

ZONING BY-LAW 2005-150

TEXT

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TABLE OF CONTENTS

1 PERMITTED USES DEFINED

- 1.1 ACCESSORY USES
- 1.2 ACCOMMODATION SERVICES
- 1.3 AGRICULTURAL USES
- 1.4 AIRPORT
- 1.5 AMUSEMENT AND FITNESS FACILITIES
- 1.6 ARTS CULTURE AND HERITAGE USES
- 1.7 ASSEMBLY FACILITIES
- 1.8 AUTO BODY REPAIR ESTABLISHMENTS
- 1.9 BED AND BREAKFASTS
- 1.10 BINGO HALLS
- 1.11 BROADCASTING
- 1.12 BUILDING, HARDWARE, AND GARDEN SUPPLY STORES
- 1.13 BULK STORAGE AND DISTRIBUTION OF FOSSIL FUELS
- 1.14 CAMPGROUNDS
- 1.15 CAR WASH FACILITIES
- 1.16 CARE FACILITIES
- 1.17 CARETAKER DWELLING UNIT
- 1.18 CASINOS
- 1.19 CEMETERIES, CREMATORIUMS AND MAUSOLEUMS
- 1.20 COMMERCIAL PORT FACILITIES
- 1.21 {2007-105} COMMERCIAL SOLAR POWER INSTALLATIONS
- 1.22 {2006-200} COMMERCIAL WIND GENERATING SYSTEMS
- 1.23 COMPUTER, PRECISION, AND ELECTRONIC PRODUCTS MANUFACTURE AND REPAIR
- 1.24 CONSERVATION USES
- 1.25 CONTRACTORS YARDS
- 1.26 {2006-78} CONTRACTORS YARDS SUPPORTING HEAVY AND CIVIL ENGINEERING CONSTRUCTION
- 1.27 DAY CARE FACILITIES
- 1.28 DELIVERY AND COURIER SERVICES
- 1.29 DRY CLEANING AND LAUNDRY PLANTS
- 1.30 DWELLING, APARTMENT
- 1.31 DWELLING, DUPLEX
- 1.32 DWELLING, MULTIPLE ATTACHED
- 1.33 DWELLING, SEMI-DETACHED
- 1.34 DWELLING, SINGLE DETACHED
- 1.35 DWELLING, TRIPLEX
- 1.36 ELEMENTARY SCHOOLS (ALSO SEE, SCHOOLS)
- 1.37 EMERGENCY RESPONSE CENTRES
- 1.38 FAIRGROUNDS
- 1.39 FEDERAL, PROVINCIAL, AND MUNICIPAL GOVERNMENT PUBLIC ADMINISTRATION
- 1.40 FOOD SERVICES
- 1.41 FRUIT AND VEGETABLE STANDS
- 1.42 FUEL SALES
- 1.43 GOLF COURSES
- 1.44 GROUP HOME
- 1.45 GROUP RESIDENCE
- 1.46 HEAVY EQUIPMENT SALES, REPAIR, AND MAINTENANCE
- 1.47 {2014-6} HOME BASED BUSINESS
- 1.48 HOSPICES
- 1.49 HOSPITALS
- 1.50 INDUSTRIAL PLAZA



- 1.51 INFORMATION AND TECHNOLOGY SERVICES
- 1.52 MANUFACTURE OF FOOD AND BEVERAGES
- 1.53 MANUFACTURING, HEAVY
- 1.54 MANUFACTURING, MEDIUM
- 1.55 MARINAS
- 1.56 MEDICAL CENTRES
- 1.57 MIXED USE SERVICE CENTRES
- 1.58 MOTION PICTURE AND SOUND RECORDING STUDIOS
- 1.59 MOTOR VEHICLE RENTAL AND LEASING SERVICES
- 1.60 MOTOR VEHICLE SALES AND PARTS DEALERS
- 1.61 MOVIE THEATRES
- 1.62 NURSING AND RESIDENTIAL CARE FACILITIES
- 1.63 OFFICE USES
- 1.64 OPEN PIT AGGREGATE EXTRACTION
- 1.65 OPEN SPACE
- 1.66 PARKING LOTS
- 1.67 PARKS AND PLAYGROUNDS
- 1.68 PERSONAL SERVICES
- 1.69 PERSONAL STORAGE
- 1.70 PET CARE SERVICES
- 1.71 PLACES OF WORSHIP
- 1.72 PRINTING AND RELATED SUPPORT ACTIVITIES
- 1.73 PROFESSIONAL SCIENTIFIC AND TECHNICAL SERVICES
- 1.74 PUBLISHING INDUSTRIES
- 1.75 RAIL YARDS AND RELATED RAILWAY USES
- 1.76 RECREATIONAL FACILITIES
- 1.77 RELOAD CENTRES FOR LOGS AND PULPWOOD
- 1.78 RENTAL AND LEASING SERVICES
- 1.79 REPAIR AND MAINTENANCE SERVICES
- 1.80 RETAIL TRADE
- 1.81 ROAD TRANSPORTATION AND WAREHOUSING
- 1.82 ROOMING HOUSES
- 1.83 SALVAGE YARDS AND RECYCLING CENTRES
- 1.84 SCHOOLS
- 1.85 SHORT-TERM OR STRSIMILAR USES
- 1.86 SIMILAR USES
- 1.87 SPORTS STADIUMS
- 1.88 TOURISM RELATED SERVICES
- 1.89 UTILITIES
- 1.90 VETERINARY CLINICS
- 1.91 WAREHOUSING, WHOLESALING AND DISTRIBUTION CENTRES

2 DEFINITIONS

- 2.1 ATTIC
- 2.2 BALCONY
- 2.3 BASEMENT
- 2.4 BUILDING FOOTPRINT
- 2.5 CELLAR
- 2.6 COMMERCIAL VEHICLE
- 2.7 DECK
- 2.8 DISPLAY HOME
- 2.9 {2009-5} DOWNTOWN, THE
- 2.10 DRIVE THROUGH FACILITIES
- 2.11 DWELLING UNIT
- 2.12 EAVE
- 2.13 ESTABLISHED GRADE



- 2.14 EXISTING
- 2.15 FENCE
- 2.16 GROSS FLOOR AREA
- 2.17 HEIGHT OR BUILDING HEIGHT
- 2.18 HIGH PRESSURE PIPELINE
- 2.19 LANDSCAPED AREA
- 2.20 {2014-6} LOT
- 2.21 LOT, AREA
- 2.22 LOT, CORNER
- 2.23 LOT, COVERAGE
- 2.24 LOT, DEPTH
- 2.25 {2007-105} LOT FRONTAGE
- 2.26 LOT, INTERIOR
- 2.27 LOT LINE
- 2.28 LOT LINE, EXTERIOR SIDE
- 2.29 LOT LINE, FRONT
- 2.30 LOT LINE, INTERIOR SIDE
- 2.31 LOT LINE, REAR
- 2.32 LOT LINE, SIDE
- 2.33 LOT, THROUGH
- 2.34 MOBILE HOME
- 2.35 MOBILE HOME PARK
- 2.36 {2006-76} OUTDOOR DISPLAY
- 2.37 {2006-76} OUTDOOR STORAGE
- 2.38 {2012-158} POWER CENTRE
- 2.39 SHOPPING CENTRE
- 2.40 SIGNALIZED STREET INTERSECTION
- 2.41 STREET LINE
- 2.42 STACKED PARKING SPACE
- 2.43 STOREY {2011-81}
- 2.44 STOREY, FIRST
- 2.45 STRIP PLAZA
- 2.46 STRUCTURE
- 2.47 VISUALLY SOLID SCREENING (100%)
- 2.48 {2010-74} YARD, EXTERIOR SIDE
- 2.49 YARD, FRONT
- 2.50 YARD, INTERIOR SIDE
- 2.51 YARD, REAR
- 2.52 YARD, REQUIRED
- 2.53 YARD, SIDE
- 2.54 YARD

3 ADMINISTRATION, ENFORCEMENT AND INTERPRETATIONS

- 3.1 ADMINISTRATION
- 3.2 COMPLIANCE AND ENFORCEMENT
- 3.3 INTERPRETATIONS
- 3.4 CLASSIFICATION OF ZONES
- 3.5 ZONE BOUNDARIES
- 3.6 ZONE MAPS

4 GENERAL PROVISIONS FOR ALL ZONES

- 4.1 ACCESSORY USES, BUILDINGS, AND STRUCTURES
- 4.2 PERMITTED PROJECTIONS INTO REQUIRED YARDS
- 4.3 FRONTAGE REQUIREMENT
- 4.4 DETERMINING THE LOT FRONTAGE ON CORNER LOTS AND THROUGH LOTS



- 4.5 USES PERMITTED IN ALL ZONES
- 4.6 USES PROHIBITED IN ALL ZONES
- 4.7 USES RESTRICTED IN ALL ZONES
- 4.8 SIGHT TRIANGLE REQUIREMENTS FOR BUILDINGS AND STRUCTURES
- 4.9 {2007-105} BUFFER REQUIREMENTS
- 4.10 {2006-76} OUTDOOR STORAGE AND DISPLAY REGULATIONS
- 4.11 NON-CONFORMING BUILDINGS, STRUCTURES, AND LOTS
- 4.12 LOT CONVEYANCES
- 4.13 {2006-200} REGULATIONS FOR ACCESSORY USE WIND TURBINES & COMMERCIAL WIND GENERATING SYSTEMS
- 4.14 ADDITIONAL REGULATIONS FOR ALL ZONES
- 4.15 {2019-83} REGULATIONS FOR ACCESSORY USE SECOND UNITS

5 PARKING REGULATIONS

- 5.1 CALCULATION OF PARKING REQUIREMENTS
- 5.2 DESIGN OF PARKING AREAS AND SPACES
- 5.3 ACCESS AND LOCATION OF PARKING AREAS AND SPACES
- 5.4 PARKING EXCEPTIONS
- 5.5 BARRIER-FREE PARKING SPACE REQUIREMENTS
- 5.6 STACKED SPACES FOR DRIVE THROUGH FACILITIES, CAR WASHES, AND DESIGNATED EMPLOYEE PARKING
- 5.7 MINIMUM PARKING REQUIREMENTS FOR ALL PERMITTED USES

6 LOADING SPACE REQUIREMENTS

- 6.1 LOADING SPACES REQUIRED
- 6.2 LOADING SPACE REGULATIONS

7 FENCE REGULATIONS

- 7.1 LOCATION
- 7.2 MAXIMUM FENCE HEIGHTS
- 7.3 SIGHTLINE SETBACKS FOR FENCES
- 7.4 PRIVACY FENCING FOR SEMI-DETACHED DWELLINGS
- 7.5 ADDITIONAL FENCING REGULATIONS

8 GENERAL PROVISIONS FOR ALL RURAL ZONES

- 8.1 ACCESSORY BUILDINGS AND STRUCTURES
- 8.2 ADDITIONAL GENERAL PROVISIONS FOR ALL RURAL ZONES
- 8.3 RURAL PRECAMBRIAN UPLANDS ZONE (RP)
- 8.4 RURAL AGGREGATE EXTRACTION ZONE (REX)
- 8.5 RURAL AREA ZONE (RA)
- 8.6 AIRPORT ZONE (AIR)

9 GENERAL PROVISIONS IN ALL RESIDENTIAL ZONES

- 9.1 ACCESSORY BUILDINGS AND STRUCTURES
- 9.2 DRIVEWAYS
- 9.3 PARKING REGULATIONS IN ALL RESIDENTIAL ZONES
- 9.4 ADDITIONAL REGULATIONS IN ALL RESIDENTIAL ZONES
- 9.5 ESTATE RESIDENTIAL ZONE (R1)
- 9.6 SINGLE DETACHED RESIDENTIAL ZONE (R2)
- 9.7 LOW DENSITY RESIDENTIAL ZONE (R3)
- 9.8 MEDIUM DENSITY RESIDENTIAL ZONE (R4)
- 9.9 HIGH DENSITY RESIDENTIAL ZONE (R5)
- 9.10 MOBILE HOME RESIDENTIAL ZONE (R6)



- 10 ENVIRONMENTAL MANAGEMENT ZONE (EM)**
 - 10.1 PERMITTED USES
 - 10.2 ENVIRONMENTAL MANAGEMENT ZONE (EM) BUILDING REGULATIONS
 - 10.3 CONDITIONS FOR REMOVAL OF HOLDING PROVISION
- 11 INSTITUTIONAL ZONE (I)**
 - 11.1 PERMITTED USES
 - 11.2 INSTITUTIONAL ZONE (I) BUILDING REGULATIONS
- 12 PARKS AND RECREATION ZONE (PR)**
 - 12.1 PERMITTED USES
 - 12.2 PARKS AND RECREATION ZONE (PR) BUILDING REGULATIONS
 - 12.3 ADDITIONAL PARKS AND RECREATION ZONE (PR) REGULATIONS
- 13 COMMERCIAL ZONES**
 - 13.1 TRADITIONAL COMMERCIAL ZONE (C1)
 - 13.2 CENTRAL COMMERCIAL ZONE (C2)
 - 13.3 COMMERCIAL TRANSITIONAL ZONE (CT2)
 - 13.4 RIVERFRONT ZONE (C3)
 - 13.5 GENERAL COMMERCIAL ZONE (C4)
 - 13.6 SHOPPING CENTRE ZONE (C5)
 - 13.7 HIGHWAY ZONE (HZ)
- 14 INDUSTRIAL ZONES**
 - 14.1 LIGHT INDUSTRIAL ZONE (M1)
 - 14.2 MEDIUM INDUSTRIAL ZONE (M2)
 - 14.3 HEAVY INDUSTRIAL ZONE (M3)
- 15 NAMED USES**
- 16 ADDITIONAL BUILDING SETBACKS ON SPECIFIED STREETS**
 - 16.1 STREETS REQUIRING ADDITIONAL BUILDING SETBACKS
- 17 REPEAL AND CONTINUATION OF EXISTING REGULATIONS**
- 18 EFFECTIVE DATE**

LIST OF TABLES

- Table 1 : Illustration of Dwelling Types
- Table 1.1: The Defined Downtown
- Table 2 : Illustration of Established Grade
- Table 3 : Measuring the Maximum Building Height
- Table 4 : Measuring Frontage on Standard, Pie Shaped, and Irregular Lots
- Table 5 : Measuring Frontage on Corner Lots
- Table 6 : Measuring Frontage on Lots Without a Rear Lot Line
- Table 7 Illustration of Visually Solid Screening
- Table 8 : Illustration of Lot/Yard Types
- Table 9 : Buffering Requirements
- Table 10 : Determining the Front And Exterior Side Yard Setbacks in Built Up Areas
- Table 11 : Determining the Front and Exterior Side Yard Setbacks on Irregularly Shaped Corner Lots
- Table 11.1: Illustration of Examples of *Accessory Use Second Units*



- Table 12 : Design of Parking Areas & Spaces
- Table 13 : Barrier-Free Parking Design {2019-69}
- Table 14 : Sightline Setbacks for Fences
- Table 15 : Location of Blocks A, B, & C in the Airport Zone (AIR)
- Table 16 : Estate Residential Zone (R1) Building Regulations
- Table 17 : Estate Residential Zone (R1) Abutting Lake Superior & St. Mary's River Building Regulations
- Table 18 : Single Detached Residential Zone (R2) Building Regulations
- Table 19 : Single Residential Zone (R2) Abutting Lake Superior & St. Mary's River Building Regulations
- Table 20 : Low Density Residential Zone (R3) Building Regulations
- Table 21 : Medium Density Residential Zone (R4) Building Regulations (1of2)
- Table 22 Medium Density Residential Zone (R4) Building Regulations (2of2)
- Table 23 : High Density Residential Zone (R5) Building Regulations
- Table 24 : Mobile Home Residential Zone (R6) Building Regulations
- Table 25 : Institutional Zone (I) Building Regulations
- Table 26 : Traditional Commercial Zone (C1) Building Regulations
- Table 27 : Central Commercial Zone (C2) Building Regulations
- Table 28 : Commercial Transitional Zone (CT2) Building Regulations
- Table 29 : Riverfront Commercial Zone (C3) Building Regulations
- Table 30 : General Commercial Zone (C4) Building Regulations
- Table 31 : Shopping Centre Commercial Zone (C5) Building Regulations
- Table 32 : Highway Zone (HZ) Building Regulations
- Table 33 : Light Industrial Zone (M1) Building Regulations
- Table 34 Medium Industrial Zone (M2) Building Regulations
- Table 35 : Heavy Industrial Zone (M3) Building Regulations
- Table 36 : Heavy Industrial Zone (M3) Building Regulations Abutting Residentially Zone Lands



1 PERMITTED USES DEFINED

1.1 ACCESSORY USES

A use or *structure* on the same *lot*, of a nature customarily incidental and subordinate to the principal use or *structure*.

1.1.1 ACCESSORY USE: SEASONAL GARDEN CENTRES

An *accessory use* that temporarily occupies a portion of the *required* parking area of the main use on the same *lot*.

1.1.2 REGULATIONS FOR ACCESSORY USE SEASONAL GARDEN CENTRES

- A. *Seasonal garden centers* may occupy the property for a period not exceeding **6** consecutive months, with the subject property being free of any *seasonal garden centers* for a minimum of **6** consecutive months.
- B. Any *structure* used in conjunction with a *seasonal garden center* shall be portable and removed from the site for at least **6** consecutive months.
- C. Any building or *structure* used in conjunction with the *seasonal garden center* shall meet the same setback regulations of a main building for the zone in which it exists.
- D. *Accessory use storage trailers* shall not be used in conjunction with a *seasonal garden center*.
- E. The entire area dedicated to the *seasonal garden center* shall not occupy more than **15%** of the total parking spaces supplied by the main use on the subject property.
- F. To be eligible to support a *seasonal garden center*, the host shall supply the minimum number of parking spaces required by this zoning by-law, prior to the erection of a *seasonal garden center*.
- G. No additional parking will be required for the temporary *structures* associated with the *seasonal garden center*.
- H. The *seasonal garden center* shall be restricted to the sale of gardening supplies and plants for domestic uses only, excluding the sale of farming supplies or equipment, or the sale of garden or farm produce for consumption.
- I. These regulations do not apply to permanent *structures* attached to the main building, functioning as *seasonal garden centers*.

1.1.3 {2007-105} ACCESSORY USE: FREIGHT CONTAINERS

Often referred to as C-Can buildings, such units are generally associated with the overseas shipping industry. Constructed of metal, the storage containers are used in a manner similar to an *accessory* building. *Accessory Use Freight Containers* may not be used to accommodate work areas, shops, *office uses*, or *retail sales*.



1.1.4 ACCESSORY USE: STORAGE TRAILERS

The trailer portion of a tractor-trailer unit, a transport truck, or the box or storage area of a van or utility vehicle that is used in a manner *similar* to an *accessory* building. These trailers are only permitted in the *rear yards* of Industrial or Commercial zones. *Accessory use storage trailers* may not be used to accommodate work areas, shops, *office uses*, or *retail sales*.

1.1.5 {2007-105} REGULATIONS FOR ACCESSORY USE STORAGE TRAILERS AND FREIGHT CONTAINERS

Yard Where Permitted	Rear Yard
Minimum Distance from Any Building	4.5m
Maximum Number of <i>Accessory Use Trailers & Freight Containers per lot</i>	3
Minimum Distance from Any <i>Lot Line</i>	9m

1.1.6 {2007-105} ACCESSORY USE: SOLAR POWER INSTALLATIONS

Systems designed to capture the sun's energy and convert it to electricity. Such systems may be tied into the electrical grid, however they are clearly secondary and subordinate in nature to the main use on the property. Any installations not connected to a building shall adhere to the same setbacks and height restrictions for *accessory* buildings as outlined in the zone in which the installation is situated. *Accessory use solar power installations* are exempt from all maximum height restrictions.

1.1.7 ACCESSORY USE: WIND TURBINES

Structures which harness wind energy for the primary purpose of on-site consumption. Such *structures* can be tied into the electrical grid, however their primary purpose is to provide power to the buildings and uses located on-site.

1.1.8 {2019-83} ACCESSORY USE: SECOND UNIT

A *dwelling unit* built within a *single detached dwelling*, *semi-detached dwelling* or *multiple attached dwelling*, as part of an *accessory* building such as a garage, or as a standalone *accessory* building. Basement apartments, second floor apartments, garage suites and coach houses are all examples of *accessory use second units*. An *accessory use second unit* is subordinate to and intended only as an *accessory use* to the primary *dwelling unit* located on the same *lot*. Refer to Section 4.15 for regulations.



1.2 ACCOMMODATION SERVICES

Establishments primarily engaged in providing short-term lodging for travelers, vacationers, and others. Such uses may include the following or *similar uses*;

- Hostels
- Hotels
- Inns
- Motels

1.3 AGRICULTURAL USES

Establishments primarily engaged in general farming, which includes the breeding, rearing, and grazing of livestock, including beekeeping, poultry, fowl and fur-bearing animals, the general cultivation of land and associated production, conditioning, processing and storing of field crops, fruits, vegetables, and horticultural crops, and the selling of such produce on the premises. Such uses may include the following or *similar uses*;

- Horse stables and riding schools
- Nurseries and greenhouses
- Tree farming (harvesting of planted trees)

1.4 AIRPORT

Establishments primarily engaged in facilitating the movement and handling of aircraft and their passengers and freight. Such establishments may include *office uses, food services, retail trade*, luggage checking facilities, parcel shipping facilities, maintenance facilities and any other use *accessory* to an *airport*.

1.5 AMUSEMENT AND FITNESS FACILITIES

Commercial establishments primarily engaged in operating recreation and amusement facilities and services. Such uses may include the following or *similar uses*;

- Arcades
- Bowling facilities
- Curling rinks
- Health clubs
- Pool and billiards parlours



1.6 ARTS CULTURE AND HERITAGE USES

Establishments primarily engaged in operating facilities or providing services to meet the cultural interests of patrons. These establishments teach, produce, preserve, and promote events or exhibits. Such uses may include the following or *similar uses*;

- Art and photography galleries
- Artist's studios
- Dance companies and schools
- Libraries
- Museums
- Music companies and schools
- Photography studios
- Theatre companies

1.7 ASSEMBLY FACILITIES

Establishments primarily engaged in renting, leasing, or providing space for the purpose of entertaining a group of people. Such uses may include the following or *similar uses*;

- Banquet halls
- Fraternal organizations

1.8 AUTO BODY REPAIR ESTABLISHMENTS

Establishments engaged in repairing, customizing and painting motor vehicle bodies, interiors, and glass.

1.9 BED AND BREAKFASTS

Establishments primarily engaged in providing short-term lodging in private homes or in small buildings converted for this use. These types of accommodation are characterized by a highly personalized service, and the inclusion in the room rate of a full breakfast, served by the owner who resides in the building.

