of the lot shall be the sum of the total lot frontage required if they were located on separate lots.

6.5.2 For a semi-detached dwelling, the minimum lot area and minimum lot frontage shall be ½ of the requirement in Table 6.3.

6.5.3 Where a property is naturally severed by a road, the minimum setback from the street line shall be 6 metres.

6.5.4 The maximum density for the Residential Three (R3) zone shall be one (1) dwelling unit per 225 square metres of lot area, up to a maximum of eight (8) dwelling units.

6.5.5 The maximum density for the Residential Four (R4) zone shall be one (1) dwelling unit per 120 square metres of lot area.

6.5.6 The maximum density for the Mobile Home Residential (MHR) zone shall be one (1) mobile home unit per 800 square metres of lot area.

6.5.7 On a corner lot, the rear yard setback requirement shall be satisfied if the sum of the interior side yard setback and the rear yard setback equals or exceeds the required rear yard setback, provided that neither the side yard nor the rear yard is less than 3.0 metres.

Section 7: Commercial Zones

7.1 Establishment of Commercial Zones

The Commercial Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
General Commercial Zone	C1	Traditional downtown commercial areas, allowing mixed use development
Highway Commercial Zone	C2	Highway commercial areas
Tourist Commercial Zone	C3	Commercial properties providing primarily tourist accommodation and camps.
Neighbourhood Commercial Zone	C4	Limited neighbourhood commercial uses
Rural Commercial Zone	C5	Commercial properties that support rural communities and the agricultural sector

7.2 General Prohibition

No person shall within any Commercial Zone, use any land, or erect, alter, or use any building or structure except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

7.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table.

TABLE 7.1 – PERMITTED USES

USE	ZONES				
	C1	C2	C3	C4	C5
Agricultural Processing Establishment					●
Agricultural Produce Sales Outlet	●	●			●
Agricultural Produce Warehouse					●
Agricultural Related Used		●			●
Agricultural Supply/Implement Dealership		●			●
Agricultural Use					●
Bakery	●	●		●	
Bar	●	●	●		
Building Supply Establishment		●			●
Business, Professional or Administrative Office	●	●		●	
Campground			●		
Childcare Facility	●	●		●	
Community Centre	●	●		●	
Contractor's Establishment	●	●			
Convenience Store	●	●		●	
Domestic Appliance Store	●	●			
Dry Cleaning Establishment	●				
Driving Range					●
Educational Institution	●			●	
Equestrian Facility					●
Equipment Sales, Service & Rental Establishment	●	●			●
Financial Establishment	●	●			
Funeral Home	●	●		●	
Garden Centre	●	●			●
Golf Course					●
Grocery Store	●	●			
Health Services Establishment	●	●			
Hospital	●	●			
Hotel	●	●	●		
Housekeeping Cottages and Cabins	●		●		
Kennel					●
Laundromat	●	●		●	
Marina	●	●	●		
Market	●	●			●
Mobile Food Service Equipment	●	●	●		
Motel	●	●	●		
Motor Vehicle Body Repair Shop		●			
Motor Vehicle Dealership	●	●			
Motor Vehicle Service Station	●	●			
Motor Vehicle Towing Establishment					●
Motor Vehicle Washing Establishment	●	●			
Nursing Home	●	●			
Outdoor Recreational Use, Active	●	●			
Outdoor Recreational Use, Passive	●	●	●		●
Park, Public	●	●	●		
Parking Lot, For Profit	●	●			
Personal Service Establishment	●			●	

Place of Assembly	●	●			●
Place of Entertainment	●	●			
Place of Recreation	●	●	●		
Place of Worship	●	●		●	
Printing and Publishing Establishment	●				
Recreational Vehicle Sales and Service Establishment	●	●	●		●
Residential Care Facility	●	●			
Restaurant, Eat In	●	●	●		
Restaurant, Drive-Through or Take-Out	●	●			
Retail Store	●	●			
Sawmill					●
Self Storage Facility		●			●
Service Establishment	●	●			
Tourist Establishment	●	●	●		
Veterinary Clinic	●	●			●
Wind Facility					●
Wholesale Establishment	●	●			

TABLE 7.2 – PERMITTED ACCESSORY USES

ACCESSORY USE	ZONES				
	C1	C2	C3	C4	C5
Bed and Breakfast Establishment	●	●	●	●	
Convenience Store	●		●	●	
Driving Range			●		●
Dwelling Units	●	●	●	●	●
Golf Course			●		
Market			●		●
Outdoor Display and Sales	●	●			●
Outdoor Storage	●	●			●
Retail Store			●		●

7.4 Lot Requirements

No person shall, within any Commercial Zone, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirements Table.

TABLE 7.3 – LOT REQUIREMENTS

REQUIREMENT			ZONE				
			C1	C2	C3	C4	C5
Minimum Lot Area (m^2)		full services	450	1,000	2,000	800	N/A
		partial services	2,000	2,000	4,000	2000	4000
		private services	4,000	4,000	8,000	4000	8000
Minimum Lot Frontage (m)		full services	10	25	30	20	N/A
		partial services	30	60	60	30	60
		private services	60	60	60	60	60
Maximum Lot Coverage (%)		full services	75	45	40	45	N/A
		partial services	50	35	35	35	20
		private services	40	25	30	25	20
Minimum Yard Requirements (m)	Front Yard		7.5	7.5	7.5	7.5	10
	Rear Yard		7.5	7.5	7.5	7.5	10
	Interior Side Yard	full services	1.5	3	6	3	N/A
		partial services	3	3	6	3	10
		private services	3	3	6	3	10
	Exterior Side Yard		7.5	7.5	7.5	7.5	10
	Interior Site Yard abutting a Residential Zone		6	10	10	3	10
	Rear Yard abutting a Residential Zone		10	10	10	7.5	10
Setback from Watercourse (m)			20	20	20	20	20
Maximum Building Height (m)			13	11	11	11	11
Maximum Accessory Building Height (m)			6	6	6	6	11
Minimum Landscaped Open Space (%)			10	10	30	30	30

7.5 Dwelling Units in Non-Residential Buildings:

7.5.1 No person shall use any lot, or erect, alter or use any building or structure for the purpose of a separate dwelling unit on a lot zoned other than for residential uses or within a portion of a non-residential building, except in accordance with the following requirements:

a) The dwelling unit shall have a separate washroom or bathroom and kitchen facilities from those of the non-residential use.

b) The dwelling unit shall have a separate parking space.

c) The dwelling unit shall have a separate building entrance to that provided for non- residential use.

7.5.2 Notwithstanding the provisions of this By-law, no dwelling unit shall be located in a non- residential building where prohibited by the Ontario Building Code.

7.5.3 A maximum of one dwelling unit is permitted in the C2, C3, C4 and C5 zones. The dwelling unit can be located in a non-residential building or as a single detached building located on the same property, subject to the zone provisions of the principal building.

7.5.4 Notwithstanding 7.5.3, staff quarters are permitted in addition to the number of dwelling units in the Tourist Commercial (C3) zone.

7.5.5 In the General Commercial (C1) zone, the maximum number of dwelling units permitted in a non-residential building is one dwelling unit per 120 square metres of lot area.

7.5.6 In the General Commercial (C1) zone, no less than seventy-five percent (75%) of the exterior façade of the first storey shall be occupied by a permitted commercial use.

Section 8: Industrial Zones

8.1 Establishment of Industrial Zones

The Industrial Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
Light Industrial Zone	M1	Industrial uses primarily within a building that do not create significant compatibility issues
Heavy Industrial Zone	M2	Industrial uses more intensive in nature which may include portions of the operation outdoors
Extractive Industrial Zone	M3	Licenced pit and/or quarry operations
Waste Disposal Industrial Zone	M4	Public and private waste management uses

8.2 General Prohibition

No person shall within any Industrial Zone, use any land, or erect, alter, or use any building or structure except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

8.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table.

TABLE 8.1 – PERMITTED USES

USE	ZONES			
	M1	M2	M3	M4
Abattoir		●		
Agricultural Processing Establishment	●	●		
Agricultural Produce Warehouse	●	●		
Agricultural Supply / Implement Dealer	●	●		
Assembly, Fabricating, Manufacturing or Processing Establishment		●		
Building Supply Establishment	●	●		
Bulk Sales Establishment		●		
Concrete Plant			●	
Contractor's Establishment	●	●		
Crematorium		●		
Domestic Appliance Store	●			
Dry Cleaning Establishment	●	●		
Equipment Sales, Service and Rental Establishment	●	●		
Food or Beverage Manufacturing Establishment	●	●		
Gas Bar	●	●		
/Garden Centre	●	●		
Marina	●	●		
Motor Vehicle Body Shop	●	●		
Motor Vehicle Dealership	●			
Motor Vehicle Service Station	●	●		
Motor Vehicle Towing Establishment	●	●		
Motor Vehicle Washing Establishment	●	●		
Pit			●	
Printing and Publishing Establishment	●	●		
Quarry			●	
Recreational Vehicle Sales and Service	●	●		
Salvage or Wrecking Yard		●		●
Saw Mill		●		
Self Storage Facility	●	●		
Transportation Depot	●	●		
Warehouse	●	●		
Waste Disposal Site				●
Wholesale Establishment	●	●		
Wayside Pit / Quarry	●	●	●	●

TABLE 8.2 – ACCESSORY USES

ACCESSORY USE	ZONES			
	M1	M2	M3	M4
Business, Professional or Administrative Office	●	●	●	●
Dwelling unit, caretaker's	●	●		
Commercial Use	●	●		
Outdoor Storage	●	●	●	●
Outdoor Display and Sales Area	●	●		

8.4 Lot Requirements

No person shall, within any Industrial Zone, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirements Table.

TABLE 8.3 - LOT REQUIREMENTS FOR INDUSTRIAL ZONES

REQUIREMENT		ZONE			
		M1	M2	M3	M4
Minimum Lot Area (m^2)	full services	750	4,000	40,000	40,000
	private or partial services	4,000	10,000	40,000	40,000
Minimum Lot Frontage (m)	full services	20	40	40	40
	private or partial services	60	60	60	60
Maximum Lot Coverage (%)	full services	60	40	20	20
	private or partial services	40	40	20	20
Minimum Yard Requirements (m)	Front Yard	15	15	30	30
	Rear Yard	15	15	30	30
	Interior Side Yard	6	15	15	30
	Exterior Side Yard	15	15	30	30
	Interior Side Yard abutting a Residential Zone	15	30	60	60
	Rear Side Yard abutting a Residential Zone	15	30	60	60
Maximum Building Height (m)		11	11	11	11
Maximum Accessory Building Height (m)		6	6	6	6
Minimum Landscaped Open Space (%)		10	10	n/a	5

8.5 Industrial Regulations

8.5.1 Notwithstanding anything to the contrary, a gatehouse or guardhouse may be permitted in any yard, provided that:

a) It is not located in a required site triangle; and

b) Is no more than 25 square metres in area.

8.5.2 Uses not on full services shall be limited to low water using and low effluent producing uses. Such uses are characterized as uses that:

a) use a water supply or sewage disposal not greater than domestic requirements;

b) do not use water for processing;

c) do not create discharge which would be a hazard to ground or surface water, or negatively affect the operation of the sewage disposal system.

8.5.3 Accessory retailing and office shall be limited to such activities ancillary to the principal industrial use.

Section 9: Agricultural and Rural Zones

9.1 Establishment of Agricultural and Rural Zones

The Agricultural and Rural Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
Agricultural One Zone	A1	Prime Agricultural Area
Agricultural Two Zone	A2	Prime Agricultural Area – Restriction on residential uses
Rural Zone	RU	Rural Area with varied agricultural potential

9.2 General Prohibition

No person shall within any Agricultural or Rural Zone, use any land, or erect, alter, enlarge, use or maintain any building or structure except as specified hereunder, and with all other applicable provisions of this By-law.

9.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table.

TABLE 9.1 – PERMITTED USES IN AGRICULTURAL AND RURAL ZONES (PRINCIPAL USE)

USE	ZONE		
	A1	A2	RU
Agricultural Use	●	●	●
Agricultural Related Uses	●	●	●
Conservation Use	●	●	●
Dwelling, Mobile Home	●		●
Dwelling, Single Detached	●		●
Equestrian Facility	●	●	●
Forestry	●	●	●
Kennel			●
Wind Facility			●

TABLE 9.2 – PERMITTED ACCESSORY USES IN AGRICULTURAL AND RURAL ZONES

USE	ZONE		
	A1	A2	RU
Additional Residential Unit	●		●
Agricultural Related Uses	●		●
Bed & Breakfast Establishment	●		●
Dwelling, Single Detached	●		●
Group Home	●		●
Home-Based Business	●		●
On-Farm Diversified Use	●	●	●

9.4 Lot Requirements

No person shall, within any Agricultural or Rural Zone, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirements Table.