1.10 BINGO HALLS

Establishments primarily engaged in operating *places of assembly* for the playing of bingo. The relevant public authorities must license these halls.

1.11 BROADCASTING

Establishments primarily engaged in operating radio and television broadcasting studios and facilities, as well as publishing and/or broadcasting on the Internet.



1.12 BUILDING, HARDWARE, AND GARDEN SUPPLY STORES

Establishments primarily engaged in retailing building and home improvement materials, lawn and garden equipment and supplies, and nursery and garden products. Such uses may include the following or *similar uses*;

- Hardware stores
- Home care and decorating centers
- Lawn and garden equipment and supplies stores
- Nursery stores and gardening centers
- Paint and wallpaper stores

1.13 BULK STORAGE AND DISTRIBUTION OF FOSSIL FUELS

Establishments primarily engaged in the bulk storage and wholesale distribution of fossil fuels such as, gasoline, diesel, propane, and natural gas.

1.14 CAMPGROUNDS

Establishments primarily engaged in operating serviced or unserviced sites to accommodate campers and their equipment, including tents, tent trailers, travel trailers and recreational vehicles.

1.15 CAR WASH FACILITIES

An establishment with contained facilities for washing motor vehicles mechanically or manually. Such uses include the following or *similar uses*;

- Automatic car wash
- Stationary automatic car wash
- Self car wash

1.16 CARE FACILITIES

Establishments engaged in providing care to **5** or more individuals, who due to their medical needs require daytime supervised recreational activities.

1.17 CARETAKER DWELLING UNIT

Living accommodations for a caretaker, employee or other maintenance person employed on the premises.

1.18 CASINOS

Establishments primarily engaged in operating gambling facilities that offer table-wagering games along with other gambling activities such as slot machines. These establishments often provide food and beverage services.

1.19 CEMETERIES, CREMATORIUMS AND MAUSOLEUMS

Land that is used as a place for the interment of the dead or where human or animal bodies have been buried. This may include a *structure* for the cremation of remains and sealed crypts or compartments to store those remains.



1.20 COMMERCIAL PORT FACILITIES

Establishments primarily engaged in providing docking facilities for the loading and unloading of passengers and goods from marine vessels.

1.21 ~~{2007-105}~~ COMMERCIAL SOLAR POWER INSTALLATIONS

Systems designed to capture the sun's energy for the sole purpose of selling power back to the electrical grid. Such installations shall adhere to the same setbacks for the main buildings of the zone in which the installation is situated. Commercial solar power installations are exempt from all maximum height restrictions.

1.22 ~~{2006-200}~~ COMMERCIAL WIND GENERATING SYSTEMS

Often referred to as 'wind farms', a series of structures that harness wind energy for the primary purpose of selling it back to the electrical grid for off-site consumption.

1.23 COMPUTER, PRECISION, AND ELECTRONIC PRODUCTS MANUFACTURE AND REPAIR

Establishments primarily engaged in manufacturing and repairing computers, precision instruments, and any other electronic products.

1.24 CONSERVATION USES

The use of land or water for the purposes of managing, preserving, and enhancing the natural environment. Such uses may accommodate passive forms of recreation so long as the preservation of the natural features is maintained.

1.25 CONTRACTORS YARDS

Establishments primarily engaged in activities generally needed in the construction of buildings and *structures*. The activities performed may include new construction, additions, alterations, maintenance, and repairs. Such uses may include the following or *similar uses*;

- Foundation, structure, and building exterior contractors
- Building equipment contractors (electrical, plumbing, heating/cooling)
- Building finishing contractors
- Landscaping contractors
- Other specialty contractors

Exclusion: *Contractors yards supporting heavy and civil engineering construction.*



1.26 ~~{2006-78}~~ CONTRACTORS YARDS SUPPORTING HEAVY AND CIVIL ENGINEERING CONSTRUCTION

Establishments primarily engaged in activities needed in the construction of large-scale projects, including but not limited to the construction of roads, utilities, and any other large scale construction projects.

1.27 DAY CARE FACILITIES

Establishments primarily engaged in providing regular group care to **5** or more children for a fee.

1.28 DELIVERY AND COURIER SERVICES

Establishments primarily engaged in the local delivery of goods.

1.29 DRY CLEANING AND LAUNDRY PLANTS

Establishments primarily engaged in commercial and industrial laundering and dry cleaning services such as linen and uniform supply.

1.30 DWELLING, APARTMENT

A building containing **4** or more *dwelling units* for which access is obtained through a common outside entrance and through a common corridor or hallway from the inside. One entrance to the *dwelling unit* may also be private, so long as the second entrance is to a common hallway or corridor.

1.31 DWELLING, DUPLEX

A building divided horizontally into two separate *dwelling units*, each of which has an independent entrance.

1.32 DWELLING, MULTIPLE ATTACHED

A building containing **3** or more *dwelling units*, each with its own entrance, divided vertically and having a common wall between each adjacent *dwelling unit*. Often referred to as row, or townhousing.

1.33 DWELLING, SEMI-DETACHED

A building divided vertically to provide **2** *dwelling units* separated by a common wall.

1.34 DWELLING, SINGLE DETACHED

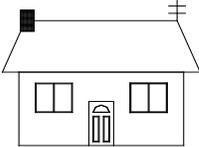
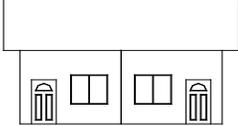
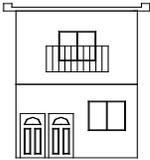
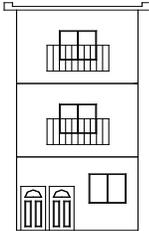
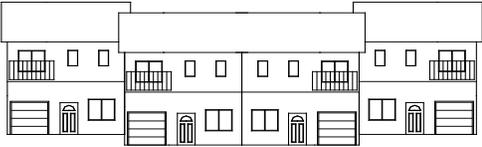
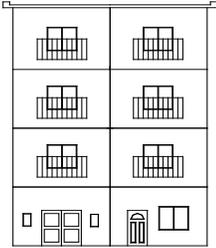
A building with a single dwelling, which is freestanding, separate and detached from other main buildings or main structures, including a split-level dwelling, but not a *mobile home*.

1.35 DWELLING, TRIPLEX

A building divided into **3** separate *dwelling units*, each of which has an independent entrance.



Table 1 : Illustration of Dwelling Types

Illustration of Dwelling Types	
<p>Single Detached Unit</p> 	<p>Semi-Detached</p> 
<p>Duplex</p> 	<p>Triplex</p> 
<p>Multiple Attached</p> 	<p>Apartment Building</p> 
<p><small>NOTE: Illustrative purpose only. Not all dwelling types represented.</small></p>	

1.36 ELEMENTARY SCHOOLS (ALSO SEE, SCHOOLS)

An academic institution under the jurisdiction of the Education Act, or the Ministry of Education, which provides education up to Grade 8.

1.37 EMERGENCY RESPONSE CENTRES

Establishments engaged in responding to emergency situations, where quick response times are mandatory. Such uses may include the following or *similar uses*;

- Ambulance and paramedic stations
- Fire stations
- Police stations



1.38 FAIRGROUNDS

Land that is devoted to entertainment on a seasonal or temporary basis, including, but not limited to, grandstands, barns, racetracks, and any other *accessory* buildings normally associated with such a use. Additional uses such as craft sales, flea markets and concerts are also permitted.

1.39 FEDERAL, PROVINCIAL, AND MUNICIPAL GOVERNMENT PUBLIC ADMINISTRATION

Establishments primarily engaged in activities of a governmental nature, that is, the enactment and judicial interpretation of laws, their pursuant regulations, and the administration of programs and services related to those laws, including any other privately operated uses when such uses are clearly secondary, or supportive of the main public use.

1.40 FOOD SERVICES

Establishments primarily engaged in preparing meals, snacks, and beverages to customer order, for immediate consumption on and off the premises. Such uses may include the following or *similar uses*;

- Bakeries
- Bars and taverns
- Catering establishments
- Fast food outlets
- Full-service restaurants
- Take-out establishments

1.41 FRUIT AND VEGETABLE STANDS

Establishments primarily engaged in retailing fresh fruits and vegetables for a period no longer than 60 days within a 120-day period.

1.42 FUEL SALES

Establishments primarily engaged in retailing propane and automotive fuels, which can be combined with the retail sale of a limited line of merchandise.

Exclusion – Bulk fuel storage and distribution centers

1.43 GOLF COURSES

Establishments engaged in providing space for the playing of golf, including a driving range.

1.44 GROUP HOME

An establishment that is operated through the authority of the Government of Canada, the Province of Ontario, or the City of Sault Ste. Marie, and is designed for the **accommodation of 3 to 8 people**, not including staff, living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social, or physical condition, or legal status, require a group living arrangement for their well-being.



1.45 GROUP RESIDENCE

An establishment that is operated through the authority of the Government of Canada, the Province of Ontario, or the City of Sault Ste. Marie, and designed for the **accommodation of more than 8 people**, not including staff, living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social, or physical condition, or legal status, require a group living arrangement for their well-being. All *Group Residences* are subject to site plan control.

1.46 HEAVY EQUIPMENT SALES, REPAIR, AND MAINTENANCE

Establishments primarily engaged in the selling, leasing, repairing, and maintenance of motorized heavy equipment.

Exclusion – *Auto body repair establishments*

1.47 {2014-6} HOME BASED BUSINESS

An occupation or business activity that results in a product or service, and is conducted in whole or in part within a *dwelling unit* or *accessory* building. Such uses must be subordinate uses to the residential use of a *dwelling unit*. For greater clarity, home based businesses that are expressly permitted are:

- *Office Uses*
Exclusion: *Ambulatory Health Care Services* such as doctors dentists, chiropractors, physiotherapists, and optometrists offices.
- *Personal Services*
Exclusions: *Dry cleaning and laundry services, linen and uniform supply, and funeral service establishments.*
- *Repair and maintenance services*
Exclusions: Repairs to any fuel powered vehicles, equipment, motors, *auto body repair*, {2007-105} and the painting or priming of any products
- Private home daycare facilities – up to a maximum of 5 children
- *Arts, Culture, and Heritage uses*
Exclusions: Dance companies, theatre companies, and museums
- Instructional Businesses based upon appointment.

1.47.1 SPECIAL CONDITIONS FOR HOME BASED BUSINESSES

- A. A maximum of 2 full-time employees may be employed on the premises, including at least 1 employee being a resident in the *dwelling unit* where the business is located.
- B. The *home based business* must clearly be a secondary use to the *dwelling unit* as a private residence, and not change the character of the *dwelling unit* as a private residence.



- C. Other than a sign, there shall be no outdoor display or storage of goods and materials, or any other exterior evidence that a *home based business* is being conducted within the residence.
- D. The use shall not have an adverse effect on the area, with special regard for parking, traffic, noise, vibration, dust, and odour.
- E. The floor area dedicated to all aspects of the *home based business* shall not exceed **30%** of the *gross floor area* of the *dwelling unit* and accessory buildings in which it is located, or **50m²** whichever the lesser,
- F. A sign no bigger than **0.2m²** is permitted to advertise only the name of the home-based business, and;
- G. In addition to the required parking for the *dwelling unit*, the *home based business* shall provide the required parking as described in Section 5 of this By-law, however *home based businesses* are exempt from the barrier free parking regulations outlined in Section 5.5 and 5.5.1 of this By-law.

1.48 HOSPICES

Often called long-term hospitals or palliative care centers, these institutions provide specialized care for the terminally ill. The care is long term, and patients often stay for longer than 30 days.

1.49 HOSPITALS

An institution engaged in the supervision, observation, and medical care of persons suffering from sickness, disease, or injury.

1.50 INDUSTRIAL PLAZA

A building or group of buildings divided into units for separate occupancy by different industrial uses for which common loading and parking facilities and other common services may be provided. A maximum of **30%** of the plaza's *gross floor area* may be occupied by commercial uses.

1.51 INFORMATION AND TECHNOLOGY SERVICES

Establishments primarily engaged in producing and distributing information and cultural products. Such uses may include the following or *similar uses*;

- Communications carriers (wired, wireless, satellite)
- Internet broadcasting and publishing
- Other telecommunication services
- Software and computer services
- Telecommunications contact centres



1.52 MANUFACTURE OF FOOD AND BEVERAGES

Establishments engaged in the manufacture of food and beverages for human or animal consumption. Such uses may include the manufacture of;

- Baked goods
- Beverages
- Dairy products
- Pet foods
- Livestock feed
- All other food products

1.53 MANUFACTURING, HEAVY

Establishments primarily engaged in the manufacturing, processing, or other treatment of;

- Chemical products
- Fabricated metal products
- Furniture and related products
- Leather and allied products
- Non-metallic mineral products
- Paper and paper products
- Plastics and rubber products
- Primary metal
- Transportation equipment
- Wood products

1.54 MANUFACTURING, MEDIUM

Only those establishments primarily engaged in the manufacture, processing, or other treatment of;

- Textiles
- Clothing
- Fabricated metal products
- Woodworking and cabinetry shop
- Brushes, pens, lamps, signs, and other light wares manufactures
- Ceramics
- Glass products
- Paper
- Cardboard

1.55 MARINAS

Establishments engaged in providing docking and storage facilities for pleasure crafts. These establishments may also have related uses such as, retail fuel and marine supplies, boat repair and maintenance, and rental services.



1.56 MEDICAL CENTRES

Establishments engaged in general healthcare, providing the services of a variety of at least **4** health practitioners within the same establishment. Often referred to as clinics, these establishments may include diagnostic testing facilities, laboratories, and pharmacies as related uses.

1.57 MIXED USE SERVICE CENTRES

Establishments having 2 or more of the following uses: gasoline/diesel/automotive oil sales, convenience store, food services, accommodations, car or truck wash, repair garage, and showers.

1.58 MOTION PICTURE AND SOUND RECORDING STUDIOS

Establishments primarily engaged in the production and distribution of audio and video recordings or providing related services. Such uses may include the following or *similar uses*;

- Post-production services
- Exhibition services
- Motion picture processing and development services
- Sound recording studios

1.59 MOTOR VEHICLE RENTAL AND LEASING SERVICES

Establishments primarily engaged in renting or leasing vehicles, such as passenger cars, vans, light trucks, and RV's, taxi and limousine *yards*,
Exclusion – The rental or leasing of heavy equipment

1.60 MOTOR VEHICLE SALES AND PARTS DEALERS

Establishments primarily engaged in retailing motor vehicles. Such uses may include the following or *similar uses*;

- Motor vehicle parts dealers
- Motorcycle, boat, and other motor vehicle dealers
- New and used motor vehicle sales
- Passenger car rental
- Recreational vehicle and trailer sales

Exclusions – *Salvage yards*, heavy equipment and farm implement sales

1.61 MOVIE THEATRES

Establishments primarily engaged in the commercial showing of films.



1.62 NURSING AND RESIDENTIAL CARE FACILITIES

Establishments primarily engaged in providing residential care combined with nursing, supervisory or other types of care as required by the residents. Such uses may include the following or *similar uses*;

- {2014-6} Assisted living units
- Long term care facilities
- Mental health and substance abuse facilities
- Nursing care facilities
- Residential development facilities for persons with disabilities
- Retirement homes

1.63 OFFICE USES

A building or part of a building used for the practice of a profession, the carrying on of a business, or the conduct of public administration, but shall not include such uses as *retail trade*, manufacture, assembly or storage of goods, *places of assembly* or amusement. Such uses may include the following or *similar uses*;

- Administrative and support services
- Ambulatory health care services - Offices of physicians, dentists, chiropractors, and other health care professionals
- Insurance, banking and financial institutions
- Management of companies and enterprises
- *Medical Centres*
- Private vocational schools
- Professional, scientific, technical, and research services
- Public administration

1.64 OPEN PIT AGGREGATE EXTRACTION

Establishments primarily engaged in the removal of aggregate materials from an open pit.

1.65 OPEN SPACE

A *lot*, either publicly or privately owned, which is open and unobstructed from the ground to the sky, so that there are no buildings or structures. Open space does not necessarily mean that such lands are open or available for public access.

1.66 PARKING LOTS

A lot or building where the storage of motor vehicles is the principal use.

1.67 PARKS AND PLAYGROUNDS

A publicly owned property consisting largely of *open space*, and generally characterized by its natural, historic, or landscaped features. Such uses are designed to accommodate both passive and active forms of recreation.



1.68 PERSONAL SERVICES

Establishments primarily engaged in providing personal care services. Such uses may include the following or *similar uses*;

- Beauty salons and hair stylists
- Day spas and tanning salons
- Dry cleaning and laundry services (including coin operated)
- Formal wear and costume rental
- Funeral service establishments
- Linen and uniform supply
- Massage therapists
- Photographic studios
- Tailors
- Tattoo parlours
- Travel agents

1.69 PERSONAL STORAGE

Establishments primarily engaged in operating public self-storage, or mini-storage facilities on a contract basis.

1.70 PET CARE SERVICES

Establishments primarily engaged in grooming, training, and boarding pet animals. Such uses may include the following or *similar uses*;

- Animal shelters
- Boarding kennels and services
- Grooming services
- Obedience and training services
- Pet sitting services

1.71 PLACES OF WORSHIP

A building for public worship that may include a church hall, manse, or rectory when *accessory* to the church building.

1.72 PRINTING AND RELATED SUPPORT ACTIVITIES

Establishments primarily engaged in printing and providing related support activities.

1.73 PROFESSIONAL SCIENTIFIC AND TECHNICAL SERVICES

Establishments primarily engaged in activities where human capital is the major input. Such uses may include the following or *similar uses*;

- Management, scientific and technical consulting services
- Medical labs
- Scientific research and development services
- Advertising and related services
- Computer systems design and other related services
- Architectural, engineering and related services



1.74 PUBLISHING INDUSTRIES

Establishments primarily engaged in the publishing and distribution of newspapers, periodicals, books, directories, software, internet based materials, and any other *similar* products.

1.75 RAIL YARDS AND RELATED RAILWAY USES

Establishments primarily engaged in activities directly associated with the operation of a railway. Such uses may include the following or *similar uses*;

- Loading and off-loading of freight
- Maintenance and repair of railway cars

1.76 RECREATIONAL FACILITIES

Establishments primarily engaged in providing recreational facilities. Such uses may include the following or *similar uses*;

- Animal pens and cages
- Athletic fields
- Bandstand
- Boat launching ramps and wharves
- Bowling greens
- Greenhouses and botanical gardens
- Horse riding establishments
- Ice rinks
- Non-profit fitness centres
- Sports Stadiums
- Swimming pools
- Tennis courts

1.77 RELOAD CENTRES FOR LOGS AND PULPWOOD

Establishments primarily engaged in the consolidation and transportation of logs and pulpwood.

1.78 RENTAL AND LEASING SERVICES

Establishments primarily engaged in the rental and leasing of consumer goods, as well as commercial, automotive and industrial machinery and equipment.



1.79 REPAIR AND MAINTENANCE SERVICES

Establishments primarily engaged in repairing and maintaining motor vehicles, machinery, equipment, and other products. Such uses may include the following or *similar uses*;

- Automotive repair and maintenance
- Electronic and precision equipment repair and maintenance
- {2007-105} Furniture and upholstery repair and maintenance
- Personal and household appliances repair and maintenance

Exclusion – *Heavy equipment repair and maintenance, and auto body repair*

1.80 RETAIL TRADE

Establishments primarily engaged in the sale, lease, and rental of new and used merchandise, generally without transformation. Such uses generally provide services incidental to the sale, lease, or rental of merchandise. Such uses may include the following or *similar uses*;

- Auctioneers facilities
- Clothing and clothing accessories stores
- Consumer goods rental
- Copying facilities
- Department store type merchandise
- Food and beverage stores
- Furniture and home furnishings stores
- General merchandise stores
- Gift shops and antique stores
- Health and personal care stores
- Movie rental
- Photo finishing services
- Sporting goods, hobby, book and music stores

Exclusions – *Heavy equipment sales, repair, and maintenance, Fuel sales, and motor vehicle sales and parts dealers.*

1.81 ROAD TRANSPORTATION AND WAREHOUSING

Establishments primarily engaged in the local, regional, national, and international road transportation of passengers and goods, including the warehousing and storage of these goods. Such uses may include the following or *similar uses*;

- Bus depots
- Loading, reloading, and consolidation centres
- Taxi and limousine yards
- Public transportation yards
- Towing yards
- Postal service yard
- Warehousing, wholesaling and distribution centres

Exclusion – *Reload Centres for logs and pulpwood*



1.82 ROOMING HOUSES

Establishments primarily engaged in providing temporary or longer-term accommodation, which for the period of occupancy, may serve as a principal residence.

1.83 SALVAGE YARDS AND RECYCLING CENTRES

Establishments primarily engaged in wrecking, disassembling, repairing, sorting, and/or reselling of second hand goods. Including the following or *similar* goods;

- Motor vehicles, parts, and tires
- Waste paper
- Bottles
- Lumber and building materials
- Any other scrap material or recycling operation

1.84 SCHOOLS

An academic institution under the jurisdiction of The Education Act, or the Ministry of Education. Such uses may include the following or *similar* uses;

- Colleges
- Elementary schools
- Secondary schools
- Universities

1.85 SHORT-TERM RENTAL OR STR

The provision of a dwelling unit which is used for the temporary lodging of the travelling public for a rental period not greater than 28 consecutive days or less in exchange for payment, but does not include accommodation services or a bed and breakfast establishment as defined in the City's Zoning Bylaw, or other short-term accommodation where there is no payment.

1.86 SIMILAR USES

Uses of like characteristics, exhibiting the same nature, purpose and scope to those permitted uses within the zone in question.

1.87 SPORTS STADIUMS

Establishments primarily used for games and major events. These establishments are large, open or enclosed, and partly or completely surrounded by tiers of seats for spectators.



1.88 TOURISM RELATED SERVICES

Establishments that primarily cater to tourists and the traveling public. Such uses may include the following or *similar uses*;

- Amusement parks
- Gift shops and antique stores
- Marinas
- Miniature golf
- Campgrounds
- Tour operators
- Tourist information centers

1.89 UTILITIES

Establishments primarily engaged in generating, electric, gas, and water utilities. Such uses may include the following or *similar uses*;

- Hydroelectric power generation
- Fossil-fuel generation

1.90 VETERINARY CLINICS

Establishments primarily engaged in providing medical or surgical treatment for animals. Such uses may include shelter facilities for short-term overnight medical treatment, however outdoor kennel facilities, whether accessory to our not, are only permitted in the Rural Area Zone (RA).

1.91 WAREHOUSING, WHOLESALING AND DISTRIBUTION CENTRES

Establishments primarily engaged in wholesaling merchandise and providing related logistics, marketing, and support services. The wholesaling process is generally an intermediate step in the distribution of merchandise to the end user.