TABLE 9.3 – LOT REQUIREMENTS FOR AGRICULTURAL AND RURAL ZONES

REQUIREMENT		ZONE		
		A1	A2	RU
Minimum Lot Area (hectares)	General	25	25	4
	Residential Lot (surplus dwelling)	0.4	n/a	n/a
	Residential Lot (created by consent)	n/a	n/a	0.8
Minimum Lot Frontage (metres)		60	60	60
Maximum Lot Coverage (%)		10	10	10
Minimum Yard Requirements (metres)	Front Yard	15	15	15
	Front Yard (Detached Dwelling)	10	n/a	10
	Rear Yard	15	15	15
	Interior Side Yard	15	15	15
	Interior Side Yard (Detached Dwelling)	4.5	n/a	4.5
	Exterior Side Yard	15	15	15
Maximum Building Height (metres)		11	11	11

9.5 Agricultural and Rural General Regulations

9.5.1 Where a residential lot zoned Rural (RU) has an area of Four (4) hectares or less, the lot shall be subject to the provisions of the Rural Residential (RR) Zone.

9.5.2 Notwithstanding 9.5.1, where a residential lot zoned Rural (RU) has an area of four (4) hectares or less and the residential lot has frontage on a navigable watercourse, the lot shall be subject to the provisions of the Shoreline Residential (SR) Zone.

9.5.3 Where a surplus dwelling is removed from a farm property by consent, the permitted uses on the remnant farm property shall be as provided in the A2 zone.

9.5.4 On Farm Diversified Uses

An on-farm diversified use is permitted if the principal use on the lot is agricultural, subject to the following provisions:

a) on-farm diversified uses are limited to two percent (2%) of the total lot area, to a maximum of 1 hectare.

b) the maximum area in (a) includes: buildings, structures and outdoor storage associated with home-based businesses and agricultural-related storage and sorting;

the total area of buildings and structures associated with the on-farm diversified use; the area of laneways and septic systems used solely for the on-farm diversified use; parking areas, outdoor storage areas, and landscaped areas that are associated with an on-farm diversified use.

c) The total floor area of buildings or enclosed structures occupied by an on-farm diversified use may not exceed twenty percent (20%) of the total land area permitted for an on-farm diversified use on the lot, to a maximum of 600 square metres.

d) Any outdoor storage or parking areas associated with an on-farm diversified use must be screened from view from a public street and not be located within 10 metres of any lot line.

e) Every effort should be made to cluster on-farm diversified uses, make use of existing laneways, and located on areas of poorer soil.

f) The total enclosed gross floor area of a lot devoted to retail uses shall not exceed fifty percent (50%) of the floor area of all buildings and structures used in conjunction with the on-farm diversified use. This provision shall not apply to a farm produce outlet.

g) The services required for the proposed on-farm diversified use are provided on the same lot.

Section 10: Other Zones

10.1 Establishment of Other Zones

The Other Zones established by this By-law are:

ZONE	SYMBOL	DESCRIPTION
Provincially Significant Wetland	PSW	Provincially significant wetlands
Community Facilities Zone	CF	Institutional uses
Open Space Zone	OS	Public and private open space uses

10.2 General Prohibition

No person shall within any of the Other Zones, use any land, or erect, alter, or use any building or structure except as specified hereunder, and in accordance with all other applicable provisions of this By-law.

10.3 Permitted Uses

Uses permitted in a Zone are noted by the symbol '●' in the column applicable to that Zone and corresponding with the row for a specific permitted use in the Permitted Uses Table.

TABLE 10.1 - PERMITTED USES IN OTHER ZONES

USE	PSW	CF	OS
Cemetery		●	●
Community Centre		●	●
Daycare Facility		●	
Driving Range			●
Educational Establishment		●	
Forestry Use			●
Funeral Home		●	
Golf Course			●
Government Office		●	
Health Services Establishment		●	
Hospital		●	
Outdoor Recreation, Active		●	●
Outdoor Recreation, Passive		●	●
Park, Public		●	●
Place of Recreation		●	●
Place of Worship		●	
Residential Care Facility		●	

10.4 Lot Requirements

No person shall, within any of the 'other' zones, use any lot or erect, alter or use any building or structure except in accordance with the standards in the Lot Requirements Table.

TABLE 10.2 - LOT REQUIREMENTS FOR OTHER ZONES

REQUIREMENT		PSW	CF	OS
Minimum Lot Area (m^2)	full services	n/a	1,000	n/a
	private and partial services	n/a	2,000	n/a
Minimum Lot Frontage (m)	full services	n/a	15	n/a
	private and partial services	n/a	30	n/a
Maximum Lot Coverage (%)	full services	5	50	30
	private and partial services	5	40	20
Minimum Yard Requirements (m)	Front Yard	7.5	7.5	7.5
	Rear Yard	15	7.5	7.5
	Interior Side Yard	15	3	7.5
	Exterior Side Yard	15	7.5	7.5
	Interior Side Yard abutting a Residential Zone	15	6	7.5
	Rear Yard abutting a Residential Zone	15	10	7.5
Maximum Building Height (m)		6	14	11
Minimum Landscaped Open Space (%)		n/a	20	50

Section 11: Holding Zones

11.1 Establishment of Holding Zones

Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter "H" and a number (for example R1-H-1) no person shall use the land to which the letter "H" applies for any use other than the use which existed on the date the By-law applying the "H" was passed, until the "H" is removed in accordance with the policies of the Official Plan and the Planning Act, as amended.

Council may pass a By-law in accordance with the Planning Act, as amended, to remove the Holding "H" symbol, when all of the applicable requirements have been met, thereby placing the lands in the zone indicated by the Zone symbol.

Properties with Holding "H" Provisions are identified on the Zoning Schedules and in Table 11.1 below, together with the conditions for the "H" removal.

11.2 Waste Management Influence Area Overlay

a) Lands located within the Waste Management Influence Area as shown on the Schedules to this By-law are subject to a Holding (H) provision and shall be used for no other purpose than those uses which legally existed prior to the passing of this By-law. The uses permitted within the underlying zone shall not be permitted and the Holding (H) provision removed until a ground and surface water study (hydrology and hydrogeology study) and methane gas migration study, and any other study as may be required by the Municipality, have been completed to the satisfaction of the Municipality to demonstrate that there will be no adverse public health and safety risks associated with the former waste disposal site(s), and to require that the owner enter into a development agreement with the Municipality to implement the recommendations of the studies. Notwithstanding the above, such studies shall not be required for the following:

   i. interior alterations to existing structures;
   ii. exterior alterations that do not expand the footprint of an existing structure;
   iii. new structures or alterations to existing structures where such structures do not prevent the free movement of air into the atmosphere; and
   iv. any structure that does not require a building permit.

11.3 Requirements for removal of Holding provision

Table 11.1 identifies properties that are subject to a Holding "H" Provision and stipulates what specific provision is required to be satisfied in order for consideration to be given to the removal of the "H" provision.

TABLE 11.1 – HOLDING PROVISIONS

Zone Symbol	Holding Provision	Property/Legal Description	Schedule No.	By-law No.	Provisions	By-law Removing "H"
	H-1	Located throughout the municipality within areas identified on Waste Management Assessment Area	various		Approval of Study showing no contamination from the adjacent waste management facility.	
	H-2	Pt. West ½ Lot 4, Con. A, Springer	SF8 G5-3	2013/59	The Holding "H' 'may be removed by By-law when the following conditions have been met: a) Approval of servicing the site/area is given or servicing of adequate standards provided; b) A proposal is submitted for the site that conforms to the policies of the West Nipissing Official Plan and applicable zoning By-laws; c) A phasing plan issubmitted; d) Architectural or design drawings and studies, where applicable, are submitted showing the required features; e) Financial securities have been submitted; With respect to contaminated sites, the " H" may be removed upon the receipt of a report approved by Council that the appropriate level of remediation demonstrated by a Ministry of Environment acknowledged Record of Site Condition has been achieved.	2017/15
	H-3					
	H-4					

Section 12: Temporary Use

12.1 Temporary Use Provisions

Zone Symbol	By-law	Location	Schedule	Provisions
M2-1 (T)	2018/40	Lot 14, Plan 36M-618 Municipality of West Nipissing	G5-1	• Permitted uses in accordance with Table 8.2; • Lot requirements in accordance with Table 8.3, except for the front, rear, interior side and exterior side yards, which shall be 0.5 m • Temporary Use is in effect until April 17, 2021.
C1-2(T)	2024-72	178 Craig St Pt Block 17, Lot 10, Part 1, 36R-15058		The following uses are temporarily permitted: a) Beverage manufacturing and production, including ancillary retaining of products, provided further that: i) Ancillary retailing is limited to 5% of the gross floor area of the building ii) Ancillary retailing is limited to products produced on-site iii) No consumption of products shall occur on site Temporary use permissions shall be in effect until September 30th, 2026.

Section 13: Exception Zones

13.1 Residential Exceptions

The Provisions of this Section are modified for those properties and to the extent identified in Section 13.1 below.

13.1.1 Exceptions to Residential One (R1) Zone

Exception	By-law	Location	Schedule	Special Provisions
R1-1	2016/66	Part of Lot 2, Concession C Caldwell	SF5	The minimum rear yard shall be 2.9 m
R1-2	2019/71	Lot 6, Plan M-533 and Parts 4, 7, 9 and 11, 36R-13150, being part of Block 13, Plan 36M-616, Part of Lot 6, Con A, Springer	SF-7	The special zone shall comprise both properties described herein, neither of which may be conveyed, mortgaged or otherwise dealt with separately without a further amendment to the zoning By-law pursuant to Section 34 of the Planning Act; The only permitted use on the lot described as Parts 4, 7, 9 and 11, 36R-13150 shall be a detached garage, accessory to the principal residential use on Lot 6, Plan M-533. The garage shall meet the following requirements; • Minimum front yard shall be 7.5 metres; • Minimum rear yard shall be 7.5 metres; • Minimum side yards shall be 3 metres. All other provisions as applicable to the R1 zone continue to apply.
R1-3	2020/21	Part of Lot 6, Concession 1, Part 2, 36R-8430, Part 1, 36R-13191, Springer	SF1	Permitted uses shall include an accessory dwelling unit in an accessory structure.
R1-4	2020/22	Part of Block 33, Plan 35, Park 2, 36R-11040, Springer	SF2	Permitted accessory uses shall be as in Table 6.2 and shall also include a Home Industry (S 4.10) as a permitted accessory use.
R1-5	2025/90	382 Sabourin Road Part Lot 3, Concession 1 & 2, Springer	SF2	(a) A detached accessory dwelling unit is permitted (b) Only one (1) detached accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; (d) A minimum of one parking space is provided for the accessory dwelling unit (e) The maximum lot coverage is 12% The maximum number of accessory structures is four (4).

13.1.2 Exceptions to the Residential Two (R2) Zone

Exception	By-law	Location	Schedule	Special Provisions
R2-1	2017/13	Lots 20-24 W/S Levesque Street, Lots 20-24, E/S Main Street, Sturgeon Falls	SF2	• The minimum lot frontage shall be 12.5 m for single detached dwellings and 6.25 m/unit for duplex and semi-detached dwellings • The minimum lot area shall be 350 m^2 for single detached dwellings and 175 m^2 for semi-detached and duplex dwellings • The rear yard setback shall be 6.0 m

R2-2	2021/06	Floral Street, Lot 21, E/S Floral Street Plan 14, Sturgeon Falls	SF-4	• Table 6.1: Permitted Uses and Accessory Uses shall be limited to Personal Storage
				• Table 6.3
				  • Maximum lot coverage: 30%
				  • Yard requirements:
				  • Front yard: 6m
				  • Rear yard: 3m
				  • Interior Side yard: 3m

R2-3	2022/04	Domina Crescent, being Part of Lot 4, Concession 1 and Part 5, Plan 36R-13041, Springer	SF-2	Reduce minimum frontage from 18m to 6m.
R2-4				
R2-5				

13.1.3 Exceptions to the Residential Three (R3) Zone

Exception	By-law	Location	Schedule	Special Provisions
R3-1	2016/02	Part of Lot 2, Concession 1, Springer	SF6	The lot and yard requirements shall be as in Table 6.3 for the R3 Zone except for the front yard which shall be 4.5 m.
R3-2	2021/16	Principale Street, Verner, Proposed Lots 2-7	F2-2	• Permitted uses of a lot in the R3-2 zone shall be as in Table 6.1 and shall further include up to four (4) separate duplex dwellings on one lot.
R3-4	2022/01	12 Principale Street East, being Parcel 9873, Part Lot 10, Plan M21, Caldwell	F3-1	• The front yard and exterior side yard set-backs shall be zero (0)
R3-5	2022/60	270 Coursol Rd, Part of Lot 2, Concession 1 and Part 1, Plan 36R-9005, Sturgeon Falls	SF-6	Interior side yard: 1.2m Exterior side yard: 1.2m Front yard: 6.0m
R3-6	2023/39	Part of Block E, Plan M3, Sturgeon Falls	SF-5	Permitted uses of the R3-6 zone shall be: • To allow a dwelling within an accessory structure