Exclusion – *Bulk storage, wholesaling and distribution centers for fossil fuels.*



2 DEFINITIONS

2.1 ATTIC

Is an unusable or uninhabitable area between the top of the ceiling support and the roof support.

2.2 BALCONY

An unenclosed *deck* that projects from any floor above the ground floor.

2.3 BASEMENT

Means any area below the *first storey* where at least $\frac{1}{2}$ of the height, from floor to ceiling, is above *established grade*.

2.4 BUILDING FOOTPRINT

The maximum projected horizontal area of a building at *established grade* measured to the centre of common walls and to the outside of other walls. Including air wells, and all other spaces within the building, but not including open air porches, verandahs, steps, cornices, chimney breasts, fire escapes, exterior stairways, *accessory* buildings, ramps and open loading platforms.

2.5 CELLAR

Means a *storey* where more than $\frac{1}{2}$ of the height between the floor and ceiling or floor joists, is below *established grade*. A *cellar* shall not be considered in determining the number of permissible *storeys*.

2.6 COMMERCIAL VEHICLE

A vehicle is designated “commercial” when it is titled or registered to a company, or used for commercial purposes.

2.7 DECK

Means an unenclosed floor structure, including stairs, which may be covered with a roof and may be attached to a main building, which services the ground floor and the second floor where there is a walk-out basement. *Decks* shall not be included when calculating the *maximum lot coverage*.

2.8 DISPLAY HOME

A dwelling built first by a developer to allow potential purchasers to see what the finished product will look like once the other homes in the development are completed.



2.9 {2009-5} DOWNTOWN, THE

The boundaries of Downtown Sault Ste. Marie are described as all properties bounded by or with frontage on:

The north by:

- Wellington Street, including those properties on Bruce Street south of Huron Central Railway

The east by:

- Curch Street
- Queen Street East
- The easterly property line of the hospital lands

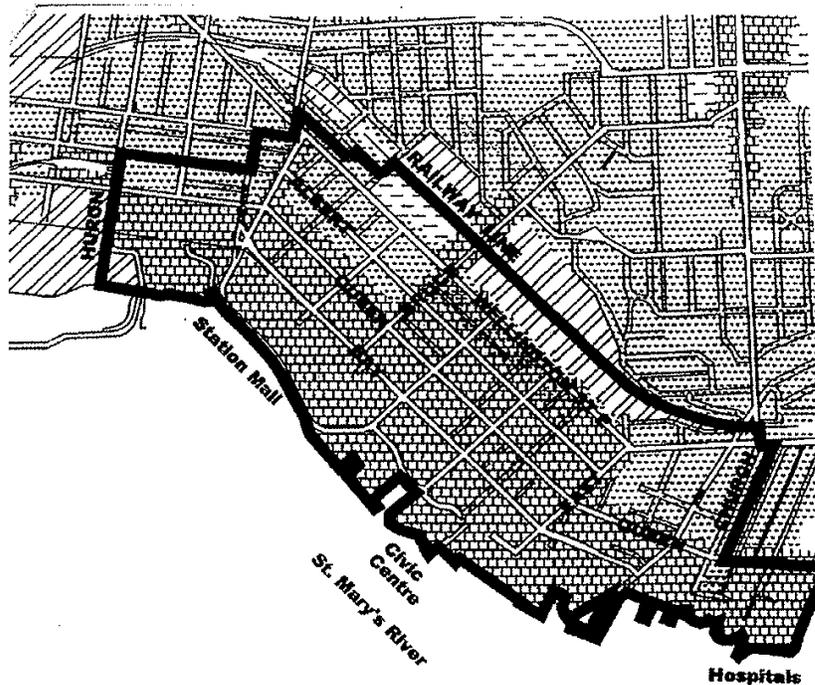
The south by:

- St. Mary's River waterfront

The west by:

- North Street
- Cathcart Street
- Andrew Street
- Albert Street West {2010-74}
- Huron Street
- The former St. Marys Paper property

Table 1.1: The Defined Downtown





2.10 DRIVE THROUGH FACILITIES

Shall mean a building or structure designed to provide goods and services to customers while they remain in their vehicles.

2.11 DWELLING UNIT

Means a single, or series of rooms of complementary use for human habitation, which is located in a building in which food preparation, eating, living, sleeping and sanitary facilities are provided primarily for the exclusive use of the occupants thereof. Such rooms shall have a private entrance directly from outside the building or from a common hallway inside the building, in which all occupants have access to all of the habitable areas and facilities of the unit. This unit shall be occupied and used, or be capable of being occupied and used as a single and independent housekeeping establishment.

2.12 EAVE

The projecting lower edges of a roof overhanging the wall of a building or *structure*.

2.13 ESTABLISHED GRADE

The average elevation of the finished surface of the ground where it meets the exterior face of a building or *structure*; exclusive of any wells providing light or ventilation. The *maximum height* of any *fence* will be based upon the actual established grade along which the *fence* is placed, rather than the average.

2.14 EXISTING

Means that a building, use, *yard*, or *lot* was legally in existence on the day of the passing of this By-Law.

2.15 FENCE

A *structure*, which forms a barrier for enclosing, bounding, delineating or protecting land.

2.16 GROSS FLOOR AREA

The sum of the areas of each floor, measured between the exterior faces of the exterior walls, {2009-5} including basements and cellars, but excluding any space used for loading, parking or storage that is accessory to the main use.



Table 2 : Illustration of Established Grade

Illustration of Established Grade	
Wall	$\frac{A+B+C+D+E+F+G+H}{8} = \text{FINISHED GRADE}$
Building	
Structure	
<p>NOTE: Illustration Only. All Dimensions are maximum unless otherwise indicated. All measurements in Metric Units.</p>	



2.17 HEIGHT OR BUILDING HEIGHT

- A. When used in reference to a building or *structure*, shall mean the vertical distance between the *established grade* and the highest point of the building or structure, excluding chimneys, towers, mechanical installations, and any other ornamental structures on the building.
- B. When used in reference to the total number of *storeys*, it shall mean the total number of *storeys* above *established grade*, taken from the wall of such building or structure that faces the *front lot line*.

2.18 HIGH PRESSURE PIPELINE

The underground natural gas line which operates at a minimum of 30% of its Specified Minimum Yield Strength. The location of the underground pipeline is shown on the zoning maps.

2.19 LANDSCAPED AREA

The area landscaped is calculated as the percentage of the total property which is covered by {2011-81} decks, balconies and terraces as well as landscaped materials such as, grass, trees, shrubs, flowers, etc.

2.20 {2014-6} LOT

Means an area of land registered at the Algoma Land Registry Office #1 as not more than one parcel of land.

2.21 LOT, AREA

The total horizontal area within the *lot lines* of a *lot*.

2.22 LOT, CORNER

- A. A *lot* located at the intersection of, and abutting upon, two streets where the angle of the intersection does not exceed 135 degrees; or
- B. A *lot* located on the curve of a street where the angle of intersection of the projecting tangents of the street line do not exceed 135 degrees. The corner of the *lot* is deemed to be the center point of the arc.

2.23 LOT, COVERAGE

Means that part or percentage of a *lot* covered by any buildings or *structures*. *Decks* shall not be included when calculating the maximum *lot coverage*.

2.24 LOT, DEPTH

The distance measured from the midpoint of the *front lot line* to the midpoint of a *rear lot line*, or in the case of a triangular lot, between the midpoint of the *front lot line* to the apex of the triangle formed by the intersection of the *side lot lines*.



Table 3 : Measuring the Maximum Building Height

Measuring The Maximum Building Height	
<p>One Slope Roof</p> <p>Ridge Vertical Measure of Height Grade</p>	<p>Flat Roof</p> <p>Top of Roof Parapet Ridge Vertical Measure of Height Grade</p>
<p>Gable Roof</p> <p>Ridge Vertical Measure of Height Grade</p>	<p>Hip Roof</p> <p>Ridge Vertical Measure of Height Grade</p>
<p>Gambrel Roof</p> <p>Ridge Vertical Measure of Height Grade</p>	<p>Mansard Roof</p> <p>Ridge Vertical Measure of Height Grade</p>
<p>NOTE: Illustrative purpose only. Not all dwelling types represented.</p>	

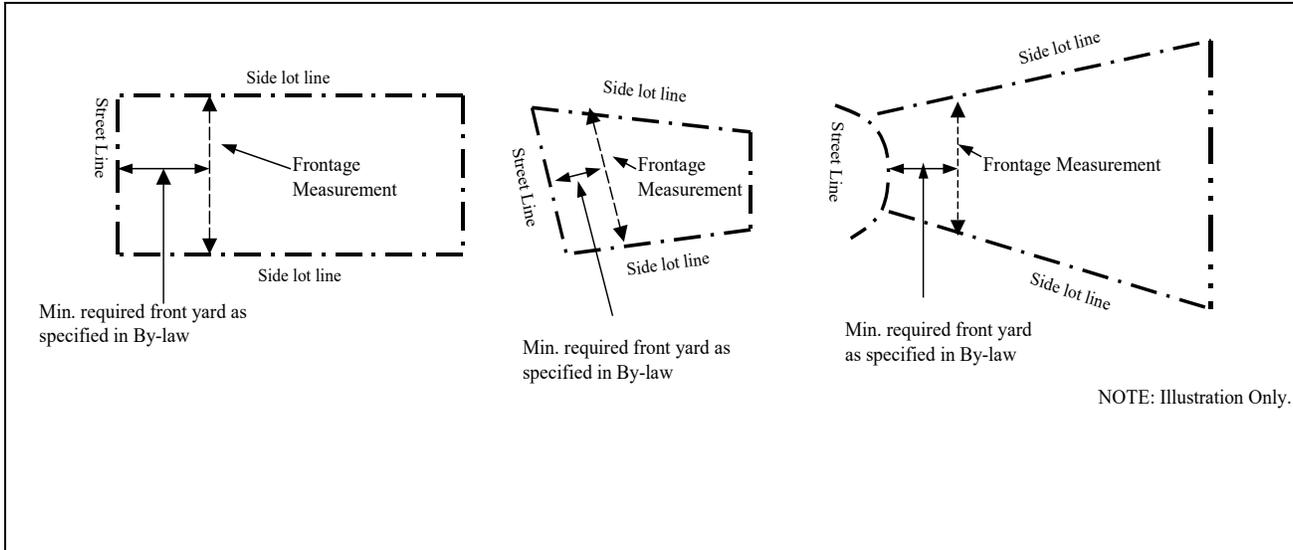


2.25 {2007-105} LOT FRONTAGE

The horizontal distance between the side lot lines of a lot, such distance being measured:

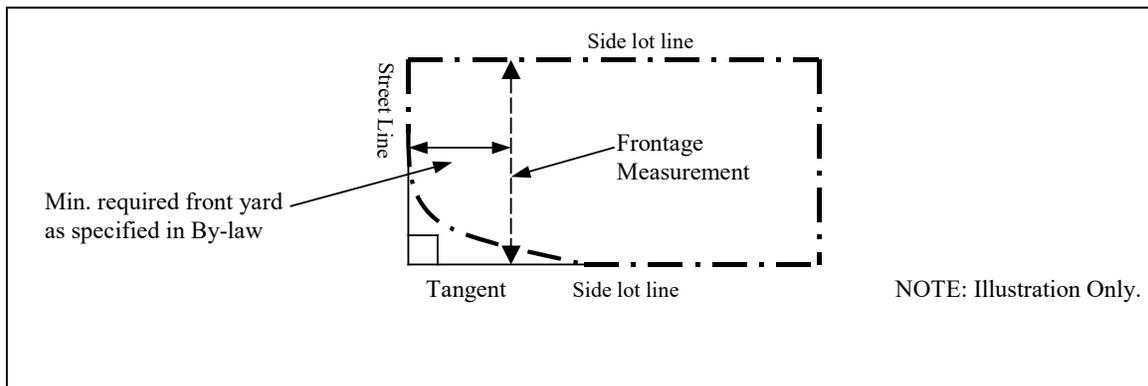
- a. Unless otherwise noted in this Section, along a line between the side lot lines and parallel to the front lot line, measured from a distance equal to the required front yard of the zone in which the lot is situated.

Table 4 : Measuring Frontage on Standard, Pie Shaped, and Irregular Lots



- b. On a corner lot, where the side lot lines are not parallel, a tangent shall be drawn along the front lot line and the exterior side lot line extended to a point. Frontage shall be measured along a line parallel to the front lot line, between the side lot lines or projections thereof, measured from a distance equal to the required front yard of the zone in which the lot is situated.

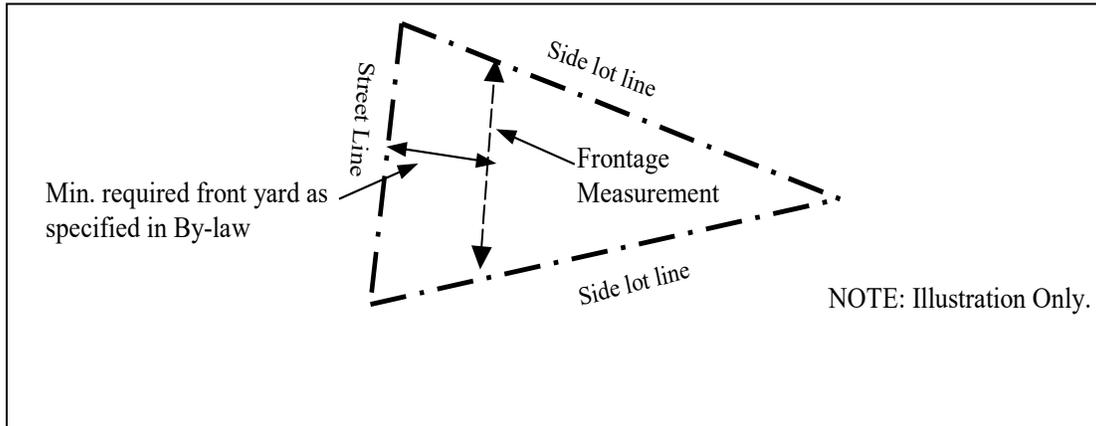
Table 5 : Measuring Frontage on Corner Lots





- c. Where a lot does not have a rear lot line, lot frontage shall be measured along a line parallel to the front lot line, between the side lot lines, measured from a distance equal to the required front yard of the zone in which the lot is situated.

Table 6 : Measuring Frontage on Lots Without a Rear Lot Line



2.26 LOT, INTERIOR

Means any *lot* that abuts a Street, but is not a *corner lot* or *through lot*.

2.27 LOT LINE

Means any boundary of a *lot*, or the vertical projection thereof.

2.28 LOT LINE, EXTERIOR SIDE

A *side lot line* of a *corner lot*, which is also a *street line*.

2.29 LOT LINE, FRONT

The *lot line* that divides the *lot* from a public Street, provided that in the case of a *corner lot*, the shorter *lot line* that abuts a public Street shall be deemed to be the *front lot line*.

2.30 LOT LINE, INTERIOR SIDE

A *side lot line*, which is not a street line.

2.31 LOT LINE, REAR

The *lot line* opposite the *front lot line*.

2.32 LOT LINE, SIDE

A *lot line*, which is not a *front* or *rear lot line*.

2.33 LOT, THROUGH

An *interior lot* abutting two or more public Streets.



2.34 MOBILE HOME

Means a *dwelling unit* that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer, tent trailer, or recreational vehicle.

2.35 MOBILE HOME PARK

A lot under single management, which has been planned and improved for the placement of 5 or more *mobile homes*

2.36 ~~{2006-76}~~ OUTDOOR DISPLAY

A portion of a *lot* used for exhibiting in an orderly manner, completely assembled or finished products for immediate sale by a retail business located on the same *lot*. Outdoor display areas do not include *outdoor storage* areas.

2.37 ~~{2006-76}~~ OUTDOOR STORAGE

The keeping of materials, goods, and equipment outside of a main, or *accessory* building or *structure*.

2.38 ~~{2012-158}~~ POWER CENTRE

More than one commercial function housed in more than one building, where the overall site has been designed to function as an integrated unit and parking areas are shared among separate commercial buildings.

2.39 SHOPPING CENTRE

Several mixed commercial functions housed in one or more buildings designed as an integrated unit. Shopping centers shall have a *minimum gross floor area* of 10 000m².

2.40 SIGNALIZED STREET INTERSECTION

A road junction that controls vehicular and pedestrian movement through the use of electronic traffic control signals to alternate the right-of-way between conflicting streams of vehicular traffic and pedestrians crossing a roadway.

2.41 STREET LINE

Means a *lot line* dividing a *lot* from a road, and is the limit of the road allowance.

2.42 STACKED PARKING SPACE

Parking stalls that do not have direct access to a driveway.



2.43 STOREY {2011-81}

A horizontal division of a building from a floor to the ceiling, excluding an occupied or unoccupied attic, basement, cellar, crawl space, or other area that is for all intents and purposes, unusable by virtue of its inaccessibility.

2.44 STOREY, FIRST

Means the *storey* with a finished floor level situated closer to the *established grade* than that of any other such *storey* in the same building

2.45 STRIP PLAZA

Means more than one commercial function housed in one building, which has been designed to function as an integrated unit. Strip plazas shall be less than 10,000m² *gross floor area*.

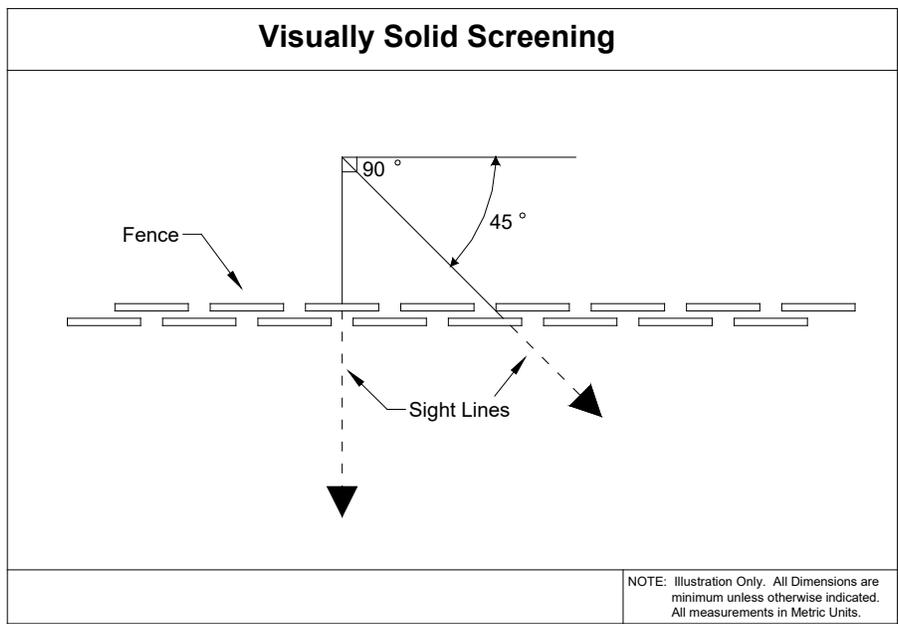
2.46 STRUCTURE

Anything that is erected, or constructed of parts joined together, and fixed to, or supported by, the soil and/or any other *structure*. For the purpose of applying setbacks, *structures* do not include pavements, curbs, walks, open air surfaced areas, and fences.

2.47 VISUALLY SOLID SCREENING (100%)

Any *fence*, wall, or partition, for the purpose of visual screening, must be constructed so as to provide *100% visually solid screening* when viewed at 90 and 45 degrees, and shall be at least 1.8m above *established grade*.

Table 7 Illustration of Visually Solid Screening





2.48 ~~{2010-74}~~ YARD, EXTERIOR SIDE

A *side yard* immediately adjoining a public Street, extending between the *required front yard* and *rear lot line*.

2.49 YARD, FRONT

A *yard* extending the full width of a *lot* between the *front lot line* and the nearest foundation of any building or *structure* on the *lot*.

2.50 YARD, INTERIOR SIDE

A *side yard* other than an *exterior side yard*.

2.51 YARD, REAR

A *yard* extending the full width of a *lot*, between the *rear lot line* and the nearest foundation of any building or *structure* on the *lot*.

2.52 YARD, REQUIRED

Means the minimum depth of the *front, rear, or side, yard* required by this By-law, which will form part or all of the actual *yard* supplied.

2.53 YARD, SIDE

A *yard* extending between the *front yard* and the *rear yard*, and from the *side lot line* to the nearest foundation of any main building or *structure* on the *lot*.

2.54 YARD

The actual distance between the *lot line* and the nearest building or *structure*.



Table 8 : Illustration of Lot/Yard Types

<h2>Illustration of Lot/Yard Types</h2>	
<p style="text-align: center;">Lot Types</p>	<p style="text-align: center;">Yards - No Rear Lot Line</p> <p>Nearest point between building and side lot line determines side yard measurement</p> <p>Front Yard</p> <p>Nearest point between building and side lot line determines the other side yard measurement</p> <p>Nearest point between building and Apex of Triangle formed by the lot lines determines rear yard measurement</p>
<p style="text-align: center;">Yards - Lot Lines not Parallel</p> <p>Nearest point between building and side lot line determines side yard measurement</p> <p>Front Yard measured as the distance from the front lot line to the nearest wall of the building</p> <p>Nearest point between building and side lot line determines the other side yard measurement</p> <p>Nearest point between building and rear lot line determines rear yard measurement</p>	<p style="text-align: center;">Yards - Corner Lot</p> <p>Side Yard</p> <p>Frontage is shorter of the two lot lines abutting a street</p> <p>Front Yard</p> <p>Maximum 135'</p> <p>Rear Yard</p> <p>Exterior Side Yard</p>
<p style="text-align: center;">Yards - Flag Lot</p> <p>Front Yard</p> <p>Side Yards</p> <p>Rear Yard</p>	<p style="text-align: center;">Lot Frontage - No Rear Lot Line</p> <p>Minimum front yard specified in By-Law</p> <p>Lot frontage measured parallel to the front lot line at the minimum building setback</p>
<p style="text-align: center;">Lot Frontage - Lot Lines not Parallel</p> <p>Minimum front yard specified in By-Law</p> <p>Mid-Point of rear lot line</p> <p>Lot frontage measured parallel to the front lot line at the minimum building setback</p>	
<p>NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.</p>	



3 ADMINISTRATION, ENFORCEMENT AND INTERPRETATIONS

3.1 ADMINISTRATION

3.1.1 SHORT TITLE

This By-Law may be cited as “The Zoning By-Law”.

3.1.2 LANDS SUBJECT TO BY-LAW

The provisions of this By-law shall apply to all those lands lying within the Corporate Limits of the City of Sault Ste. Marie.