13.1.4 Exceptions to the Residential Four (R4) Zone

Exception	By-law	Location	Schedule	Special Provisions
R4-1	2016/66	Part of Lot 2, Concession C Caldwell	SF5	• The minimum rear yard shall be 2.9 m
R4-2				
R4-3				
R4-4	2023/80	Pt Lots 23, 24 W/S Main St and E/S Levesque St, Plan 11, Parts 1-8, Part of Parts 9 & 10, 36R-14258	SF-2	Minimum front yard setback: 4m Minimum Exterior side yard setback: 4m Maximum building height: 13m Minimum lot are per unit: 85 sq.m. Minimum landscaped open space: 17% Lot line (front): the lot line abutting Russell street Landscaped buffers (rear and side lot lines): zero (0) landscaped buffer along the south boundary replaced by fencing Landscaped buffers (outer perimeter of parking areas): zero (0) landscaped buffer along outer perimeter of parking areas
R4-5				

13.1.5 Exceptions to the Shoreline Residential (SR) Zone

Exception	By-law	Location	Schedule	Special Provisions
SR-1	2012/03	Lots 1-7, and Retained Lot, Pt. Island 151, French River, Keystone Island Bertram	K6	• The minimum lot area is 1,950 square metres; • Minimum lot area for Lot 7 and the retained lot, is 7,000 square metres; • The minimum lot frontage is 40 m.
SR-2	2014/76	Part of Broken Lot 1, Concession 6, Badgerow	C4-3	• Permitted uses are limited to recreational vehicles and accessory structures, provided such structures are non-permanent and do not have permanent foundations. • A maximum of one recreational vehicle per lot shall be permitted. • A septic/leaching bed is not permitted. • No building opening is permitted below the established flood elevation which shall be determined prior to the creation of any lot on the property. • Title to the property shall include a restrictive covenant to notify prospective purchasers of flood risk, which covenant may be removed with the consent of the Municipality.

Exception	By-law	Location	Schedule	Special Provisions
SR-3	2015/21 repealed by 2018/37			
SR-4	2015/67	Lot 9, Plan M-304, Part of Block B, Part 1, 36R-13394, Field	D4-3	Permitted Uses and Accessory Uses shall be as in Table 6.1and 6.2 for the SR Zone and shall also include one (1) only accessory dwelling unit within an accessory structure.
SR-5	2016/79	Lot 3, 36M-297, Part Lot 6, Con. C, Part 1, 36R9387, Part 2, 36R-13901, Springer	H5-1 H5-3	• The special zone shall comprise both properties described herein, neither of which may be conveyed, mortgaged or otherwise dealt with separately without a further amendment to the zoning By-law pursuant to Section 34 of the Planning Act; • Permitted Accessory Uses shall include: (i) A guest house/sleep cabin having a gross floor area of 96 m2 which may include cooking facilities; (ii) A garage located on a lot other than the lot on which the principal building is located.
SR-6	2017/14	Part of Lot 3, Con 6, Badgerow	C3	• Permitted uses are limited to recreational vehicles and accessory structures, provided such structures are non-permanent and do not have permanent foundations. • A maximum of one recreational vehicle per lot shall be permitted. • A septic/leaching bed is not permitted No building opening is permitted below the established flood elevation which shall be determined prior to the creation of any lot on the property. • Title to the property shall include a restrictive covenant to notify prospective purchasers of flood risk..
SR-7	2017/47	Part of Lot 8, Con B, Springer; Parts 1-4, 36R-9294	H4-2	• Two single detached dwellings are permitted on the property; • The maximum lot coverage shall be 18%.

SR-8	2023/84	Part Lots 11, 12 Concession 6, Parts 2 and 9, 36R-13788 being proposed Lots 1-6, Plan 36M-	E4-3	Lot 1: minimum lot area: 0.571ha Lot 2: minimum front yard setback: 18m Lot 3: minimum front yard setback: 18m Lot 4: road frontage: 30m Lot 5: road frontage: 32.06m Interior side yard: 1.65m Front yard setback: 9.9m Lot 6: road frontage: 30m
SR-9	2019/59	Part of Lot 3, Concession C, Caldwell	E3-4	(a) A detached accessory dwelling unit is permitted (b) Only one (1) accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; and (d) A minimum of one parking space is provided for the accessory dwelling unit
SR-10	2019/72	Part of Lot 3, Concession 6, Badgerow; Parts 1, 2 and 3, 36R-14028	C-3	• Permitted structures shall be limited to canopies, decks, sheds, porches, and sunrooms. No structure intended for sleeping shall be allowed nor shall any cooking or washroom facilities be located within any structure. • Any structure or camping trailer intended to remain on the property for greater than 90 days shall not be located closer than 18m from the front lot line as shown in 36R-14028. Any erosion in the river bank since the depositing of Plan 36R-14028 shall be deducted from the required front yard set-back; • Grey water disposal and field beds may be permitted, subject to permitting by the North Bay Mattawa Conservation Authority; • The number of permitted permanent trailers shall be one (1)l however, should the Comprehensive Zoning By-law be amended with regard to permitted recreational vehicles, then the within zone shall follow the regulations therein set out with respect to permitted

				numbers of camping trailers on a lot. • Transient trailers may be permitted for a consecutive period not exceeding 90 days. • A vegetative buffer shall be maintained across not less than 50% of the lot frontage to a depth of 9m.
SR-11	2020/77	Part of Lot 10, Concession 5, Part 1, NR-24, Parts 2 and 3, NR-24A, Part 4, 36R-13635, Grant	C6	Minimum lot frontage: 50m Minimum lot area: 0.36ha Minimum front yard: 7.5m
SR-12	2022/66	140 Promenade du Lac, being Parcels 13848 and 13856, Part Lot 1, Concession C, Springer	H5-2	Section 4.1 – Accessory Dwelling Unit (a) A detached accessory dwelling unit is permitted (b) Only one (1) accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; and (d) A minimum of one parking space is provided for the accessory dwelling unit
SR-13	2021/70	28 Fortin Drive, being Parcel 19393, being Part of Lot 2, Concession C and Part 3, Plan 36R-14500, Caldwell	H3-4	The special zone shall comprise both properties described herein, neither of which may be conveyed, mortgaged or otherwise dealt with separately without a further amendment to the zoning By-law pursuant to section 34 of the Planning Act; Permitted Accessory Uses shall include: a garage located on a lot other than the lot on which the principal building is located.
SR-14	2022/28	116A Nature's Trail, being Part of Lot 8, Concession 1, Falconer	M-1	• Lot frontage 29m • Lot Area 0.5ha • Interior side yard nil • Maximum number of accessory structures: 4

SR-15	2022/33	207 Moose Point Road, being Part of Location CL17458 and Part of Broken Lot 10, Concession 5, Grant	C-6	• Minimum lot area 0.4ha • Minimum front yard setback 11m • Number of permitted dwellings 2
SR-16	2022/83	975-B Lac Clair Rd, Field, Part of Lot 12, Concession 1 & 2, Field	E4-2	Section 4.1 – Accessory Dwelling Unit (a) A detached accessory dwelling unit is permitted (b) Only one (1) accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; and (d) A minimum of one parking space is provided for the accessory dwelling unit
SR-17	2022/91	Burnt Lake Rd, Sturgeon Falls Part of Lot 8, Concession 6, Springer	E4-4	Table 6.3 – To reduce the lot frontage from 60m to 50m on Lot 1 only.
SR-18	2023/18	Part of Lot 9, Concession 3, Lots 1-7, Plan 36M-720, Loudon	J1	Lot requirements for the watercourse set-back of the SR zone shall be: • Lot 1- 10.57m (existing condition) • Lot 2 – 10.99m (existing condition) • Lot 3 – 15.61m (existing condition) • Lot 4 – 12.14m (existing condition • Lot 5 – 18m • Lot 6 – 18m • Lot 7 – 18m
SR-19	2024/65	Pt Lot 6, Concession C, Part 1, 36R-4936, Springer Twp 646 Marleau Rd	H5-1	Section 4.1 – Accessory Dwelling Unit (a) A detached accessory dwelling unit is permitted (b) Only one (1) accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; and (d) A minimum of one parking space is provided for the accessory dwelling unit
SR-20	2024/61 *repealed by 2025/67	Pt Lot 3, Concession 5, Kirkpatrick Twp	F2-1	For lots 1-6: the minimum setback from watercourse is 30 metres For Lot 5: the minimum eastern interior side yard setback is 5 metres

SR-21	2024/71	Pt Lots 1 & 2, Concession 3, Field Twp 37 Pine Ridge Dr	D5-1	(a) An accessory dwelling unit located in an accessory structure is permitted (b) Only one (1) accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; and (d) A minimum of one parking space is provided for the accessory dwelling unit
SR-22	2025/59	234 Levert Drive Part lot 2, Concession 2, Part 2, 36R-15290, Springer	F5-4	(a) A detached accessory dwelling unit is permitted (b) Only one (1) detached accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; and (e) A minimum of one parking space is provided for the accessory dwelling unit
SR-23	2025/67	Part West Half Lot 3, Concession 5, Parts 3 to 5, 36R-14822, Kirkpatrick	F2-1	Permitted principal use shall be: • Single detached dwelling • Seasonal dwelling • Mobile home dwelling • Modular dwelling For lots 1-6 – Watercourse setback • The minimum setback from watercourse is 30 metres For Lot 5 – Interior Side Yard Setback (f) The minimum western interior side yard setback is 5 metres
SR-24	2025/83	34 Fortin drive Part Lot 2, Concession C, Parts 2 & 3, NR-89, Part 1, 36R-11618, Caldwell	H3-4	(a) The maximum number of accessory structures shall be five (5). (b) The maximum lot coverage for accessory buildings shall be 6.3%. (c) The minimum western side yard setback for a sleep cabin shall be 1.8 metres.

13.1.6 Exceptions to the Rural Residential (RR) Zone

Exception	By-law	Location	Schedule	Special Provisions
RR-1	2019/21	Part of Lot 8, Concession A, Part 1, 36R-14013, Caldwell	G3-3	Permitted Accessory Uses shall be as in Table 6.2 for the RR Zone and shall also include a Place of Entertainment as an additional permitted use.
RR-2	2020/61	Part of Lot 5, Concession 5, Part 3, 36R-13422,	F2-1	Permitted uses shall be as in Table 6.2 and shall also include the following:

		Kirkpatrick		Agricultural uses, as in 3.6, but shall exclude truck gardening, animal husbandry and dairying. Greenhouse, as in 3.72 Place of Worship, as in 3.135
RR-3				
RR-4	2022/13	13117 Highway 17, being Part Lot 1, Concession 1, Pedley	G6	Section 4.1 – Accessory Dwelling Unit (e) A detached accessory dwelling unit is permitted (f) Only one (1) accessory dwelling unit may be created; (g) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; and (h) A minimum of one parking space is provided for the accessory dwelling unit
RR-5				
RR-6	2025/36	968 Stewart Road Part Lot 9, Concession 2, Part 1, 36R-12515, Springer	F4-4	(a) A detached accessory dwelling unit is permitted (b) Only one (1) accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; and A minimum of one parking space is provided for the accessory dwelling unit
RR-7	2025/104	Part Lot 8, Concession B, Springer	G4-4	(a) No structure shall be constructed less than 5 metres from the top of bank for all roadside ditches and the drainage courses illustrated in Schedule 'B' of By-law 2025/104. No individual on-site sanitary system shall be constructed less than 30 metres from the top of bank for all roadside ditches and the drainage courses illustrated in Schedule 'B' of By-law 2025/104.
RR-8	2026/29	12 Goulard Road Part Lot 1, Concession 1, Part 10, 36R-8873, Springer Twp	G5-2	Lot 4: the south side yard setback shall be 20 metres. Lot 5: the minimum lot area shall be 0.8 hectares. Lot 6: the minimum lot area shall be 0.8 hectares.