3.1.3 CERTIFICATES OF CONFORMITY

Upon payment of the required fees, the Chief Building Official or designate, shall review applications for a certificate of conformity.

3.2 COMPLIANCE AND ENFORCEMENT

3.2.1 COMPLIANCE WITH ZONING BY-LAW

No person shall, within the lands to which this By-Law applies, use any land or erect or use any buildings or *structures* in whole or in part, except in conformity with the provisions of this By-Law.

3.2.2 NON-COMPLIANCE: NO BUILDING PERMIT TO BE ISSUED

Where land is proposed to be used, or a building is proposed to be erected or used otherwise than is permitted by this By-law, no permit for the use of the land or for the erection or use of a building shall be issued.

3.2.3 COMPLIANCE WITH OTHER RESTRICTIONS

No provision in this By-law shall reduce or mitigate any restrictions or regulations lawfully imposed by the Government of Canada, the Province of Ontario, or any other governmental authority having jurisdiction to make such restrictions or regulations.

3.2.4 SEVERABILITY PROVISIONS

If a Court of competent jurisdiction declares any section or part of a section of this by-law to be invalid, such section or part thereof, shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law, and it is hereby declared that the impugned section shall be severable and distinct from the remainder of the by-law, and the remainder of the by-law shall be valid and remain in force.



3.2.5 PENALTIES

Every person who contravenes any provision of this by-law is guilty of an offence, and upon conviction is liable of a penalty in accordance with the provisions of the Provincial Offences Act, as amended.

3.3 INTERPRETATIONS

3.3.1 SINGULAR AND PLURAL

In this By-law, unless specifically noted, words used in the singular shall include the plural, and words used in the plural shall include the singular.

3.3.2 EXAMPLES AND ILLUSTRATIONS

Examples and illustrations are for the purpose of clarification and convenience only, and do not form part of this By-law.

3.3.3 ZONE INTRODUCTIONS

The introductions preceding each zone are for the purpose of clarification and convenience, and do not form part of this by-law.

3.3.4 OTHER HIGHER STANDARDS SAVED

Wherever the provisions of this By-law require a greater width, depth, or area of yards or other open spaces, or require any other higher standards than are required under the provisions of any other By-law, applicable Act, or regulations, the provisions of this By-law shall prevail, however nothing in this By-law shall exempt any person, property, or use from the application of any Federal or Provincial Acts or Regulations.

3.3.5 MINIMUM REQUIREMENTS

Unless otherwise noted, all requirements, provisions, and limitations within this By-law shall refer to the minimum requirement.

3.3.6 REFERENCES TO OTHER LEGISLATION

Where this By-law makes reference to any other legislation, and where such legislation is amended, the reference shall be deemed to include all amendments.

3.3.7 REFERENCES TO OTHER AGENCIES

Where this By-law makes reference to the jurisdiction of a public agency, and where the name or responsibilities of such public agency are changed, the reference shall be deemed to include any and all successors to the public agency having jurisdiction over the matters to which the reference applies.



3.4 CLASSIFICATION OF ZONES

Zone Class	Zone	Zone Symbol
Rural Area Zones	Airport Zone	AIR
	Rural Area Zone	RA
	Rural Precambrian Uplands Zone	RP
	Rural Aggregate Extraction Zone	REX
Residential Zones	Estate Residential Zone	R1
	Single Family Residential Zone	R2
	Low Density Residential Zone	R3
	Medium Density Residential Zone	R4
	High Density Residential Zone	R5
	Mobile Park Zone	R6
	Environmental Management Zone	EM
	Parks and Recreation Zone	PR
	Institutional Zone	I
Commercial Zones	Traditional Commercial Zone	C1
	Central Commercial Zone	C2
	Commercial Transitional Zone	CT2
	Riverfront Commercial Zone	C3
	General Commercial Zone	C4
	Shopping Centre Commercial Zone	C5
	Highway Zone	HZ
Industrial Zones	Light Industrial Zone	M1
	Medium Industrial Zone	M2
	Heavy Industrial Zone	M3

3.5 ZONE BOUNDARIES

3.5.1 STREET AS ZONE BOUNDARY

A. Where the zone boundary approximates the street centerline, it is deemed to be on the street centerline.

B. Where the zone boundary approximates the edge of a street right-of-way, it is deemed to be on the edge of the street right-of-way.

3.5.2 LOT LINE AS ZONE BOUNDARY

Where the zone boundary approximates any registered *lot line*, whether such a lot is in a Plan of Subdivision or not, that *lot line* is deemed to be the zone boundary.



3.5.3 RAILWAY AS ZONE BOUNDARY

- A. Where the zone boundary approximates the railway centerline, it is deemed to be on the railway centerline.
- B. Where the zone boundary approximates the edge of a rail right-of-way, it is deemed to be on the edge of the rail right-of-way.

3.5.4 CITY LIMITS AS ZONE BOUNDARY

Where a zone boundary approximates the City boundary, the City boundary is deemed to be the zone boundary.

3.5.5 PRECAMBRIAN UPLANDS AREA BOUNDARIES

The bounding of the southern limits of the Precambrian Uplands Zone (RP) on the zone maps is an approximation, subject to correction upon the receipt of a more detailed review such as a survey or on-site investigation.

3.5.6 ENVIRONMENTAL MANAGEMENT ZONE BOUNDARIES ALONG CREEKS AND RAVINES

Where the Environmental Management Zone (EM) follows a creek or ravine, the zone boundary is deemed to be the crest of the ravine. If there is no discernable crest, the zone boundary shall be measured **15m** back from the centre point of the creek or ravine. The bounding of these creeks and ravines is an approximation, subject to correction upon the receipt of a more detailed review such as a survey or on-site investigation.

3.5.7 ENVIRONMENTAL MANAGEMENT ZONE BOUNDARIES ON PROVINCIALLY SIGNIFICANT WETLANDS

Where an Environmental Management Zone (EM) is applied to a Provincially Significant Wetland, the zone boundary is deemed to be the defined boundary of the wetland, plus an additional **120m**, which is a Provincial guideline for the buffer surrounding the wetland. The boundaries of these wetlands are an approximation, subject to correction upon the receipt of a more detailed review such as a survey or on-site investigation.

3.5.8 PRIME AGGREGATE BOUNDARIES

The bounding of the Rural Aggregate Extraction Zone (REX) on the zone maps is an approximation, subject to correction upon the receipt of a more detailed review such as a survey or on-site investigation.

3.5.9 SCALING A ZONE BOUNDARY THAT BISECTS A LOT

Where a zone boundary bisects a *lot*, and is indicated as approximately parallel to a *lot line*, public Street, lane, or any other right-of-way, and the distance between the zone boundary and right-of-way is not indicated, such zone boundary shall be determined by the use of a the scale shown on the zoning map in question.



3.5.9.1.1 {2007-105} YARD CALCULATION WHERE A ZONE BOUNDARY BISECTS A LOT

Where a zone boundary bisects a *lot*, buildings and structures may be located upon the zone boundary, so long as there is no non-residential,/residential interface between the 2 zones bisecting the *lot*. Where there is a non-residential/residential interface, required building setbacks will be calculated from the zone boundary.

3.5.10 ZONING OF CLOSED RIGHT-OF-WAYS

Where a right-of-way is closed, stopped up, or diverted, the land formerly included in such a right-of-way shall be included within the zone of the property adjoining on either side of the right-of-way. If the right-of-way formed a zone boundary between 2 or more zones, the new zone boundary shall be the former centerline of the right-of-way. If the right-of-way is sold to an abutting property owner, the zone boundary is deemed to be the new *lot line*.

3.5.11 WATER LOTS ON ST. MARY'S RIVER OR LAKE SUPERIOR

Where a zone is shown on the zoning map to include a *lot* abutting the St. Mary's River or Lake Superior, the zone shall include all lands on such a *lot* that were previously covered by water and have been lawfully filled.

3.6 ZONE MAPS

3.6.1 MAP SCALE TO BE USED

Distances not specifically indicated in words or figures on the zoning maps shall be determined according to the scale shown on the zoning map.

3.6.2 WRITTEN DESCRIPTION VS. MAP DESCRIPTION

When a particular zone is shown on a zoning map and also described in the By-law by a written legal description and there is a difference between the two, the written legal description shall govern.

3.6.3 {2006-78} ZONE MAPS FORM SCHEDULE A TO THIS ZONING BY-LAW

The maps attached are part of and form Schedule A to Zoning By-law 2005-150.



4 GENERAL PROVISIONS FOR ALL ZONES

4.1 ACCESSORY USES, BUILDINGS, AND STRUCTURES

4.1.1 ACCESSORY USES, BUILDINGS, AND STRUCTURES PERMITTED IN ALL ZONES

Where this By-Law permits the use of land, buildings, or *structures* for a specific use or uses, such a use shall include any buildings, *structures*, or uses *accessory* to the permitted use.

4.1.1.1 DWELLING UNITS PROHIBITED IN ALL ACCESSORY BUILDINGS

Dwelling units are not permitted in any *accessory* building or *structure*.

Exclusion: *Caretakers Dwelling Unit*

4.1.2 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES IN RESIDENTIAL ZONES

Refer to Section 9, General Provisions All Residential Zones.

4.1.3 YARD REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES IN ALL ZONES EXCLUDING RESIDENTIAL ZONES

Zone	Yards Permitted	Minimum Setback From Property Line	Maximum Height
Commercial	<i>Rear, and Interior Side Yards</i>	1m from any <i>lot line</i> , except the <i>exterior side lot line</i> , where the setback is the same as for the main building	The same as for the main building
Institutional, Parks and Recreation	<i>Any Yard</i>	The same as for the main building	The same as for the main building
Rural Area Zone	<i>Any Yard</i>	The same as for the main building	Refer to Section 8.5.2
Industrial	<i>Any Yard</i>	The same as for the main building	The same as for the main building



4.2 PERMITTED PROJECTIONS INTO REQUIRED YARDS

Unless otherwise noted in this By-law, every part of a required yard shall remain open and unobstructed by any building or structure, from the ground to the sky however, the following structures listed below shall be permitted to project into the required yards indicated for the distances specified.

Structure	Yard In Which Projection is Permitted	Maximum Projection Permitted into Required Yard(s)
Sills, Cornices, Eaves, Gutters, Chimneys or <i>Similar Architectural Structures</i>	<i>Any Yard</i>	0.6m - however, the projection shall not be closer than 0.3m to a <i>lot line</i> .
Outdoor Heating, Air Conditioning Units, Satellite Dishes and Antennas	<i>Any Yard</i>	Shall not be closer than 0.3m to any <i>lot line</i> .
<i>Decks</i>	<i>Any Yard</i>	A deck may project to within 1.2m of an <i>interior lot line</i> . A deck may project to within 3m of an <i>exterior lot line</i> . A deck may project to within 3m of a <i>rear lot line</i> . A deck may project 2.5m into the <i>required front yard</i>
Unenclosed Steps and Landings	<i>Any Yard</i>	2.5m into <i>required front, rear and exterior side yards</i> 0.9m into <i>interior side yard</i>
Awnings and Canopies {2010-74}	<i>Any Yard</i>	0.3m into <i>interior side yard</i> 1m into all other <i>yards</i>
Bay Windows with Useable Floor Space	<i>Front and Rear Yards</i>	1m
Bay Windows without Useable Floor Space	<i>Any Yard</i>	0.3m into <i>interior side yard</i> 1m into all other <i>yards</i>
Open Fire Escape	<i>Side and Rear Yard</i>	2m
<i>Balconies</i>	<i>Any Yard: Excluding Side Yards Less Than 3m</i>	1.5m
Unenclosed, Barrier Free Access Ramps	<i>Any Yard</i>	No Maximum



4.2.1 **DECK RESTRICTION IN COMMERCIAL ZONES**

Decks in commercial zones are prohibited in any *yard* that abuts a residentially zoned *lot*.

4.3 **FRONTAGE REQUIREMENT**

No building or *structure* may be erected upon a *lot* that does not have *frontage* on a Street that is publicly owned and maintained by the municipality year round. ~~{2009-5}~~ The dead end of a street does not constitute *frontage*.

4.3.1 **FRONTAGE REQUIREMENT EXCEPTION**

Developments in accordance with the *Condominium Act*, are exempt from the *frontage* requirement.

4.4 **DETERMINING THE LOT FRONTAGE ON CORNER LOTS AND THROUGH LOTS**

- A. **Corner Lot** – The *lot frontage* on a *corner lot* shall be the shortest *lot line* that abuts a public street
- B. **Through Lot** – The *lot frontage* on a *through lot* shall be consistent with the *lot frontages* of abutting properties. Where there are no developed properties abutting the *through lot*, the *lot frontage* is deemed to be along the *lot line* where primary access to the *lot* is gained.

4.5 **USES PERMITTED IN ALL ZONES**

4.5.1 ~~{2007-105}~~ **UTILITIES AND PUBLIC SERVICES**

Establishments and uses primarily engaged in providing a public service, such as electrical transmission, sewage, underground pipelines, the works and transmission of natural gas, telephone, cable television, and any other public services, including TransCanada's pipeline. Structures such as transmission wires are exempt from the *yard* and building regulations of the zone in which they are located, however buildings associated with such uses must conform to the yard and building regulations of the zone in which they are situated.

4.5.2 **CONSTRUCTION USES INCIDENTAL TO PUBLIC SERVICES**

The temporary work, staging, and storage *yards* necessary to service road construction and the installation of public services. Such uses are permitted in all zones and exempt from the building regulations of the zone in which they are located.



4.5.3 USES INCIDENTAL TO CONSTRUCTION

Buildings and *structures* that are on the premises and are incidental to construction for as long as work is in progress, and has not been finished or abandoned. Buildings and *structures* associated with uses incidental to construction shall adhere to the regulations for the zone in which they are located.

4.6 USES PROHIBITED IN ALL ZONES

Unless otherwise specifically noted in this By-law, the following uses shall be prohibited in all zones;

- A. The use of recreational vehicles, tents, *accessory use trailers*, trucks, and buses as living accommodation,
- B. A stockyard or establishment for the sale or shipping of livestock,
- C. The boiling of blood, tripe, or soap for commercial purposes,
- D. Incineration or disposal of biomedical, chemical, and radioactive wastes, unless *accessory* to a hospital, landfill site, or laboratory,
- E. A racetrack designed for motorized vehicles, and
- F. Any other use that operates contrary to the Environmental Protection Act.

4.7 USES RESTRICTED IN ALL ZONES

4.7.1 ADULT ENTERTAINMENT PARLOURS

Any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or services designed to appeal to erotic or sexual appetites or inclinations. Such services are not permitted in any zone category, and include;

- Services of which a principal feature or characteristic is the nudity or partial nudity of any person. For the purposes of this clause “partial nudity” shall mean less than completely and opaquely covered:
 - Human genitals or human pubic region;
 - Human buttocks; or
 - Female breast below a point immediately above the top of the areola.
- Services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy”, or in any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.



4.7.2 TOPSOIL STRIPPING

The removal of topsoil is prohibited in all Zones. All applications for the approval of a topsoil stripping operation will be reviewed and an agreement entered into with the City, pursuant to Section 142 of the Municipal Act. This agreement shall include the following;

- A. The area where topsoil removal is to occur,
- B. Description of the phasing of soil removal and rehabilitation,
- C. Description of the rehabilitation prescription,
- D. The extent of grade alteration,
- E. Description of the dust control measures, and
- F. Definition of the drainage impacts, as well as any remediation where necessary.

4.8 SIGHT TRIANGLE REQUIREMENTS FOR BUILDINGS AND STRUCTURES

4.8.1 SIGHT TRIANGLE REGULATIONS {2010-74}

On a *corner lot*, no building, *structure* or *fence* shall be erected, and no landscaping, hedge, shrubs or foliage shall be allowed to grow beyond a height of greater than **0.75m** above *established grade*, within a distance of **9m** from the intersecting *lot lines*, or projections thereof, that abut a street intersection. In *The Downtown*, The Traditional Commercial Zone, or where there is a *fully signalized street intersection*, the site triangle is reduced to **5m** from any intersecting *lot lines*, or projections thereof, which abut a street intersection.

4.8.1.1 EXCLUSION TO SITE TRIANGLE REQUIREMENTS

Existing and new trees are permitted within the defined sight triangle so long as no part of the canopy grows below **2m** (6.56') above *established grade*.

4.9 {2007-105} BUFFER REQUIREMENTS

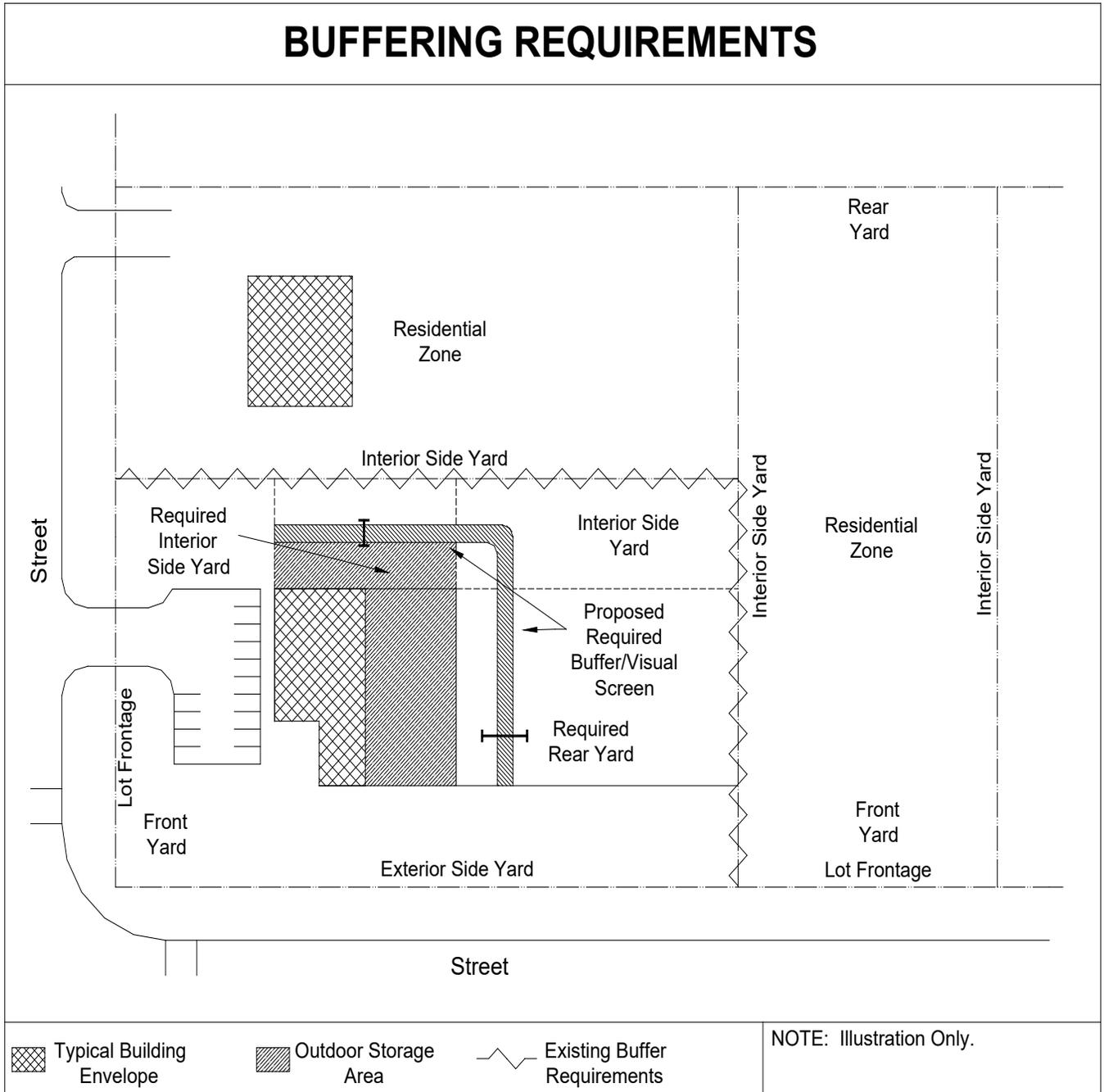
Where a non-residentially zoned *lot* abuts a Residential or rural zoned *lot*, the non-residentially zoned lot shall provide and maintain a planting strip along the full extent of the common boundary of such *lots*, or buffering may be setback from the common lot lines so long as no part of the non-residential use occurs on those lands between the buffer and the abutting residential lot. Such buffers are in addition to the minimum landscaping requirements outlined in each zone, and shall have a minimum width of:

- A. **0m**, wherever there is a *100% visually solid fence* of at least **1.8m** above *established grade*.
- B. **3m**, wherever there is a continuous hedgerow of evergreens, bushes, shrubs, or a berm, which shall reach at least **1.8m** above *established grade* upon maturity.



- C. {2010-74} **15m** wherever such a strip contains existing vegetation of at least 1.8m above established grade that provides an effective visual barrier.

Table 9 : Buffering Requirements





4.10 ~~{2006-76}~~ OUTDOOR STORAGE AND DISPLAY REGULATIONS

4.10.1 OUTDOOR STORAGE REGULATIONS

The following table describes the *outdoor storage* regulations. These regulations shall not apply to any *accessory* or incidental uses permitted in the Residential, Institutional, Rural Area, or Parks and Recreation Zones.

Zones Where Outdoor Storage is Permitted	Yards Where Permitted	Outdoor Storage Regulations
All Industrial Zones	<i>Rear and Interior Side Yards</i>	- <i>Outdoor Storage</i> areas shall be screened with <i>visually solid screening</i> at least 1.8m above <i>established grade</i> , when located upon any <i>yard</i> that abuts a public Street or residentially zoned <i>lot</i> .
Highway Zone	<i>Rear Yard</i>	

4.10.2 OUTDOOR DISPLAY REGULATIONS

Any use located within a Commercial or Industrial Zone, may display (but not store) goods outside for retail sale, so long as such goods are displayed adjacent to and within **3m** (9.84') of the front wall of the main building.

4.10.3 EXCEPTION TO OUTDOOR DISPLAY REGULATIONS

The following permitted uses are not subject to the *outdoor display* regulation outlined in Section 4.10.2:

- *Accessory use seasonal garden centres*
- *Motor vehicle sales and parts dealers* (includes RV, boat, snowmobile and motorcycle sales)
- *Motor vehicle rental and leasing services*
- *Building, hardware, and garden supply stores*
- *Heavy equipment repair and maintenance*
- *Fruit and vegetable stands*

4.10.4 ADDITIONAL OUTDOOR STORAGE AND DISPLAY AREA REGULATIONS

The following regulations apply to all zones where outdoor storage or display areas are permitted.