13.1.7 Exceptions to Mobile Home Residential (MHR) Zone

Exception	By-law	Location	Schedule	Special Provisions
MHR-1				
MHR-2				

13.2 Commercial Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Section 13.2 below.

13.2.1 Exceptions to General Commercial (C1) Zone

Exception	By-law	Location	Schedule	Special Provisions
C1-1		Sturgeon Falls, downtown core		The Lot and Yard requirements in the C1-1 Zone shall be as follows: (i) Minimum lot area – NIL (ii) Minimum lot frontage – NIL (iii) Maximum lot coverage – 100% (iv) Minimum front, rear and side yards – NIL (v) No parking requirements for a commercial or residential use (vi) Requirements only apply to the existing buildings
C1-2	2019/58	Lot 10, Block 17, Plan 35, Springer	SF1	The lot and Yard requirements shall be as follows: - Minimum front yard set-back: 4.5m - Minimum rear yard set-back 1.6m - Minimum Exterior Side Yard (north) 0m - Minimum Interior Side Yard (south) 1m0. Permitted uses shall be motor vehicle service station and indoor storage. Permitted accessory uses shall be dwelling units in non-residential building
C1-3	2020/54	Part of Lot 2, Concession 1 and 2, Field	E5-2	Permitted uses of the C1-3 zone shall be • Convenience store • Retail store • Restaurant The permitted accessory uses shall be as in Table 7.2.
C1-4	2023/06	Part of Montreal Street, Part 1, Plan 36R-7270, Part of Lot 1, Lots 2-4, E/S Montreal Street, Part of Lot 5 W/S being Part 5, Plan 36R-7374	SF-5	Permitted uses of the C1-3 zone shall be: **Permitted uses:** • Business, Professional or Administrative Office; and • Contractor's Establishment **Permitted accessory sues:** • Outdoor storage • Residential units on main floor
C1-5				

13.2.2 Exceptions to Highway Commercial (C2) Zone

Exception	By-law	Location	Schedule	Special Provisions
C2-1	2014/56	Part Lot 3, Concession 1, Spring, being Part 1, 36R-10553	SF5	All those uses listed in Table 7.1 for the C1 and C2 zones are permitted. In all other respects the provisions of the Highway Commercial (C2) Zone shall apply.
C2-2	1027 (Twp. Field)	Highway 539 (Field)	C4-3	The permitted uses are limited to the following: • Single Detached Dwelling • Automobile Body Repair Shop • Household Occupation • Motor Vehicle Sales Area The lot and yard requirements shall be as follows: i) Minimum Lot Area 1.0 ha ii) Min. Lot Frontage 190 m iii) Min. Exterior Side Yard 10.5 m iv) Min. Interior Side Yard 6 m v) Maximum Lot Coverage 10% vi) Max. No. of Dwellings per lot 1 vii) Max. No. of Dwelling units 1 For the purposes of this Section, the following definitions apply: • BODY REPAIR SHOP, AUTOMOBILE means an establishment for the repair of damage to a motor vehicle caused by collision, accident, corrosion or age, and without limiting the generality of the foregoing, includes the reconstruction of motor vehicles, the painting or repainting of motor vehicles and the rebuilding or conversion of automotive engines or engine parts, but does not include an automobile service station, gas bar or impounding yard. • MOTOR VEHICLE SALES AREA means any land, building or structure where new or used automobiles or trucks are kept for sale, rent or lease and in conjunction with which there may be an automobile repair garage or body shop.
C2-3	2025/10	202 Highway 539A Part Lot 3, Concession 4, Crerar Twp	B2-1	To permit a detached single family dwelling
C2-4				
C2-5				

13.2.3 Exceptions to Tourist Commercial (C3) Zone

Exception	By-law	Location	Schedule	Special Provisions
C3-1	2012/56	Pt. Lot 8, Con. C (Caldwell), 10 Brouillette Road	H3-3	The permitted uses are limited to the following: • spa, medical and wellness service; • staff accommodations. The minimum lot frontage (road) is 53 m; Structures in existence as of Sep. 18, 2012, are deemed to comply with applicable yard requirements.
C3-2	2024/43	Pt Lot 8, Concession 2, Loudon 432 Prang's Lane	K1	Minimum watercourse setback shall be 3.0 metres for existing structures.
C3-3	2025/58* repealed and replaced by 2025/71	910 Quesnel Rd Part Lot 8, Concession B, Parts 3 & 4, 36R-10453, Springer Pt Lot 8, Concession B, Part 1, 36R-13193, Springer	H4-2	• The special zone shall consist of the property described in paragraph 1 hereof and Pt Lot 8, Concession B, Parts 3 & 4, 36R-10353, Springer Twp. (the "Property"). • The property shall not be conveyed, mortgaged or otherwise dealt with separately without a further amendment to the zoning By-law, pursuant to Section 34 of the Planning Act. • A minimum 1.5m unbroken vegetative buffer shall be maintained along any lot line which abuts a residential zone. • The minimum setback for any principal or accessory structure, from a lot line which abuts a residential zone shall be 10m. No recreational vehicles, travel trailer, tent trailers, camper or trailer shall be parked, stored or occupied within 10m of any lot line which abuts a residential zone.
C3-4				
C3-5				

13.3 Industrial Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Section 13.3 below.

13.3.1 Exceptions to Light Industrial (M1) Zone

Exception	By-law	Location	Schedule	Special Provisions
M1-1	2023/58	Part of Lot 4, Concession 2, Springer	G5-1	Permitted uses of the M1-1 zone shall be: • Hydrovac processing/soil deposit site
M1-2				
M1-3				

13.3.2 Exceptions to Heavy Industrial (M2) Zone

Exception	By-law	Location	Schedule	Special Provisions
M2-1	2008/41	Pt. Lot 14, Con. 3 (Springer)	G5-1	All those uses listed in Tables 7.1 and 7.2 for C1 and C2 Zones and in Tables 8.1 and 8.2 for M1 and M2 Zones are permitted and are subject to the lot requirements for the respective zones in which the permitted use is listed.
M2-2				
M2-3				

13.3.3 Exceptions to Extractive Industrial (M3) Zone

Exception	By-law	Location	Schedule	Special Provisions
M3-1				
M3-2				
M3-3				

13.3.4 Exceptions to Waste Disposal Industrial (M4) Zone

Exception	By-law	Location	Schedule	Special Provisions
M4-1				
M4-2				
M4-3				

13.4 Agricultural and Rural Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Section 13.4 below.

13.4.1 Exceptions to Agricultural One (A1) Zone

Exception	By-law	Location	Schedule	Special Provisions
A1-1	2025/47	592 Rainville Road Part Lot 5, Concession B, parts 1 & 2, 36R-3552, Part 2, 36R-14262, Caldwell	G3-4 & H3-2	(a) A detached accessory dwelling unit is permitted (b) Only one (1) detached accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; and A minimum of one parking space is provided for the accessory dwelling unit
A1-2				
A1-3				