- A. Any area used for *outdoor storage* or *display areas* shall be in addition to and separate from such areas required by this By-law for the provision of off-street parking and loading, as well as any landscaping requirements
 - i. *Accessory use seasonal garden centres* may occupy areas required by this By-law for the provision of off-street parking, as set out in Section 1.1.2 of this By-law.



- B. If the *outdoor storage or display* area is to be lit, such lighting shall be shielded to direct light towards the ground and away from any residentially zoned properties.
- C. *Outdoor storage and display areas* shall be provided and maintained with a stable dustless surface.

4.11 NON-CONFORMING BUILDINGS, STRUCTURES, AND LOTS

4.11.1 EXISTING NON-CONFORMING LOTS

Existing Lots that lack the *required frontage or area* as set out in this By-law, may be built upon so long as all other regulations in this By-law are adhered to.

4.11.2 ~~{2009-5}~~ EXISTING NON-CONFORMING BUILDINGS, AND STRUCTURES

Existing buildings and *structures* that do not conform to the provisions set out in this By-law may continue to lawfully exist so long as the building, *structure*, or *use* is not altered in any way except in conformity with the provisions set out in this By-law.

4.11.3 BUILDING PERMIT APPLICATIONS

Where a completed building application has been submitted prior to the passing of this By-law, this By-law shall not prevent the granting of a building permit or the erection and occupancy of a building or *structure*, so long as the building or *structure* is used for the purposes for which it was erected.

4.11.4 ENLARGEMENT OF EXISTING BUILDINGS ON LOTS HAVING LESS THAN THE REQUIRED FRONTAGE

An *existing* building on a *lot* having less than the minimum *required frontage* may be enlarged provided that all other requirements of this By-law are adhered to, and the *side yards* provided are not less than the following reduced *yard* regulations:

4.11.5 ~~{2010-74}~~ REDUCED INTERIOR SIDE YARD REQUIREMENTS FOR EXISTING LOTS LACKING THE REQUIRED FRONTAGE

Where an *existing lot* lacks the *required frontage*, the required interior side yard setbacks may be reduced to 75% of the *required interior side yard* outlined in the specific zone within this by-law.

4.11.6 PREVIOUS USE VIOLATIONS CONTINUED

No use illegally established prior to the day of the passing of this By-law, and does not conform to this by-law, shall become or be made legal solely by the passing of this By-law.



4.11.7 EXISTING BUILDINGS AND STRUCTURES DESTROYED BY FIRE OR NATURAL DISASTER

Existing buildings and *structures* destroyed by fire or any other natural disaster may be reconstructed or repaired, as soon as is practicable, provided that the original dimensions and use are not altered in any way except in conformity with the provisions of this By-law.

4.11.8 ~~{2009-5}~~ EXPANSION OF LEGAL NON-CONFORMING SINGLE DETACHED RESIDENTIAL USES IN THE RURAL PRECAMBRIAN UPLANDS (RP) ZONE

Where a legal non-conforming *single detached dwelling* exists in the Rural Precambrian Uplands (RP) Zone, buildings and *structures* may be expanded, altered, or erected, so long as additional *dwelling units* are not created. The building regulations outlined under Section 8.5.2 (Rural Area Zone) of this By-law shall be applied to any new buildings or structures.

4.12 LOT CONVEYANCES

4.12.1 CONVEYANCE TO A PUBLIC AUTHORITY

No person shall be deemed to have contravened any provisions of this By-law where a *lot*, or part thereof has been conveyed to The Government of Canada, Province of Ontario, or City of Sault Ste. Marie.

4.12.2 SEVERANCE OF ATTACHED DWELLINGS PERMITTED

The severance of 1 *dwelling unit* within a pair of *semi-detached dwellings*, or any other *dwelling unit* within a row of *attached dwellings* adheres to the provisions of this By-law with respect to any *required yard* or building setbacks along the common *lot line*.

- A. Upon severance, each *lot* shall have a Maximum *Lot Coverage* of **45%**

4.13 ~~{2006-200}~~ REGULATIONS FOR ACCESSORY USE WIND TURBINES & COMMERCIAL WIND GENERATING SYSTEMS

4.13.1 SETBACKS FROM LOT LINES

All wind turbines are subject to a minimum setback from any *lot line* equal to 110% of the overall *height* of the wind turbine, with the blade in its highest position. Such setbacks will be calculated from the base of the tower supporting the wind turbine.

4.13.2 SETBACKS FROM RESIDENTIAL ZONES

Wind turbines are subject to a minimum setback from any residential zone boundary equal to 200% of the overall *height* of the wind turbine, with the blade in its highest position. Such setbacks will be calculated from the base of the tower supporting the wind turbine.



4.13.3 OTHER REGULATIONS

- A. If a wind turbine is to be higher than 30m above established grade, a building permit will not be issued until building officials receive proof that all air safety regulations will be adhered to. Nav Canada and Transport Canada set out these regulations.
- B. A building permit will not be issued until the Public Utilities Commission Inc. approves the proposal in writing.
- C. A limit of 1 *accessory use wind turbine* is permitted per lot, excluding the Industrial Zones (M1, M2, M3)

4.14 ADDITIONAL REGULATIONS FOR ALL ZONES

4.14.1 ADDITIONAL BUILDING SETBACKS FOR NEW LOTS THAT ABUT A MAIN LINE OF A RAILWAY

The minimum building setbacks for new residential, institutional, and parks and recreation *lots* shall be **30m** from the edge of any main line rail right-of-way. This provision does not apply to *existing lots*.

4.14.2 MINIMUM SEPARATION DISTANCE FOR NEW RESIDENTIAL LOTS AND EXISTING RAIL YARDS

New residential lots shall not be permitted within **300m** of any *lot line* of an *existing rail yard*. This provision does not apply to *existing lots*.

4.14.3 CALCULATION OF LOT AREA FOR LOTS ABUTTING MUNICIPALLY OWNED LANES

Where a *lot* abuts a municipally owned lane, $\frac{1}{2}$ of that abutting lane may be included when calculating the overall *lot area* and *depth* of any *required yard* abutting such a lane.

4.14.4 LANDS SUBJECT TO FLOODING

No building permit shall be issued on lands identified within the Conservation Authority's Flood and Fill Regulated Areas unless approved by the Sault Ste. Marie Conservation Authority.

4.14.5 BUILDING ON WATERFRONT PROPERTIES

- A. Openings to any building, other than an *accessory* building not containing an *accessory use second unit* {2019-83}, along the lower St. Mary's River shall not be located below **178.6m** Canadian Geodetic Datum.
- B. Openings to any building, other than an *accessory* building not containing an *accessory use second unit* {2019-83}, along the upper St. Mary's River shall not be located below **184.7m** Canadian Geodetic Datum.



4.14.6 BUILDING ON LOTS CONTAINING OR ABUTTING THE UNION GAS HIGH PRESSURE GAS PIPELINE

Where a lot contains or abuts the *high pressure gas pipeline*, a building permit will not be issued until Building Officials receive confirmation from the utility company that all setbacks and regulations pertaining to the easement will be adhered to. Union Gas sets out these additional setbacks and regulations.

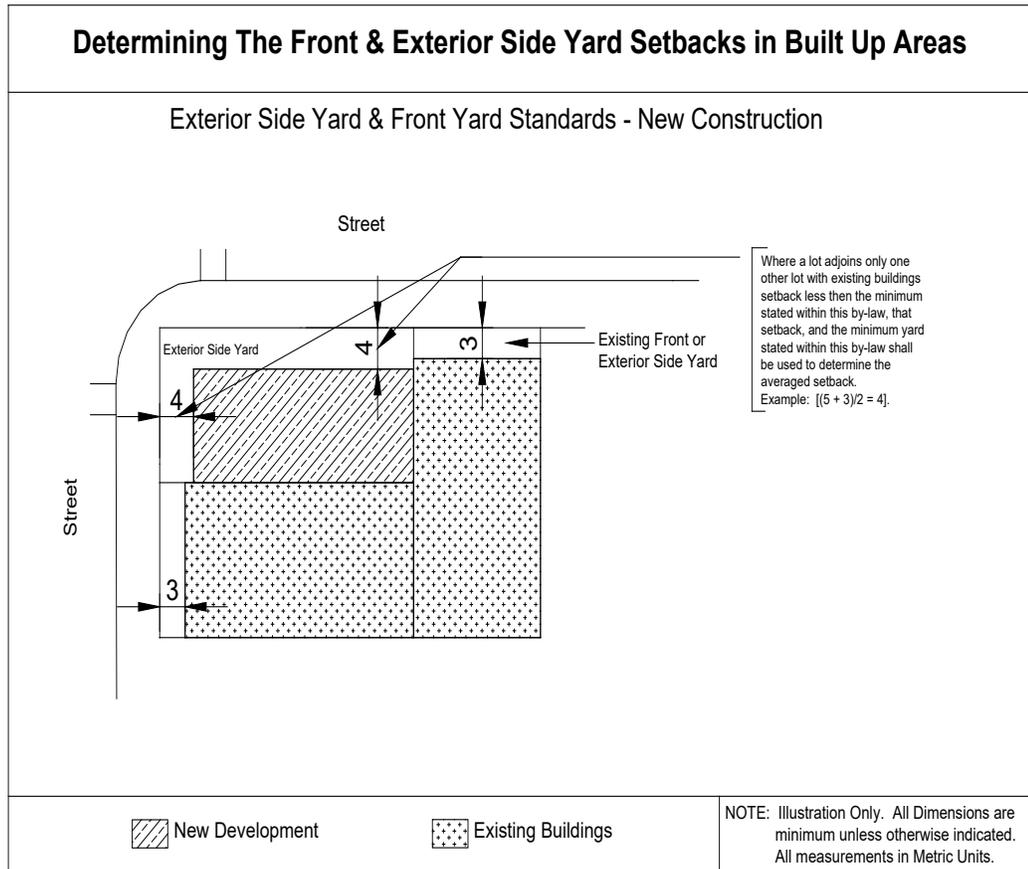
4.14.7 BUILDING ON LOTS CONTAINING OR ABUTTING THE TRANSCANADA PIPELINE

All permanent buildings and *structures*, including in-ground swimming pools, must be located at least **10m** from the edge of TransCanada’s right-of-way. Where a lot’s side yard abuts the right-of-way, *accessory* buildings may be placed to within **3m** of the right-of-way.

4.14.8 {2007-105} FRONT AND EXTERIOR SIDE YARD SETBACKS IN BUILT UP AREAS

For the purposes of establishing the *required front* and *exterior side yards*, the average distance from the street line to the main wall of the nearest building on each side of the lot is deemed to be the *required yard*.

Table 10 : Determining the Front And Exterior Side Yard Setbacks in Built Up Areas

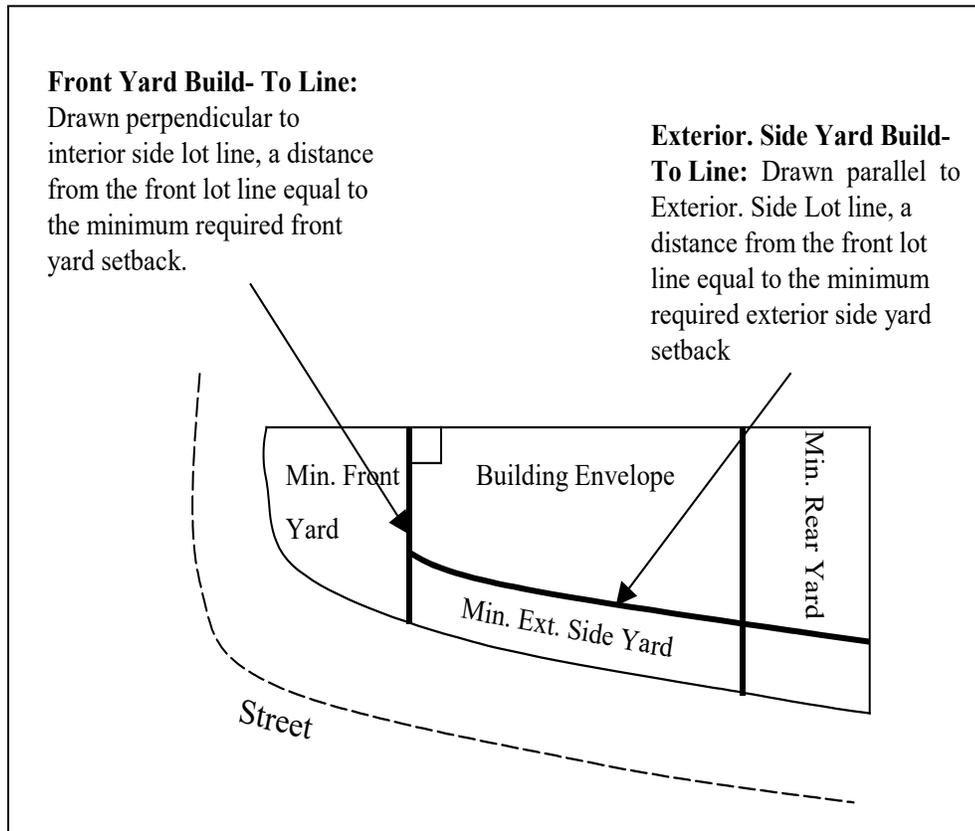




4.14.9 {2007-105} DETERMINING FRONT AND EXTERIOR SIDE YARD SETBACKS ON IRREGULARLY SHAPED LOTS

On a corner lot, where the front and exterior side lot lines are not parallel, the required front yard shall be determined by drawing a line, perpendicular to the interior side lot line, back from the front lot line a distance equal to the minimum required front yard of the zone in which the lot is situated. The exterior side yard shall be determined by extending a line from the rear lot line, to the determined required front yard setback line. Such line shall be parallel to the exterior side lot line, and a distance from the exterior side lot line equal to the minimum required exterior side yard of the zone in which the lot is situated.

Table 11 : Determining the Front and Exterior Side Yard Setbacks on Irregularly Shaped Corner Lots



4.14.10 NO BUILDING PERMIT WHERE AN APPLICATION TO THE COMMITTEE OF ADJUSTMENT IS PENDING

No building permits shall be issued for any lot where a consent application to the Committee of Adjustment is pending.



4.15 ~~{2019-83}~~ REGULATIONS FOR ACCESSORY USE SECOND UNITS

Notwithstanding any other regulations in this By-law, the regulations in this Section shall apply to all buildings, *structures* and *lots* containing *accessory use second units*.

4.15.1 PERMITTED PRIMARY USES

An *accessory use second unit* shall be permitted only as an *accessory use* to a *single detached dwelling*, *semi-detached dwelling* or *multiple attached dwelling*.

4.15.2 PERMITTED ZONES

An *accessory use second unit* shall be permitted only on land located in a zone where *accessory use second units* is explicitly listed as a permitted use.

4.15.3 MAXIMUM NUMBER PER LOT

A maximum of 1 *accessory use second unit* shall be permitted per *lot*.

4.15.4 PERMITTED BUILDINGS

An *accessory use second unit* shall be permitted to be located within the main (*primary dwelling unit*) building, as part of an *accessory* building, or as a standalone *accessory* building. An *accessory use second unit* shall not be located in an *accessory* building designed as a shared garage or carport between two abutting residential *lots*, as described in Section 9.1.6.



Table 11.1: Illustration of Examples of Accessory Use Second Units

Examples of Accessory Use Second Units	
<p style="text-align: center;">Basement Apartment (Within/Joined to Main Building)</p>	<p style="text-align: center;">Garage Suite (Part of an Accessory Building)</p>
<p style="text-align: center;">Second Floor Apartment (Within/Joined to Main Building)</p>	<p style="text-align: center;">Coach House (Standalone Accessory Building)</p>
<p>Note: Illustration only. Not all types represented.</p>	

4.15.5 PARKING

4.15.5.1 MINIMUM PARKING REQUIREMENT

1 parking space shall be required for each *accessory use second unit*, with the exception of an *accessory use second unit* on a lot located in *the downtown*.

4.15.5.2 STACKED PARKING SPACES

Required parking for *accessory use second units* may be in the form of *stacked parking spaces*.

4.15.5.3 PERMITTED PARKING SPACE LOCATION

Required parking for *accessory use second units* shall not be located in a *required front yard*.



4.15.6 BUILDING REGULATIONS FOR DIFFERENT TYPES OF ACCESSORY USE SECOND UNITS

	Maximum Building Height	Required Minimum Setback Distances	Maximum Accessory Use Second Unit Size (Gross Floor Area of living space)	Required Lot Frontage and Area, and Maximum Lot Coverage
Within or joined to Main Building	Same as for <u>main</u> building - specific height dependent on zoning.	Same as for <u>main</u> building - specific distances dependent on zoning.	Not larger in <i>gross floor area</i> than the <i>dwelling unit</i> that is the <i>lot's</i> primary use.	Same as for <u>main</u> building - specific requirements dependent on zoning.
As part of an Accessory Building	8.0m in <u>Rural Area (RA)</u> zone. 6.0m in all other zones.	Same as for <u>accessory</u> buildings - specific distances dependent on zoning - to a minimum of: 1.2m for 1 <i>storey</i> building. 1.8m for 2 <i>storey</i> building.	Not larger in <i>gross floor area</i> than the <i>dwelling unit</i> that is the <i>lot's</i> primary use, to a maximum of: 90m ² in the <u>Estate Residential (R1)</u> and <u>Rural Area (RA)</u> zones.	
As a standalone Accessory Building	1 <i>storey</i>	Same as for <u>accessory</u> buildings - specific distances dependent on zoning - to a minimum of 1.2m.	75m ² in all other zones.	

4.15.7 NON-CONFORMING LOTS, BUILDINGS AND STRUCTURES

4.15.7.1 EXISTING NON-CONFORMING LOTS

Accessory use second units shall not be permitted on *existing lots* that lack the *required lot frontage* or *lot area*, with the exception of *lots* in the *downtown*.

4.15.7.2 EXISTING NON-CONFORMING BUILDINGS AND STRUCTURES

An *existing* building or *structure* that does not conform to the provisions set out in this By-law may contain an *accessory use second unit*, so long as the building or *structure* is not enlarged.

4.16 REGULATION FOR STRS

Notwithstanding any other regulations in this Bylaw, the regulations in this Section shall apply to all buildings, structures and lots containing STRs.



4.16.1 PERMITTED NUMBER OF STRS

Only one self-contained STR is permitted per lot, except:

- a. If the property is within a commercial zone that permits dwelling units, more specifically the following commercial zones:
 - i. Traditional Commercial Zone (C1)
 - ii. Central Commercial Zone (C2)
 - iii. Commercial Transitional Zone (CT2)
 - iv. Riverfront Zone (C3)
 - v. General Commercial Zone (C4);
- b. One of the units on the property is owner occupied.
- c. Where multiple units exist on one property, written approval of the landlord is required.
- d. Where multiple units exist within a condominium complex, written approval from the Condominium Corporation is required.
- e. Additionally, pre-existing dwelling units with more than one unit being used as an STR prior to the date of passing of Bylaw 2022-177 (STR added to zoning Bylaw 2005-150) may continue to operate if:
 - i. The existing self-contained STR unit(s) adheres to all requirements of this Bylaw, the City's STR Licensing Bylaw, as amended or its successor, Fire Code, and Building Code; and,
 - ii. Use as a self-contained STR unit(s) prior to the passing of Bylaw 2022-177 can be proven by financial records to the satisfaction of the Planning Department.

4.16.2 NON-PERMITTED STRUCTURES

Recreational Vehicles (RVs) and tents cannot be utilized as STRs.

4.16.3 CONDITIONS TO OPERATE AN STR

- a. Every dwelling unit must be licensed by the Corporation of the City of Sault Ste. Marie STR Licensing Bylaw, as amended, or its successor.
- b. Accommodation Services and Bed and Breakfasts are excluded from the aforesaid requirements for STRs.



5 PARKING REGULATIONS

5.1 CALCULATION OF PARKING REQUIREMENTS

5.1.1 ROUNDING OF REQUIREMENTS

If the calculation of the required parking spaces results in a fraction, the required parking spaces shall be the nearest whole number, calculated using normal rounding rules.

5.1.2 AREAS EXCLUDED

Parking spaces required by this By-law shall not include any parking spaces used primarily for the storage or parking of vehicles for rent, display, sale, or awaiting repairs.

5.1.3 REQUIREMENTS BASED ON EMPLOYEES

Where the number of parking spaces required by this By-law is based upon the number of employees on the largest shift, the parking requirements will be calculated on the day in which the building permit is applied for.

5.1.4 REQUIREMENTS BASED ON CAPACITY

Where the number of parking spaces required by this By-law is based upon the maximum capacity of a building or *structure*, it is deemed to be the same as the maximum capacity outlined by the Ontario Building Code, or where applicable, the Liquor Licensing Board of Ontario, whichever capacity is the lesser.

5.1.5 REQUIREMENTS BASED ON AREA

Where the number of parking spaces required by this By-law is based upon the area of a building or *structure*, such area is deemed to be the *gross floor area* of that building or *structure*.

5.1.6 MORE THAN ONE USE IN THE SAME BUILDING

Where a building or *lot* accommodates more than 1 use, or includes *accessory* or secondary uses, the required parking spaces shall be the sum of the required parking spaces for the separate uses, except for *shopping centres*, *power centres {2012-158}* and other multiple use commercial buildings with at least 4 separate units for lease.



5.2 DESIGN OF PARKING AREAS AND SPACES

5.2.1 MINIMUM PARKING SPACE, DRIVEWAY AND AISLE DIMENSIONS

Parking Space Angle (A)	Stall Width (B)	Perpendicular Distance from Parking Stall End to Driveway (C)	Aisle Width (D)	Parking Area Width (Curb to Curb)	
				With Parking Spaces on 1 side only (E)	With parking spaces on both sides (F)
90°	2.75m	5.8m	6.71m	12.5m	18.29m
60°	2.75m	6.4m	5.49m	11.89m	18.29m
45°	2.75m	6.1m	3.96m	10.06m	16.15m
30°	2.75m	5.49m	3.35m	8.84m	14.33m
Parallel	2.75m	7.92m	3.05m	5.79m	8.53m

5.2.2 SURFACE TREATMENT OF REQUIRED PARKING AREAS

Unless otherwise noted in this By-law, all *required* parking areas shall be constructed with a concrete, or asphalt surface on top of a proper granular base with underground catch basins and storm sewers.

5.2.2.1 EXCEPTIONS FOR SURFACE TREATMENT OF REQUIRED PARKING AREAS

The following zones and uses may construct and maintain required parking areas with a surface consisting of crushed stone, concrete, asphalt, or other *similar* hard and dustless surfaces.

- Parks and Recreation Zone
- Industrial Zone
- Rural Zone
- Places of Worship
- Residential Uses with fewer than 4 *Dwelling units*

5.2.3 DELINEATION OF PARKING SPACES

Each paved parking space shall be clearly delineated by painted markings identifying the limits of the parking space. Where a parking space is not located on a paved surface, a minimum area of **32.5m²** shall represent each parking space.