13.4.2 Exceptions to Agricultural Two (A2) Zone

Exception	By-law	Location	Schedule	Special Provisions
A2-1				
A2-2				
A2-3				

13.4.3 Exceptions to Rural (RU) Zone

Exception	By-law	Location	Schedule	Special Provisions
RU-1	2013/70	Pt. Lot 9, Con. 8, Caldwell	H3-1	In addition to the permitted uses in Table 9.1, a second single detached dwelling unit is permitted.
RU-2	915 (Twp. Springer)	Pt of Lot 8, Con 6, Geographic Township of Springer	E4-4	The permitted uses are limited to the following: • Seasonal dwelling • Accessory buildings to a seasonal dwelling The lot and yard requirements shall be as follows: • Maximum number of dwelling units per lot: 1 • Maximum number of dwelling units within the area zoned RU-2: 4

				• Minimum Lot Frontage: 840 metres • Minimum Lot Area: 5.6 hectares • Minimum distance between dwellings: 30 metres • Minimum front, rear and side yards: 15 metres • Maximum Lot Coverage: 10% • Maximum Building Height: 10.5 metres • Minimum Floor Area per dwelling Unit: 122 square metres • Minimum distance to lot lines for accessory buildings: 2 metres • Maximum height of accessory buildings: 6 metres • No habitable buildings may be erected between the 256 metre contour and the normal high water mark of Burnt Lake and no external openings to habitable buildings will be permitted below the minimum elevation of 256 m.a.s.l.
RU-3	2015/61	Part Lot 1, Concession 3, Springer	F5-4	Permitted Uses and Accessory Uses shall be as in Table 9.1 and 9.2 for the RU Zone and shall also include one (1) only accessory dwelling unit within an accessory structure.
RU-4	2016/44	Part of Lot 2, Concession C Caldwell	H3-2	Lot Standards shall be as in Table 9.3 except that a setback of not less than 120 m from any Provincially Significant Wetland located on the property as established by MNRF.
RU-5	2016/67	SW ¼ Lot 5, Concession 1, Field	E5-1	Permitted Uses and Accessory Uses shall be as in Table 9.1 and 9.2 zone for the RU Zone and shall permit two (2) dwellings in the form of one (1) single detached dwelling and one (1) mobile home.
RU-6	2018/64	South Part Broken Lot 9, Concession 5, Falconer	L-1	Permitted Uses and Accessory Uses shall be as in Table 9.1 and 9.2 zone for the RU zone and shall permit two (2) dwellings.
RU-7	2021/30	10537 Highway 17, Verner; Part Lot 8, Concession 4, Parts 1-12, NR2164	F3-1	Permitted Accessory Uses shall include a single-family dwelling.
RU-8	2021/51	174 West Bay Road, Part Lot B, Concession 5, Loudon	J2	Section 4.1 – Accessory Dwelling Unit (a) A detached accessory dwelling unit is permitted (b) Only one (1) accessory dwelling unit may be created; (c) The accessory dwelling unit and principal

				dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; and (d) A minimum of one parking space is provided for the accessory dwelling unit
RU-9	2021/52	249 Quesnel Road, Sturgeon Falls	SF-9	RU-9(a): Table 9.3: Minimum Lot Frontage 45m Table 9.1: Permitted Uses include Dwelling, Duplex RU-9(b): Table 9.3: Minimum Lot Frontage 45m
RU-10	2022/76	11 Sunnyridge Rd, Verner, Part of Lot 2, Concession 2, Part 4, Plan 36R-12839	E2	Section 4.1 – Accessory Dwelling Unit (a) A detached accessory dwelling unit is permitted (b) Only one (1) accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; and (d) A minimum of one parking space is provided for the accessory dwelling unit
RU-11	2022/84	142 Plante Rd, Lavigne, Part of Lot 11, Concession 2, Macpherson	I1	Section 4.1 – Accessory Dwelling Unit (a) A detached accessory dwelling unit is permitted (b) Only one (1) accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; and (d) A minimum of one parking space is provided for the accessory dwelling unit
RU-12	2023/57	Part of Lot 3, Concession A, Parts 1 to 4, 36R-2748, Springer	SF-8	Permitted uses of the RU zone shall be: • A duplex dwelling.
RU-14	2025/66	700 Burnt Lake Rd Part Lot 7, Concession 5, Springer	F5-4	(a) A detached accessory dwelling unit is permitted (b) Only one (1) detached accessory dwelling unit may be created; (c) The accessory dwelling unit and principal dwelling shall meet all other applicable provisions of this By-law and any other health, safety or occupancy regulations or By-laws; and A minimum of one parking space is provided for the accessory dwelling unit

13.5 Other Zone Exceptions

The provisions of this Section are modified for those properties and to the extent identified in Section 13.5 below.

13.5.1 Exceptions to Community Facilities (CF) Zone

Exception	By-law	Location	Schedule	Special Provisions
CF-1				
CF-2				
CF-3				

13.5.2 Exceptions to Open Space (OS) Zone

Exception	By-law	Location	Schedule	Special Provisions
OS-1				
OS-2				
OS-3				

Section 14: Enactment

14.1 Repeal of former By-laws

a) By-law No. 2014-45, as amended, is hereby repealed upon the coming into force of this By-law.

b) Every site-specific zoning exception, special provision, holding provision, or zoning By-law amendment to Zoning By-law 2014-45 which is lawfully in force immediately prior to the effective date of this By-law shall continue to be in force and effect and deemed to form part of this By-law, notwithstanding that such exception or amendment may now be in substantial compliance with this By-law;

14.2 Effective Date

This By-law shall come into force and effect on the date it is passed by the Council of the Municipality of West Nipissing subject to the applicable provisions of the Planning Act, R.S.O. 1990, c.P. 13 as amended.

14.3 Enactment (Readings)

By-law enacted this 11th day of August, 2026.

Municipality of West Nipissing

Mayor

Clerk

Schedules (Zone Maps)

Appendices

Appendix A: List of By-law Amendments to By-law 2026-58

Appendix B: Illustrations

APPENDIX A:

List of By-law Amendments included in this consolidation

(Last Updated July 2026)

By-law No.	File No.	Property Address	Change in Designation