5.2.4 LIGHTING

If a parking area is to be lit, such lighting shall be shielded to direct light towards the ground and away from any residentially zoned properties.



Table 12 : Design of Parking Areas & Spaces

Design of Parking Areas & Spaces																																														
<p>Diagram 1</p>			<p>Diagram 2</p>																																											
Street																																														
<table border="1"> <thead> <tr> <th rowspan="2">Parking Space Angle</th> <th rowspan="2">Stall Width</th> <th rowspan="2">Perpendicular Distance from Parking Stall End to Driveway</th> <th rowspan="2">Aisle Width</th> <th colspan="2">Parking Area Width (Curb to Curb)</th> </tr> <tr> <th>With Parking Spaces on One Side Only</th> <th>With Parking Spaces on Both Sides</th> </tr> <tr> <th>(A)</th> <th>(B)</th> <th>(C)</th> <th>(D)</th> <th>(E)</th> <th>(F)</th> </tr> </thead> <tbody> <tr> <td>90°</td> <td>2.75m</td> <td>5.8m</td> <td>6.71m</td> <td>12.5m</td> <td>18.29m</td> </tr> <tr> <td>60°</td> <td>2.75m</td> <td>6.4m</td> <td>5.49m</td> <td>11.89m</td> <td>18.29m</td> </tr> <tr> <td>45°</td> <td>2.75m</td> <td>6.1m</td> <td>3.96m</td> <td>10.06m</td> <td>16.15m</td> </tr> <tr> <td>30°</td> <td>2.75m</td> <td>5.49m</td> <td>3.35m</td> <td>8.84m</td> <td>14.33m</td> </tr> <tr> <td>Parallel</td> <td>2.75m</td> <td>7.92m</td> <td>3.05m</td> <td>5.79m</td> <td>8.53m</td> </tr> </tbody> </table>	Parking Space Angle	Stall Width	Perpendicular Distance from Parking Stall End to Driveway	Aisle Width	Parking Area Width (Curb to Curb)		With Parking Spaces on One Side Only	With Parking Spaces on Both Sides	(A)	(B)	(C)	(D)	(E)	(F)	90°	2.75m	5.8m	6.71m	12.5m	18.29m	60°	2.75m	6.4m	5.49m	11.89m	18.29m	45°	2.75m	6.1m	3.96m	10.06m	16.15m	30°	2.75m	5.49m	3.35m	8.84m	14.33m	Parallel	2.75m	7.92m	3.05m	5.79m	8.53m	<p>NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.</p>	
Parking Space Angle					Stall Width	Perpendicular Distance from Parking Stall End to Driveway	Aisle Width	Parking Area Width (Curb to Curb)																																						
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5.3 ACCESS AND LOCATION OF PARKING AREAS AND SPACES

5.3.1 ACCESS TO PARKING AREAS AND SPACES

Access to parking areas with 7 or more parking spaces shall be provided from a public Street, by means of at least one driveway, designed to allow vehicles to enter and exit in a forward direction.

5.3.2 NO ACCESS TO PARKING AREAS AND SPACES FROM RESIDENTIALLY ZONED LANDS

No person shall use land in a residential zone as access to any parking space or parking area located in any other zone.

5.3.3 ~~{2011-81}~~ LOCATION OF PARKING SPACES

No parking spaces shall be located;

- A. In a *required front* or *exterior side yard*, including the highway zone and Institutional zone, but excluding all other commercial, industrial, parks and recreation zones, and low density residential zone (R3) uses in *the downtown*,
- B. Within an area required for a future road widening as identified in Section 16.

5.3.4 PARKING SPACES ON THE SAME LOT

Unless otherwise noted in this By-law, required parking spaces shall be on the same *lot* as the building or use for which they are required.

5.3.5 ~~{2007-105}~~ ~~{2010-74}~~ PARKING SPACES ON NEIGHBOURING LOTS

Required parking spaces for developments within *the downtown*, all commercial and industrial zones, and *apartment buildings*, may be provided on a neighbouring or contiguous lot provided that;

- A. In the *downtown* and Traditional Commercial Zone (C1) required parking spaces must be within 300m of the *lot* in which the building or use is located. Where shared parking arrangements are located outside the *downtown* or Traditional Commercial Zone (C1), the benefiting *lot*, and the *lot* for parking must abut one another,
- B. Where an industrially zoned *lot* provides parking to benefit a commercially zoned *lot*, such parking must conform to the commercial parking regulations regarding surface treatment,
- C. The 2 *lots* are under the same ownership, or the land to be used for parking is held under a lease having a definite term in excess of 10 years,
- D. The land to be used for parking is in a Commercial, Institutional, Medium Density Residential, High Density Residential or Industrial Zone, and
- E. The owner of the use or building served by the parking lot shall maintain the required number of parking spaces for as long as the use exists.



5.4 PARKING EXCEPTIONS

5.4.1 NEW USES IN *EXISTING* BUILDINGS

When a new use commences in an *existing* building, the new use need only supply the difference between the required parking for the old use, and the required parking for the new use, as outlined in Section 5.7. These spaces are in addition to the actual number of spaces that *existed* on the day of the passing of this By-law, provided that the building's *gross floor area* is not increased. Section 5.5, which outlines the barrier free parking space requirements, shall be applied to the number of new parking spaces supplied.

5.4.2 NEW USES IN *EXISTING* BUILDINGS LOCATED IN *THE DOWNTOWN* OR TRADITIONAL COMMERCIAL ZONES

When a new use commences in an *existing* building located in *the downtown*, or the traditional commercial zone (C1), no additional parking is required beyond that already supplied, provided that the building's *gross floor area* is not increased.

5.4.3 NEW CONSTRUCTION IN *THE DOWNTOWN* OR TRADITIONAL COMMERCIAL ZONES

Where a building located in *the downtown*, or Traditional Commercial Zone (C1), is demolished or the *gross floor area* of an *existing* building is increased, the new building, or addition, need only supply the number of parking spaces that *existed* prior to construction, plus the required parking as set out in Section 5.7, which shall only be applied to the additional or expanded *gross floor area*.

5.4.4 PARKING SPACES ABUTTING A CITY OWNED LANEWAY

Where a parking space abuts a laneway owned and maintained by the municipality year round, the entire width of the laneway may be used when calculating the minimum parking aisle width.



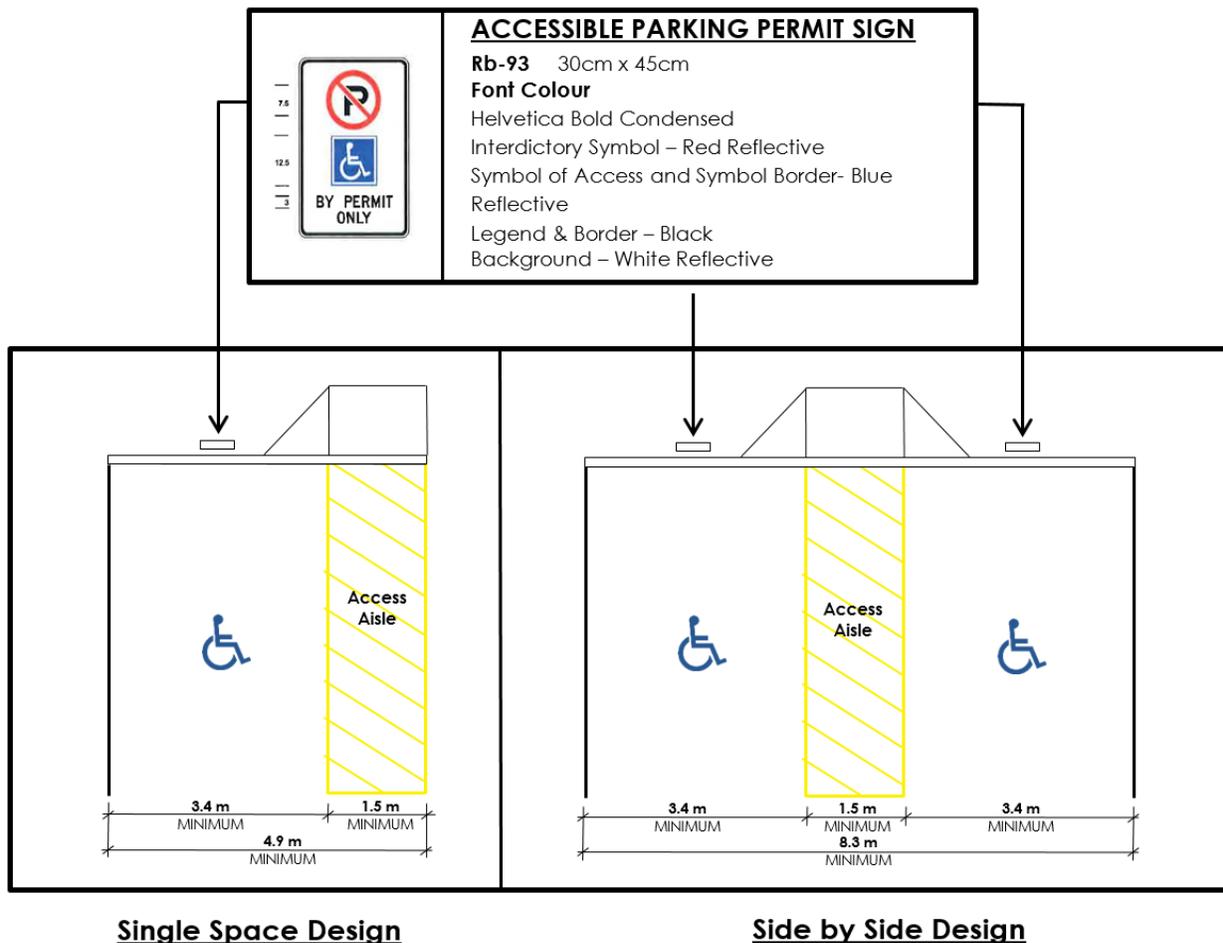
5.5 BARRIER-FREE PARKING SPACE REQUIREMENTS

Barrier-free parking shall be clearly marked and visible at all times, in accordance with the regulations set out in the Highway Traffic Act, and accessible to the entrance point of the building or activity. {2009-5, 2019-69} Minimum dimensions for barrier-free parking spaces shall be **3.4m x 5.8m** with a **1.5m** access aisle. Where 2 barrier-free spaces are side-by-side, the access aisle may be shared. {2012-158} The maximum slope of any part of any required barrier free parking space shall be no steeper than 1:20.

5.5.1 {2007-105} SURFACE TREATMENT OF *REQUIRED* BARRIER-FREE PARKING SPACES

Regardless of the surface treatment exceptions outlined in Section 5.2.2.1, all *required* barrier-free parking spaces must be paved.

Table 13 : Barrier-Free Parking Design {2019-69}





5.5.2 {2019-69} REQUIRED BARRIER-FREE PARKING SPACES FOR NON-RESIDENTIAL USES

The following barrier-free parking spaces shall be provided as part of the parking requirements set out in Section 5.7:

Number of Required Parking Spaces For Non-Residential Uses	Minimum Number of Required Barrier-free Parking Spaces
1 – 3	1 however such space need not be marked as a barrier-free parking space
4 – 10	1
11 – 35	2
36 – 50	3
Greater than 50	3 + 1 additional barrier-free space shall be supplied for every additional 50 required parking spaces, or part thereof.

5.5.3 {2009-5, 2019-69} REQUIRED BARRIER-FREE PARKING SPACES FOR RESIDENTIAL USES

The following barrier-free parking spaces shall be provided as part of the residential parking requirements set out in Section 5.7:

Number of Required Parking Spaces for Residential Uses	Minimum Number of Required Barrier-Free Parking Spaces
Any	6% of total <i>required</i> parking spaces

5.6 STACKED SPACES FOR DRIVE THROUGH FACILITIES, CAR WASHES, AND DESIGNATED EMPLOYEE PARKING

Car washes, drive-thru's, and designated employee parking shall provide the following *stacked parking spaces* with minimum dimensions of **3m by 6m**.

5.6.1 {2010-74} REQUIRED OFF-STREET STACKED SPACES

- A. Automatic Car Wash** – Shall provide at least 10 stacked spaces, counted back from the point of entry into the car wash building.
- B. Self-Serve Car Wash** – Shall provide at least 4 stacked spaces per washing stall. Such stacked spaces shall not interfere with vehicles exiting any washing stalls.
- C. Drive-Through Facilities Related to a Food Services Use** – Shall provide at least 10 stacked spaces counted back from the pick up or service window.
- D. Drive-Through Facilities Related to Non Food Related Use** – Shall provide at least 4 stacked spaces counted back from the pick up or service window.
- E. Designated Employee Parking** – A use or building may provide *stacked spaces* for employee parking only. Such stacked spaces shall be clearly marked and reserved for employees of the said use or building, and may not exceed 50% of the total number of required parking spaces.



5.7 MINIMUM PARKING REQUIREMENTS FOR ALL PERMITTED USES

Permitted Uses	Required Parking	Required Parking in <i>The downtown</i>
Residential Uses (Excluding Multiple Attached Dwellings and {2019-83} Accessory Use Second Units)	1.25 spaces / Dwelling Unit	
{2011-81} Multiple Attached Dwellings	1 space / Dwelling Unit	
{2019-83} Accessory Use Second Units	1 space / <i>Accessory use second unit</i>	None required
{2009-5} Accommodation Services	1.25 spaces / guestroom	
Agricultural Uses	No parking required for main use	
Amusement and Fitness Facilities	1/5 persons Max. Building Capacity	1/10 persons Max. Building Capacity
Amusement Parks	10 spaces/activity or attraction	
Animal Pens and Cages	No parking required for main use	
Arts Culture and Heritage Uses	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Assembly Facilities {2014-6} <i>Where Assembly Facilities are accessory to a Place of Worship, the greater of the two parking requirements between the Assembly Facility and the place of worship shall be applied, rather than an aggregate.</i>	1/5 persons Max. Building Capacity	1/10 persons Max. Building Capacity
Athletic Fields	No parking required for main use	
Auto Body Repair Establishments	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Bakeries	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Bandstands	No parking required for main use	
Bed and Breakfasts	1 space/guestroom + required parking for residence	
Bingo Halls	1/5 persons Max. Building Capacity	1/10 persons Max. Building Capacity
Bowling Greens	No parking required for main use	
Broadcasting	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Building, Hardware, and Garden Supply Stores	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Bulk Storage of Fossil Fuels	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Campgrounds	No parking required for main use	
Care Facilities	1/5 persons Max. Building Capacity	1/10 persons Max. Building Capacity
Casinos	1/5 persons Max. Building Capacity	1/10 persons Max. Building Capacity



Permitted Uses	Required Parking	Required Parking in <i>The downtown</i>
Catering Establishments	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Cemeteries and Crematoriums	No parking required for main use	
Colleges	1 space/2 employees + 1 space/10 students with full time enrolment	
Computer and Electronics Manufacture and Repair	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Conservation Area	No parking required for main use	
Contractors <i>Yards</i>	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Convenience Stores	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Day Care Facilities	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Dry Cleaning and Laundry Plants	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Elementary Schools	1.25 spaces/classroom	
Emergency Response Centres	No parking required for main use	
Food Services (Exclusions: Bakeries and Take-out Establishments)	1/5 persons Max. Building Capacity	1/10 persons Max. Building Capacity
Food Services as an <i>Accessory use</i> (Less than 25% of main buildings <i>Gross floor area</i>)	1 space /10 persons max. building capacity	
Fruit and Vegetable Stands	4.5 spaces/100m ²	3.5 spaces/100 m ²
Fuel Sales	{2014-6} No parking required for fuel sales use.	
Funeral Service Establishments	1/5 persons Max. Building Capacity	1/10 persons Max. Building Capacity
Furniture Store	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Golf Courses	No parking required for main use	
Greenhouses and Botanical Gardens	No parking required for main use	
Group Home	3 spaces/100m ²	
Group Residence	3 spaces/100m ²	
Heavy Equipment Sales, Repair and Maintenance Services	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Hospices	2 spaces/100m ²	
Hospitals	2 spaces/100m ²	
Ice Rinks	1/5 persons Max. Building Capacity	1/10 persons Max. Building Capacity
Industrial Plazas	2 spaces/100 m ²	



Permitted Uses	Required Parking	Required Parking in <i>The downtown</i>
Information and Technology Services (Including Call Centres)	4.5 spaces/100m ²	3.5 spaces/100 m ²
Manufacturing	1 space/employee on the largest shift	
Marinas, Boat Launching Ramps, Wharves	15 spaces/launch ramp with min. dimensions of 11m by 4m + 1 space/docking space	
Medical Centres	4.5 spaces/100m ²	3.5 spaces/100 m ²
Motion Picture and Sound Recording Studios	1 space/employee on the largest shift	
Motor Vehicle Equipment Rental and Leasing	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Motor Vehicle Sales and Parts Dealers	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Movie Theatres	1/5 persons Max. Building Capacity	1/10 persons Max. Building Capacity
{2011-81} Nursing and Residential Care Facilities	1 space/2 beds	
Office Uses	4.5 spaces/100m ²	3.5 spaces/100 m ²
Open Pit Aggregate Extraction	No parking required for main use	
Parks and Playgrounds	No parking required for main use	
Personal Services (Exclusion: Funeral Service Establishments)	4.5 spaces/100m ²	3.5 spaces/100 m ²
Personal Storage	No parking required for main use	
Pet Care Services	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Pits and Quarries	No parking required for main use	
Places of Worship {2014-6} Where <i>Assembly Facilities</i> are accessory to a <i>Place of Worship</i> , the greater of the two parking requirements between the <i>Assembly Facility</i> and the place of worship shall be applied, rather than an aggregate.	1/5 persons Max. Building Capacity	1/10 persons Max. Building Capacity
{2012-158}Power Centres	4.5 spaces/100m ²	3.5 spaces/100 m ²
Printing and Related Support Activities	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Professional, Scientific, and Technical Services	4.5 spaces/100m ²	3.5 spaces/100 m ²
Publishing Industries	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Rail Yards Related to Railway Uses	1 space/employee on the largest shift	
Reload Centres for Logs and Pulpwood	1 space/employee on the largest shift	
Rental and Leasing Services	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Repair and Maintenance Services	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Retail Trade	4.5 spaces/100m ²	3.5 spaces/100 m ²
Road Transportation and Warehousing	1 space/employee on the largest shift	



Permitted Uses	Required Parking	Required Parking in <i>The downtown</i>
Rooming Houses	1/5 persons Max. Building Capacity	1/10 persons Max. Building Capacity
Salvage <i>Yards</i> and Recycling Centres	1 space/employee on the largest shift	
Secondary Schools	5 spaces/classroom	
Shopping Centres	4.5 spaces/100m ²	3.5 spaces/100 m ²
Skateboard Park	No parking required for main use	
Sports Stadiums	1/5 persons Max. Building Capacity	1/10 persons Max. Building Capacity
Strip Plazas	4.5 spaces/100m ²	3.5 spaces/100 m ²
Take-out Facilities that are not part of a restaurant	4.5 spaces/100m ²	3.5 spaces/100 m ²
Tennis, Squash, and Racquet Ball Courts	No parking required for main use	
Tourism Uses (Exclusions: Marinas and Amusement Parks)	4.5 spaces/100m ²	3.5 spaces/100 m ²
Universities	1 space/2 employees + 1 space/10 students with full time enrolment	
Utilities	No parking required for main use	
Veterinary Clinic	3.5 spaces/100m ² for the 1 st 1000m ² + 1/200m ² thereafter	
Warehousing, Wholesaling and Distribution Centres	1 space/employee on the largest shift	



6 LOADING SPACE REQUIREMENTS

6.1 LOADING SPACES REQUIRED

Any non-residential use or building, or an *apartment dwelling* with greater than **25 dwelling units**, shall provide and maintain on the same *lot*, facilities comprised of 1 or more loading spaces in accordance with the provisions outlined below.

6.1.1 MINIMUM LOADING SPACE REQUIREMENTS IN ALL ZONES

Land Use		Minimum Number of Loading Spaces Required
<i>Apartment Dwellings with more than 25 Dwelling units</i>		1
All Non-Residential Uses (Gross floor area)	0 - 500m ²	0
	501m ² – 2500m ²	1
	2501m ² – 7500m ²	2
	7501m ² – 14000m ²	3
	Greater Than – 14000m ²	3 + 1/10,000m ²

6.2 LOADING SPACE REGULATIONS

6.2.1 DIMENSIONS OF LOADING SPACES

Required loading spaces shall have the following minimum dimensions;

- A. Length = 20m**
- B. Width = 3.6m**
- C. Vertical Clearance = 4.25m**

6.2.2 LOCATION OF LOADING SPACES

Unless otherwise noted in this By-law, required loading spaces shall be provided on the same *lot* occupied by the building or *structure* for which the said loading spaces are required, and may not be located within any *required front* and *exterior side yards*. Required loading spaces may not overlap any other required parking spaces.

6.2.3 VISUAL SCREENING OF LOADING SPACES ADJACENT TO STREETS AND RESIDENTIALLY ZONED LANDS

Where a loading space is located upon a *front*, or *exterior side yard*, or in any *yard* abutting a residentially zoned *lot*, that loading space must be **100% visually screened** from the roadway and/or residentially zoned *lots*.



6.2.4 ACCESS TO LOADING SPACES

Access to loading spaces shall be provided by means of 1 or more unobstructed driveways that have a width of at least **3.6m**, and provide sufficient space to permit the manoeuvring of vehicles on the *lot* so that hazards and obstructions are not created on adjacent streets.

6.2.5 EXCEPTION TO LOADING SPACE REGULATIONS: BUILDINGS WITH A GROSS FLOOR AREA LESS THAN 3700M²

Where an *apartment building* requires a loading space, or a building's *Gross floor area* is less than **3700m²**, the required loading space(s) may be located in a parking aisle, provided at least **50%** of the required parking is accessible while the loading space is occupied. The location of such a loading space shall be illustrated on plans submitted for approval.



7 FENCE REGULATIONS

For the purposes of this Section only, a *fence* also includes a hedge.

7.1 LOCATION

Fences may be erected up to the *lot line* provided that no part of the *fence* crosses over that *lot line* onto neighbouring *lots*.

7.2 MAXIMUM FENCE HEIGHTS

Zones	Location of <i>Fence</i>			
	<i>Front yard</i>	<i>Exterior side yard</i>	Any other <i>Yard</i> Adjacent to a Public Street	All other <i>Yards</i>
Residential Zones	0.9m	1.8m	1.8m	1.8m (No limit for hedges)
Commercial, Institutional, Light & Medium Industrial Zones	0.9m	No limit	No limit	No limit
Heavy Industrial, Parks and Recreation, Rural Area, Airport Development, Rural Precambrian Upland and Rural Aggregate Extraction Zones	No limit	No limit	No limit	No limit

7.3 SIGHTLINE SETBACKS FOR *FENCES*

7.3.1 SIGHTLINE SETBACKS FROM PUBLIC STREET INTERSECTIONS

On a *corner lot*, a *fence* shall be erected, and no hedge, shrubs or foliage shall be allowed to grow beyond a height of greater than **0.75m** above *established grade*, within a distance of **9m** from the intersecting *lot lines*, or projections thereof, that abut a street intersection, except in *the downtown*, the traditional commercial zone, or where there is a *fully signalized street intersection*, the defined site triangle is reduced to **5m** from any intersecting property lines, or projections thereof, that abut a street intersection.

7.3.1.1 EXCLUSION FROM SIGHTLINE SETBACKS FROM PUBLIC STREET INTERSECTIONS

Existing trees are permitted within the defined sight triangle so long as no part of the canopy grows below **2m** above *established grade*.



7.3.2 SIGHTLINE SETBACKS FOR DRIVEWAYS

Where a driveway intersects a *lot line* that abuts a public Street or a {2014-6} publicly owned and maintained laneway, those *fences* constructed to within **4.5m** of the intersection point shall adhere to the following regulations:

7.3.2.1 REDUCTION OF MAXIMUM *FENCE HEIGHT* WHERE DRIVEWAY INTERSECTS WITH A PUBLIC STREET

The maximum height of any *fence* shall be **0.75m** above *established grade* to within a distance of **4.5m** from the point at which the driveway and the *lot line* abutting a street or a {2014-6} publicly owned and maintained laneway intersect.

OR

7.3.2.2 CHAIN LINK FENCING WHERE DRIVEWAY INTERSECTS WITH A PUBLIC STREET

Where a driveway intersects with a *lot line* abutting a public Street or a {2014-6} publicly owned and maintained laneway, a *fence* may be erected within the **4.5m** sight triangle to the maximum height outlined in Section 7.2, so long as the portion of the *fence* which projects higher than **0.75m** above *established grade* is constructed as a chain link *fence* and does not significantly obstruct one's sight when viewed from any angle.

7.4 PRIVACY FENCING FOR SEMI-DETACHED DWELLINGS

A privacy *fence* with a maximum height of **1.8m** above *established grade* shall be permitted in the *front yard* of a *semi-detached dwelling* provided that;

- A. It be located upon the common *lot line* separating the 2 *dwelling units*,
- B. It not exceed **3m** in length, and
- C. It is no closer than **4.6m** from the *front lot line*.

7.5 ADDITIONAL FENCING REGULATIONS

7.5.1 BARBED WIRE FENCES

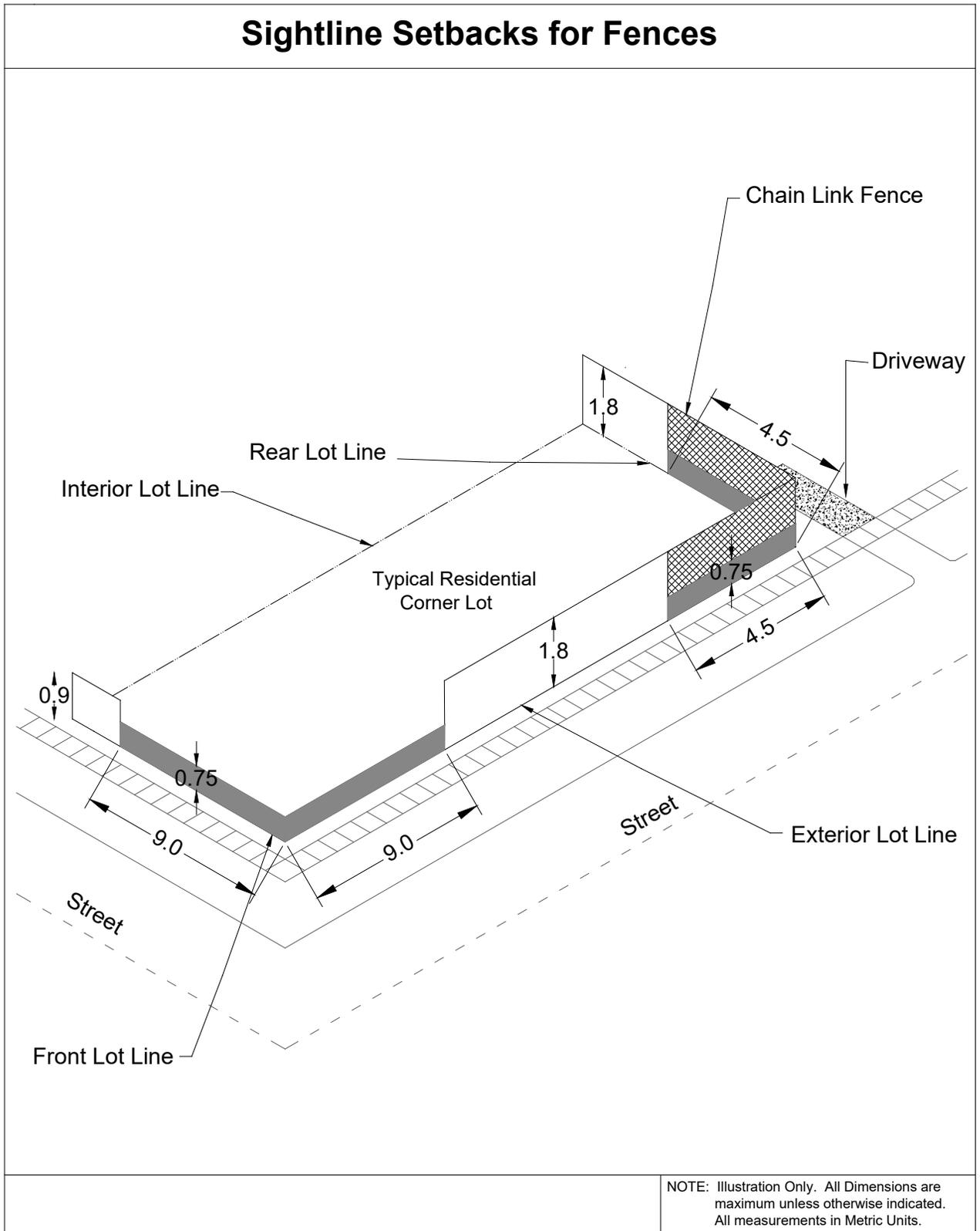
- A. Barbed wire *fences* are prohibited in all residential zones
- B. No barbed wire in any *fence* may be closer to the ground than **2m** above *established grade*, except in the rural zones.

7.5.2 ELECTRIFIED FENCES

Electrified *fences* are only permitted in rural zones in association with an *agricultural use*.



Table 14 : Sightline Setbacks for Fences





8 GENERAL PROVISIONS FOR ALL RURAL ZONES

8.1 ACCESSORY BUILDINGS AND STRUCTURES

8.1.1 ACCESSORY BUILDINGS INCLUDE PRIVATE GARAGES

In the rural zones, *accessory buildings* include private garages.

8.1.2 BARN AND KENNELS

For the purposes of this section, barns and kennels are defined as *accessory buildings* or *structures* used for housing livestock, or 3 or more dogs.

8.1.3 BARN AND KENNEL REGULATIONS

Barns and kennels are only permitted on *lots* with the following minimum requirements:

Minimum <i>Lot Area</i>	1.2 ha
Minimum <i>Frontage {2009-5}</i>	75m
Minimum setbacks from any <i>lot line</i>	30m
Barns and Kennels are only permitted in the <i>rear yard</i>	

8.2 ADDITIONAL GENERAL PROVISIONS FOR ALL RURAL ZONES

8.2.1 NUMBER OF DWELLINGS PER LOT

Not more than one *dwelling unit* is permitted on any *lot* in the rural zones.

8.2.2 EXISTING LOTS LACKING THE REQUIRED FRONTAGE OR AREA

Where an *existing lot* lacks the *required frontage* or *area*, such a *lot* can be built upon if;

- A. Repealed {2009-5}
- B. Where a *lot* has an area greater than **0.5ha**, all other *yard* regulations of the zone in which the *lot* is located shall be adhered to, and
- C. Where a *lot* has an area of less than **0.5ha**, a *single detached dwelling* may be built to the building regulations set out in the Single Detached Residential Zone (R2), Section 9.6.

8.2.3 THE ISSUANCE OF BUILDING PERMITS IN THE RURAL AREA

No building permit for a dwelling will be issued in a rural zone unless;

- A. The *lot* is serviced by Municipal water and sewer services, or
- B. The Algoma Health Unit provides a certification that the *lot* can be serviced by an on-site sewage disposal system and well.



8.3 RURAL PRECAMBRIAN UPLANDS ZONE (RP)

Introduction

The precambrian uplands zone is the area north of the shield line, defined as the first outcroppings of the bedrock comprising the Precambrian Uplands. The shallow soils make the area susceptible to groundwater pollution because any spill will quickly reach the many creeks and streams that lead to the Groundwater Recharge Area.

8.3.1 PERMITTED USES

- *Conservation Uses* – Buildings and structures are prohibited

8.3.2 {2011-81} EXPANSION AND ALTERATION OF EXISTING USES, BUILDINGS OR STRUCTURES

Existing buildings and structures may be expanded or altered, and *accessory buildings and structures* may be constructed, as long as the *use* legally existed prior to the passing of this Zoning by-law. All *buildings and structures* are subject to the Rural Area building requirements.



8.4 RURAL AGGREGATE EXTRACTION ZONE (REX)

Introduction

The aggregate extraction zone corresponds with the aggregate resources area of the Official Plan. This area is the source of mineral aggregate necessary to the construction industry. This area is also where the groundwater table receives the majority of its water supply through the quick infiltration of surface water.

8.4.1 PERMITTED USES

- *Accessory uses*
- *{2007-105} Accessory use solar power installations*– Refer to Section 1.1.6 for additional regulations
- *{2006-200} Accessory use wind turbines* – Refer to Section 4.13 for additional regulations
- *Home based business*
- *Short-Term Rental* – Refer to Section 4.16 for additional regulations
- *Similar uses*
- *Single Detached Dwelling* - on *existing lots* subject to rural area zone regulations
- *Open Pit Aggregate Extraction*

8.4.2 SETBACKS FOR THE PIT OPERATIONS AND BUILDINGS:

- From any *lot line* – **30m**
- Where a pit abuts another pit – **0m**

8.4.3 ADDITIONAL RURAL EXTRACTION ZONE (REX) REGULATIONS

8.4.3.1 HOLDING PROVISION FOR OPEN PIT AGGREGATE EXTRACTION

Open pit aggregate extraction is subject to the removal of a holding provision. The holding provision shall be removed after it is shown that the policies of the Official Plan relating to aggregate extraction will be met.



8.5 RURAL AREA ZONE (RA)

Introduction

The rural area zone is applied to those lands between the northern edge of the City's settlement area, and the southern edge of the aggregate extraction zone. Large tracts of cultivated or formerly cultivated lands characterize the area. The soils are typically a shallow layer of topsoil over clay.

8.5.1 PERMITTED USES

Minimum lot area and frontage requirements apply to buildings and uses which might not have buildings associated with them.

- *Single detached dwelling*
- *Accessory uses*
- *{2019-83} Accessory use second units - Refer to Section 4.15 for additional regulations*
- *{2007-105} Accessory use solar power installations– Refer to Section 1.1.6 for additional regulations*
- *{2006-200} Accessory use wind turbines -_Refer to Section 4.13 for additional regulations.*
- *Agricultural uses*
- *Bed and breakfast – subject to site plan review*
- *Campground*
- *{2007-105} Commercial solar power installations – Refer to Section 1.21 for additional regulations*
- *{2006-200} Commercial wind generating systems– Refer to Section 4.13 for additional regulations.*
- *Conservation uses*
- *Elementary schools*
- *Golf course*
- *Group home*
- *Home based business*
- *Parks and playgrounds*
- *Pet care services*
- *Place of worship*
- *Recreational facility*
- *Short-Term Rental – Refer to Section 4.16 for additional regulations*
- *Similar uses*
- *Veterinary clinic*



8.5.2 RURAL AREA ZONE (RA) BUILDING AND USE REGULATIONS

Minimums unless otherwise indicated

	Single Detached Dwellings, Bed and Breakfasts & all Accessory Buildings	Places of Worship	Golf Courses, & Recreational Facilities	Any Other Permitted Uses
Lot Area	0.8ha {2014-153}	1.2ha	10ha	1.2ha
Lot Frontage	45m	75m {2009-5}	75m {2009-5}	75m {2009-5}
Front Yard	15m	15m	45m	30m
Interior Side yard	5m	5m	45m	15m
Exterior Side yard	5m	5m	45m	15m
Rear Yard	15m	15m	45m	30m
Max. Lot Coverage	10%	10%	N/a	10%
Max. Building Height Main Building Accessory Building	3 Storeys 8m	None	None	8m

8.5.3 ADDITIONAL RURAL AREA ZONE (RA) REGULATIONS

8.5.3.1 PARKING OF COMMERCIAL VEHICLES

No more than 1 *commercial vehicle* may be parked or stored on any *lot*, and shall be setback at least **15m** from any *side lot line*.

8.5.3.2 HOLDING PROVISION ON GOLF COURSES

The holding provision on *golf courses* will be removed once the following has been completed:

- A hydro-geological report on the taking of water needed to support the golf course, along with any potential impacts on surface and ground water quality and quantity.
- This report shall be prepared in consultation with the Conservation Authority to determine the potential impacts upon wetlands in the area.



8.6 AIRPORT ZONE (AIR)

Introduction

The airport zone is intended to provide for and regulate the immediate lands surrounding Sault Ste. Marie's Airport. The Airport Zone (AIR) shall be broken into 3 separate 'Blocks' of land, each with their own set of permitted uses and building regulations.

8.6.1 PERMITTED USES AND BUILDING REGULATIONS FOR THE AIRPORT ZONE

Areas Within Airport Zone*	Permitted Uses	Minimum Setbacks
Block A	-Fairgrounds	<p>All uses shall be 30m from the North and West <i>Lot Lines</i>.</p> <p>Motor Vehicle Racing, Rodeo Events and any other <i>similar</i> events and <i>accessory</i> uses: 300m from Airport Rd.</p> <p>All other Events: 70m from Airport Rd.</p>
Block B	<ul style="list-style-type: none"> -Accommodation Services -Broadcasting -Computer and electronic products manufacture and repair Delivery and courier services -Information and technology services -Motion picture and sound recording studios -Motor vehicle equipment rental and leasing -Personal storage -Professional scientific and technical services -Retail Trade – Max. Floor Area = 300m² -Warehousing, wholesaling, and distribution centers - with no outdoor storage 	No buildings or structures other than those associated with air traffic control operations may be located within 25m of Airport Rd.
Entire Zone	<ul style="list-style-type: none"> -{2007-105} Accessory use solar power installations– Refer to Section 1.1.6 for additional regulations -{2007-105} Commercial solar power installations– Refer to Section 1.21 for additional regulations -Accessory use wind turbines - Refer to Section 4.13 for additional regulations -Airport -Caretaker dwelling unit -Conservation uses -Golf Courses (Subject to hp) 	None

*Please refer to Zoning Map or Table 8 on the following page to determine where Blocks A & B are located within the Airport Zone.



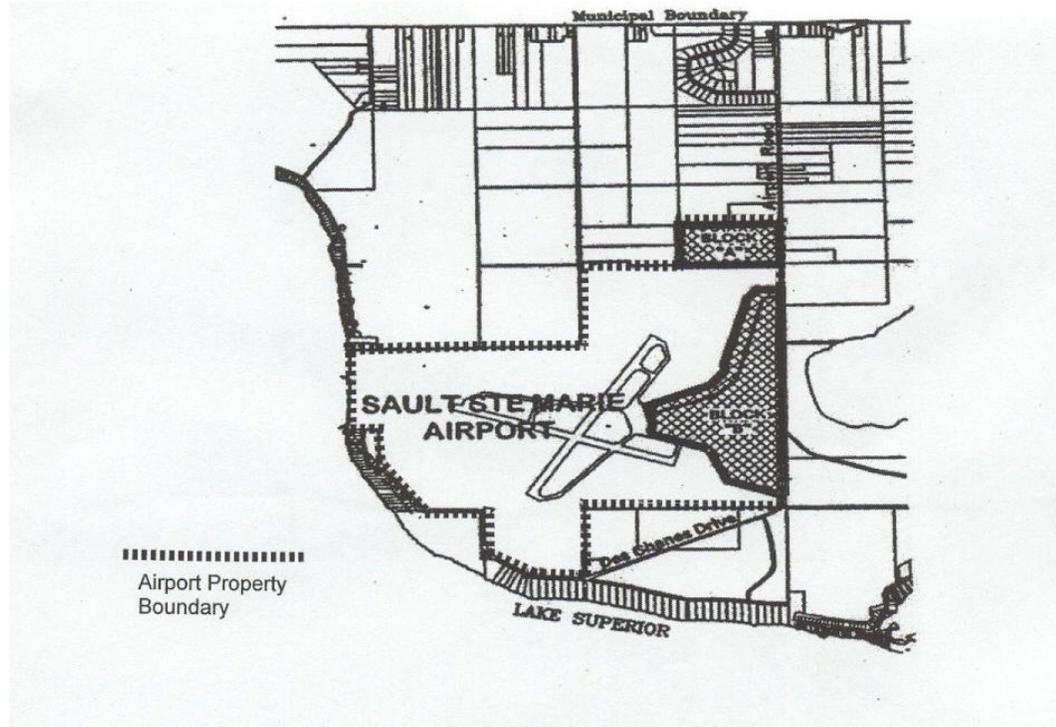
8.6.2 ADDITIONAL AIRPORT ZONE (AIR) REGULATIONS

8.6.2.1 HOLDING PROVISION ON GOLF COURSES

The holding provision on *golf courses* will be removed once the following has been completed:

- A hydro-geological report on the taking of water needed to support the golf course, along with any potential impacts on surface and ground water quality and quantity.
- This report shall be prepared in consultation with the Conservation Authority to determine the potential impacts upon wetlands in the area.

Table 15 : Location of Blocks A, B, & C in the Airport Zone (AIR)





9 GENERAL PROVISIONS IN ALL RESIDENTIAL ZONES

Unless otherwise noted in this by-law, the following provisions shall apply to all residential zones.

9.1 ACCESSORY BUILDINGS AND STRUCTURES

Where specific residential zone regulations are lesser than those stated below, the lesser *yard* standard shall apply.

9.1.1 ACCESSORY AND SIMILAR USES IN RESIDENTIAL ZONES

Accessory and *similar uses* are permitted in all residential zones.

9.1.2 TIME PROHIBITION FOR ERECTION OF ACCESSORY BUILDINGS

No *accessory* building shall be constructed prior to the erection of the main building on the same *lot*, unless it is necessary for the storage of tools and materials for use in connection with the construction of the main building or *structure*.

9.1.3 DWELLING UNITS PROHIBITED IN ACCESSORY BUILDINGS

Unless otherwise noted in this by-law, *dwelling units* are not permitted in any *accessory* building or *structure* located upon residentially zoned properties.

9.1.4 ACCESSORY BUILDING LOCATION PROHIBITION

No *accessory* building shall be located in a *required front* or *exterior side yard*.

9.1.5 YARD REGULATIONS FOR GARAGES AND CARPORTS

Note: These regulations do not pertain to R1 and R2 lots that abut the water. In these instances, the minimum setbacks for accessory buildings are the same as set out for the main building, excluding height, which is 6m, as outlined in sections 9.5.3.2 & 9.6.3.2 respectively.

Location	Minimum Distance from Main Building	Minimum Distance from Interior Side Lot Line	Minimum Distance from Exterior Side Lot Line	Minimum Distance from Rear Lot Line	Maximum Building Height
Joined to the main building	N/a	{2012-158} 1.2m for 1 storey building 1.8 for 2 storey building	Same as for main building	Same as for main building	Same as main building
In Side yard	1m	1.2m	Accessory structures shall not be located within a <i>required exterior side yard</i> . {2006-78}	0.6m	6m
In Rear yard	1m	0.6m	Same as for main building	0.6m	6m



9.1.6 SHARED GARAGES AND CARPORTS

- A. The applicable setbacks for garages and carports are set out in Section 9.1.5.
- B. The above stated *accessory* buildings may be erected to the *side or rear lot lines* if they are designed as one building to be shared with the lot directly abutting the *side or rear lot line* in question.
- C. Such shared *accessory* buildings and *structures* must have a common wall along the *lot line* in question.
- D. Such shared buildings must be constructed and reconstructed simultaneously.

9.1.7 ALL OTHER ACCESSORY BUILDINGS AND STRUCTURES

Unless otherwise noted in this by-law, *accessory* buildings or *structures* on residentially zoned *lots* shall adhere to the following regulations;

- A. With the exception of garages and carports, all *accessory* buildings or *structures* shall be located in the *rear yard*, {2012-158} except where the lot abuts the water, in which case all *accessory buildings* may be located in a *front yard*.
- B. {2006-78} Minimum distance from any *lot line* shall be **0.6m**
- C. Minimum distance from main building shall be **1m**
- D. *Maximum building height* shall be **3.6m**
- E. {2007-105} Swimming pools and hot tubs are permitted in a *rear yard* only
- F. {2007-105} The inner wall of a swimming pool shall or hot tub shall be setback a minimum of **1.5m** from any *lot line*.

9.1.8 {2014-6} MAXIMUM SIZE FOR ALL ACCESSORY BUILDINGS AND STRUCTURES

The *gross floor area* of any one *accessory* building or *structure* shall not exceed the *gross floor area* of the main building located on the same *lot*.

9.2 DRIVEWAYS

9.2.1 DRIVEWAY ACCESS LOCATION:

Shall be a minimum of **4.5m** from any street intersection.

9.3 PARKING REGULATIONS IN ALL RESIDENTIAL ZONES

Every residentially zoned *lot* shall provide the required parking space(s) as set out in Section 5.7. Such required parking shall not be located within any *required front* and *exterior side yard*.

9.3.1 PARKING EXCEPTION FOR LOTS LOCATED IN THE DOWNTOWN.

If there is no other land available for required parking, the required parking will be permitted upon $\frac{1}{2}$ of the width of the *front yard*, measured between the *side lot lines*, so long as the remaining $\frac{1}{2}$ of the *front yard* is landscaped



9.3.2 PROHIBITION OF COMMERCIAL VEHICLE PARKING IN ALL RESIDENTIAL ZONES

No bus, or *commercial vehicle* exceeding 3200kg {2006-76} curb weight shall be parked or stored upon any residentially zoned *lot*.

9.4 ADDITIONAL REGULATIONS IN ALL RESIDENTIAL ZONES

9.4.1 FRONT AND EXTERIOR SIDE YARD SETBACKS IN BUILT UP AREAS

For the purposes of establishing the *required front* and *exterior side yards*, the average distance from the *street line* to the main wall of the nearest building on each side of the *lot* is deemed to be the *required yard*.

9.4.2 ONE DWELLING UNIT PER LOT

Except where group or multiple dwellings are permitted, not more than 1 *dwelling unit* shall be erected upon any 1 *lot*.

9.4.3 REPEALED BY BY-LAW {2012-158} ~~DWELLING UNITS PROHIBITED IN CELLARS~~

9.4.4 MULTIPLE AND SEMI-DETACHED LOTS

The *yard* requirements of this by-law address the requirements for *lots* and *structures* containing the attached units. These units may be sold individually and the *lots* created to do so shall be deemed to conform to this by-law.

9.4.5 YARDS ON THROUGH LOTS

Where a lot possesses Street *frontages* along both the *front* and *rear lot lines*, the *front* and *rear yards* shall be defined by the *front* and *rear yard* positioning on adjacent properties.

9.4.6 DEFINING FRONT YARD ON A CORNER LOT

The *yard* facing the Street upon which the lot has its least dimension shall be defined as the *front yard*.

9.4.7 SEWER AND WATER REQUIREMENTS FOR DEVELOPMENT

No dwelling shall be erected on a *lot* where municipal services such as sewer and water are not provided, except in the estate residential zone (R1), where approval from the Algoma Health Unit for a well and private sewage system is required.



9.5 ESTATE RESIDENTIAL ZONE (R1)

Introduction

This zone is the most restrictive residential zone, which provides for and regulates single detached dwellings, often on private wells and sewage systems generally located in the rural areas of the city. Lot regulations reflect a rural setting.

9.5.1 ANY LOT MAY BE USED FOR ONE OF THE FOLLOWING PERMITTED USES;

- {2019-83} *Accessory use second units* - Refer to Section 4.15 for additional regulations
- {2006-200} *Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- {2007-105} *Accessory use solar power installations* – Refer to Section 1.1.6 for additional regulations
- *Single detached dwelling*
- *Bed and Breakfast*– Subject to site plan control
- *Day care facility* – Subject to Institutional Zone (I) regulations
- *Elementary school* – Subject to Institutional Zone (I) regulations
- *Group Home*
- *Home based business as accessory to a dwelling unit* – Subject to additional regulations set out in Definitions Section
- *Park and playground* - Subject to Parks and Recreation Zone (PR) regulations
- *Place of Worship* – Subject to Institutional Zone (I) regulations
- *Short Term-Rental* – Refer to Section 4.16 for additional regulations

9.5.2 ESTATE RESIDENTIAL ZONE (R1) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	All R1 Permitted Uses	
	R1 Properties that abut Lake Superior & St. Mary's River	All other R1 Properties
Lot Area		
Serviced Lots	0.4ha	0.4ha
Un-serviced Lots	0.8ha {2014-153}	0.8ha {2014-153}
Frontage	30m	45m
Front yard	12m	12m
Exterior side yard	9m	9m
Interior side yard* (The other interior side yard)	3.5m {2007-105} 6m	3.5m {2007-105} 6m
Rear yard	15m from the rear lot line abutting St. Mary's River or	10m



	Lake Superior	
Maximum Building Height	2 storeys	2 storeys
Maximum Lot Coverage	40%	40%

**Interior Side Yard standards to be established by the first building or structure that is erected on-site*

9.5.3 ADDITIONAL ESTATE RESIDENTIAL ZONE (R1) REGULATIONS

9.5.3.1 SETBACKS FOR ACCESSORY BUILDINGS AND STRUCTURES IN THE R1 ZONE

Despite any other provisions in this By-law, *accessory* buildings and *structures* in the R1 zone shall adhere to the same *yard* regulations set out for the main building.

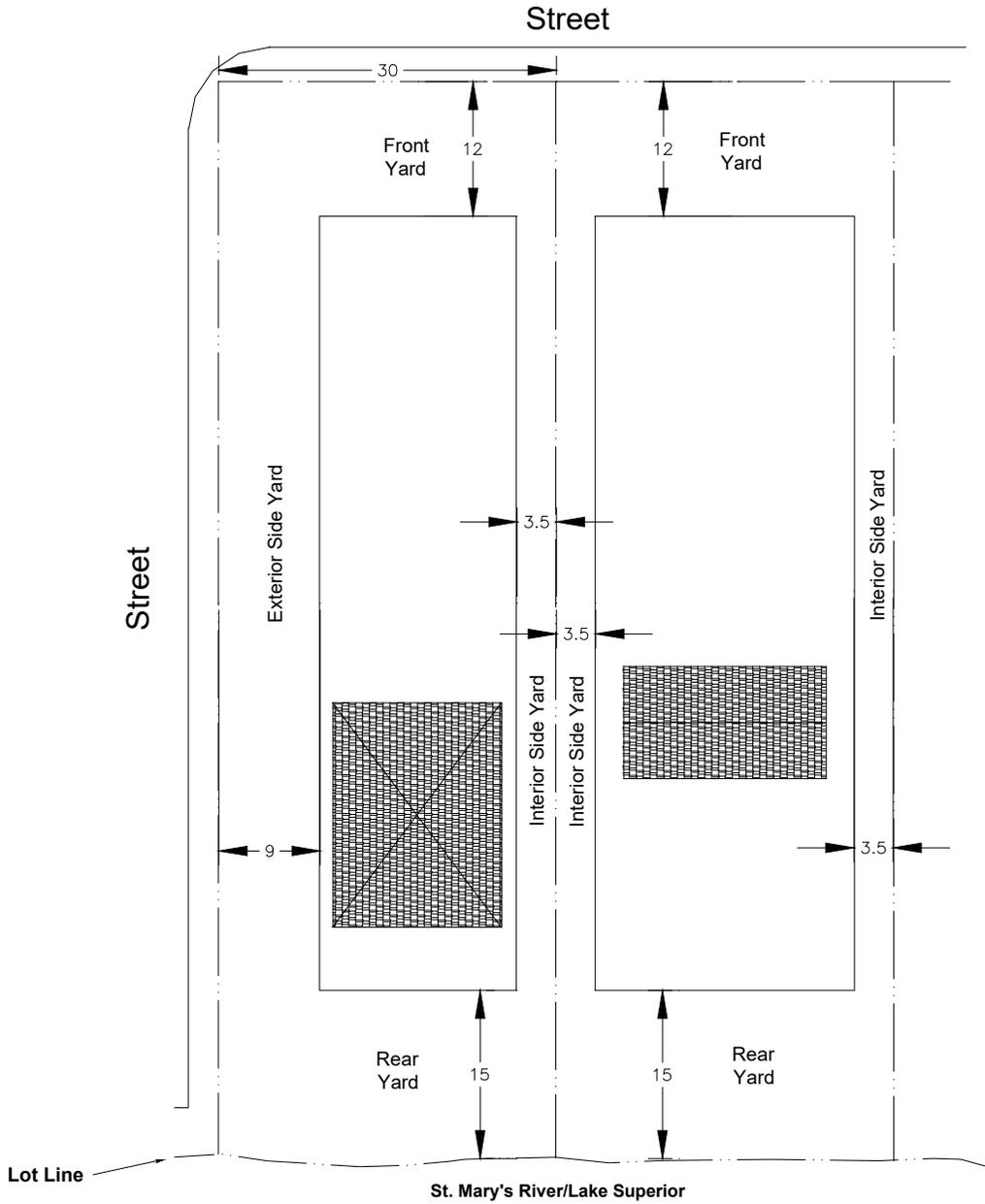
9.5.3.2 {2014-6} MAXIMUM HEIGHT FOR ACCESSORY BUILDINGS AND STRUCTURES IN THE R1 ZONE

Despite any other provisions in this By-law, *accessory* buildings and *structures* in the R1 zone shall have a maximum height of 6m.



Table 17 : Estate Residential Zone (R1) Abutting Lake Superior & St. Mary's River Building Regulations

Estate Residential Zone (R1) Abutting Lake Superior & St. Mary's River Building Regulations



Typical Building

NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.



9.6 SINGLE DETACHED RESIDENTIAL ZONE (R2)

Introduction

This zone is especially designed for the majority of the single detached neighbourhoods in Sault Ste. Marie. Zone regulations are aimed at providing for and regulating *single detached dwelling units* with special regard for maintaining the present character of the *existing* neighbourhoods.

9.6.1 ANY LOT MAY BE USED FOR ONE OF THE FOLLOWING PERMITTED USES;

- {2019-83} *Accessory use second units* - Refer to Section 4.15 for additional regulations
- {2006-200} *Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- {2007-105} *Accessory use solar power installations* – Refer to Section 1.1.6 for additional regulations
- *Single detached dwelling*
- *Bed and Breakfast* - Subject to site plan control
- *Day care facility* – Subject to Institutional Zone (I) regulations
- *Elementary school* – Subject to Institutional Zone (I) regulations
- *Group Home*
- *Home based business as accessory to a dwelling unit* – Subject to additional regulations set out in the Definitions Section
- *Park and playground* – Subject to Parks and Recreation Zone (PR) regulations
- *Place of Worship*– Subject to Institutional Zone (I) regulations
- *Short-Term Rental* – Refer to Section 4.16 for additional regulations



9.6.2 SINGLE DETACHED RESIDENTIAL ZONE (R2) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Single Detached Dwellings & Group Homes	
	R2 Lots that abut Lake Superior & St. Mary's River	All other R2 Properties
Lot Area	650 m ²	550m ²
Frontage	18m	15m
Front yard	7.5m	7.5m
Exterior side yard	4m	4m
Interior side yard	1.2m for 1 storey building 1.8m for 2 storey building	1.2m for 1 storey building 1.8m for 2 storey building
The other Interior side yard	{2012-158 } 3.5m	3m
Rear yard	15m from rear lot line	10m
Maximum. Building Height	2 storeys	2 storeys
Maximum. Lot Coverage	40%	40%

9.6.3 ADDITIONAL SINGLE DETACHED RESIDENTIAL ZONE REGULATIONS

9.6.3.1 {2006-78} ACCESSORY BUILDINGS OR STRUCTURES IN YARDS THAT ABUT LAKE SUPERIOR OR ST. MARY'S RIVER

Where an *accessory* building or *structure* is located within a *yard* that abuts Lake Superior or St. Mary's River, the *accessory* building or *structure* shall conform to the same setbacks as set out for the main building. Such setbacks are outlined in Section 9.6.2 of this By-law.

9.6.3.2 {2014-6} MAXIMUM HEIGHT REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES ON LOTS THAT ABUT LAKE SUPERIOR OR ST. MARY'S RIVER

Despite any other provisions in this By-law, accessory buildings and structures on R2 lots that abut Lake Superior or St. Mary's River, shall have a maximum height of 6m.



Table 18 : Single Detached Residential Zone (R2) Building Regulations

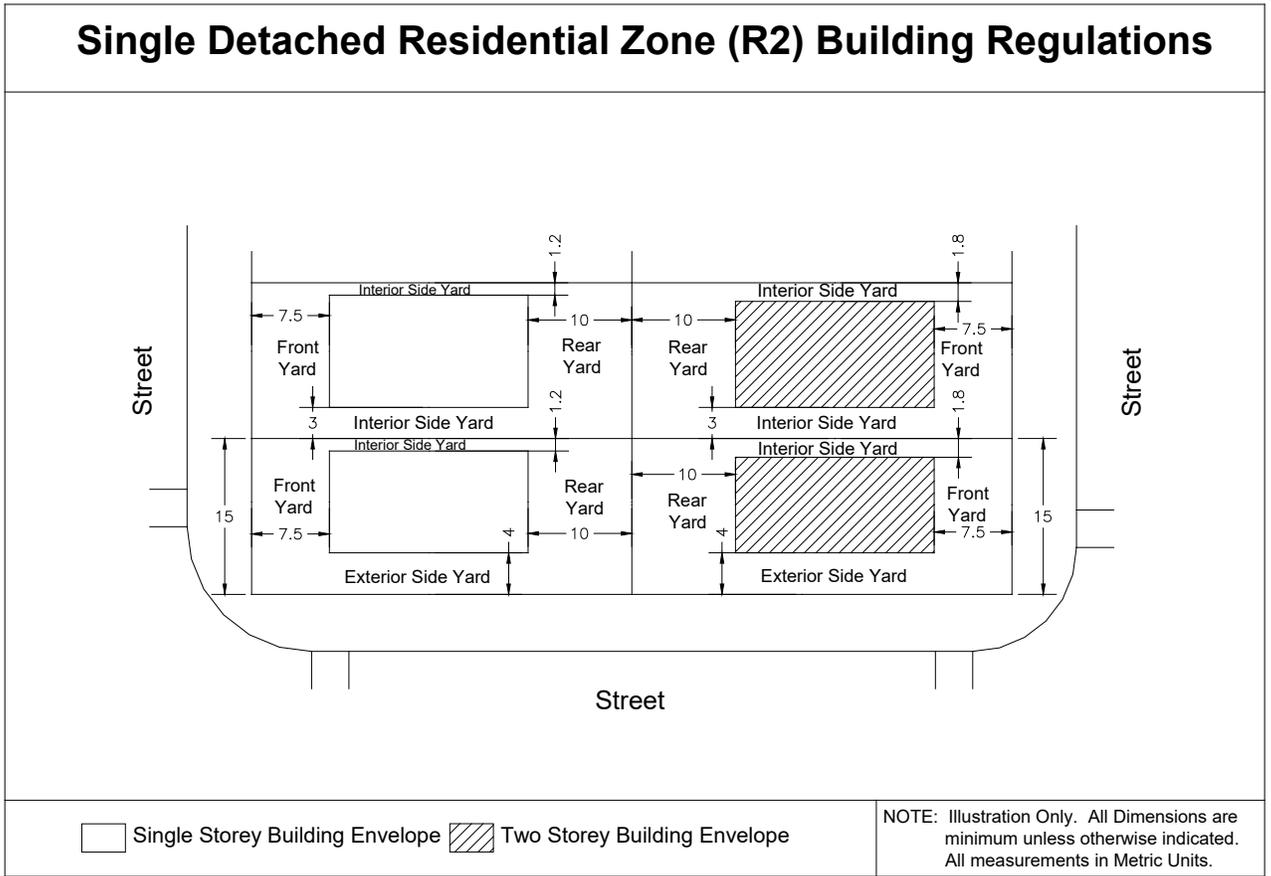
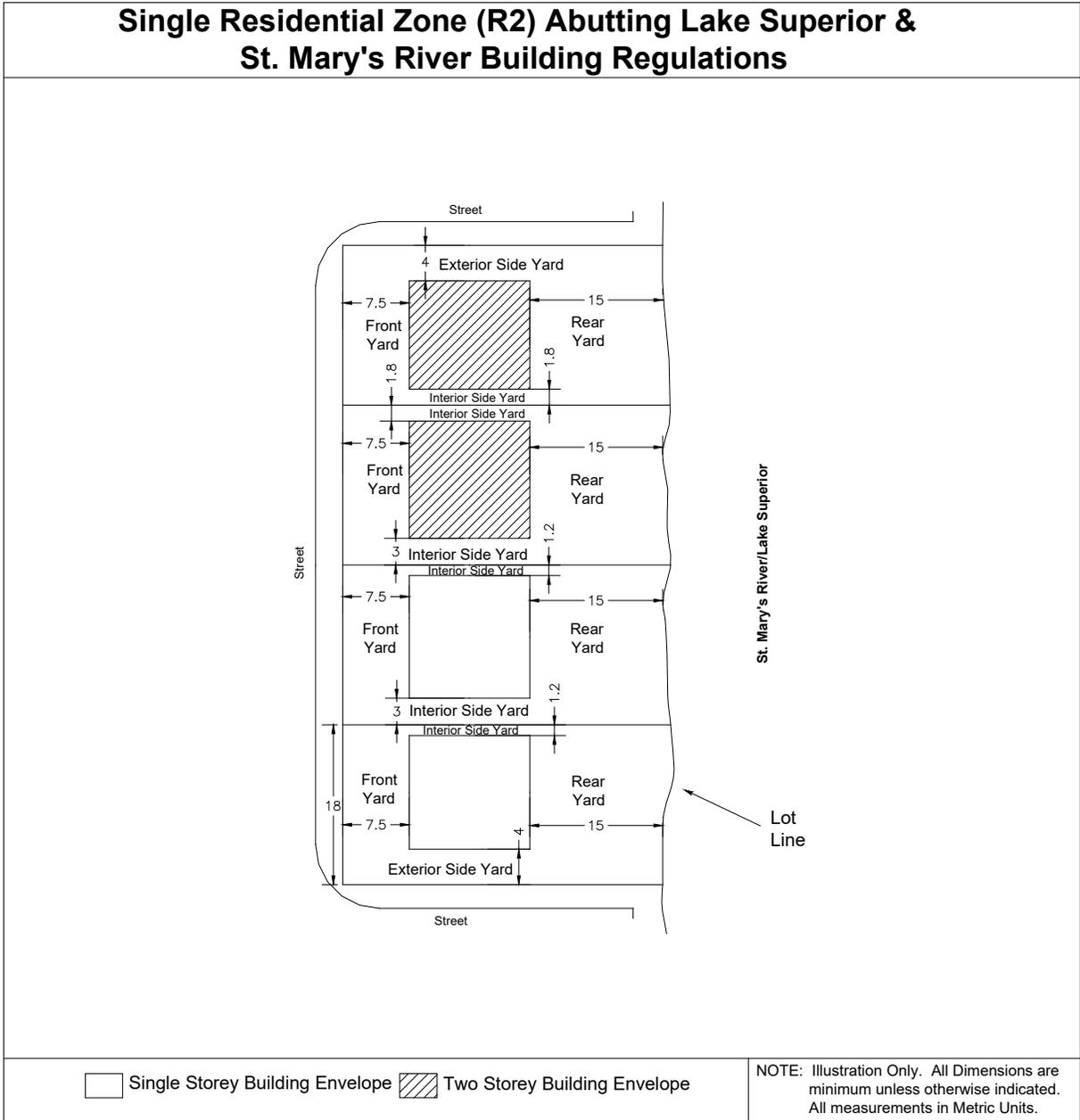




Table 19 : Single Residential Zone (R2) Abutting Lake Superior & St. Mary's River Building Regulations





9.7 LOW DENSITY RESIDENTIAL ZONE (R3)

Introduction

This zone is designed to provide for and regulate a mixture of residential uses with the overall aim of achieving diverse and mixed neighbourhoods wherever this zone is applied. Zone regulations will be substantially reduced to allow higher densities. This is the first zone where dwellings of greater density than *single detached* are permitted.

9.7.1 ANY LOT MAY BE USED FOR ONE OF THE FOLLOWING PERMITTED USES;

- ~~{2019-83}~~ *Accessory use second units* - Refer to Section 4.15 for additional regulations
- ~~{2006-200}~~ *Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- ~~{2007-105}~~ *Accessory use solar power installations* – Refer to Section 1.1.6 for additional regulations
- *Single detached dwelling*
- *Semi- detached dwelling*
- *Duplex Dwelling*
- ~~{2010-74}~~ *Multiple Attached Dwellings* - ~~{2014-6}~~ – Subject to site plan control.
- *Triplex* – Permitted in *the downtown only*
- *Bed and Breakfast* – Subject to Site Plan Control
- *Day care facility* – Subject to Institutional Zone (I) regulations
- *Elementary school* – Subject to Institutional Zone (I) regulations
- *Group Home*
- *Group Residence* – Subject to Institutional Zone (I) regulations & site plan control
- *Home based business as accessory to a dwelling unit* – Subject to additional regulations set out in Definitions Section
- *Park and playground* - Subject to Parks and Recreation Zone (PR) regulations
- *Place of Worship*– Subject to Institutional Zone (I) regulations
- *Rooming house*
- *Short-Term Rental* – Refer to Section 4.16 for additional regulations



9.7.2 LOW DENSITY RESIDENTIAL ZONE (R3) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Single Detached, Group Homes, and Rooming Houses	Semi- Detached	Duplex	Triplex	Multiple Attached {2010-74}
<i>Lot Area (In the downtown)</i>	460m ² (279m ²)	600m ² (460m ²)	460m ² (460m ²)	(460m ²)	n/a
<i>Frontage (In the downtown)</i>	14m (9m)	18m (15m)	18m (15m)	(15m)	20m
<i>Front yard (In the downtown)</i>	7.5m (7.5m)	7.5m (7.5m)	7.5m (7.5m)	(7.5m)	7.5m
<i>Exterior side yard</i>	4m	4.5m	4.5m	4.5m	6m
<i>Interior side yard</i>	1.2m for 1 storey 1.8m for 2 storeys	3m	1.2m for 1 storey 1.8m for 2 storeys	1.2m for 1 storey 1.8m for 2 storeys	<i>Double Duplex:</i> 3m <i>Multiple Attached:</i> 1.2m for 1 storey 1.8m for 2 storeys
<i>The other interior side yard (In the downtown)</i>	3m (n/a)	{Apr. 2006-78} 3m, or where there is an attached garage: 1.2m for 1 storey 1.8m for 2 storeys (n/a)	3m (n/a)	(n/a)	3m (n/a)
<i>Rear yard</i>	10m	10m	10m	10m	10m
<i>Maximum Building Height (In the downtown)</i>	2 storeys (2 ½ storeys or 9m)	2 storeys (2 ½ storeys or 9m)	2 storeys (2 ½ storeys or 9m)	(2 ½ storeys or 9m)	2 storeys (2 ½ storeys or 9m)
<i>Maximum Lot Coverage</i>	40%	40%	40%	40%	40%



9.7.3 ADDITIONAL LOW DENSITY RESIDENTIAL ZONE (R3) REGULATIONS

9.7.3.1 PARKING IN *THE DOWNTOWN*

Despite any other provisions of this by-law, dwellings zoned R3 and located within *the downtown* need only supply 1 parking space per *dwelling unit*.

9.7.3.2 OUTDOOR LIVING AREAS FOR DWELLING UNITS IN THE DOWNTOWN

Each *dwelling unit* shall be provided with a minimum of **46m²** of outdoor living area, which means a landscaped or structural outdoor living space that is not in a *front yard*. It must be provided in one location and may be in the form of a *balcony* or patio area provided that it is open on at least three sides.

9.7.3.3 SEMI-DETACHED DWELLINGS

Lot frontage and *lot area* are halved if individual *dwelling units* are developed upon separate lots.

9.7.3.4 INTERIOR SIDE YARDS AND COMMON WALLS

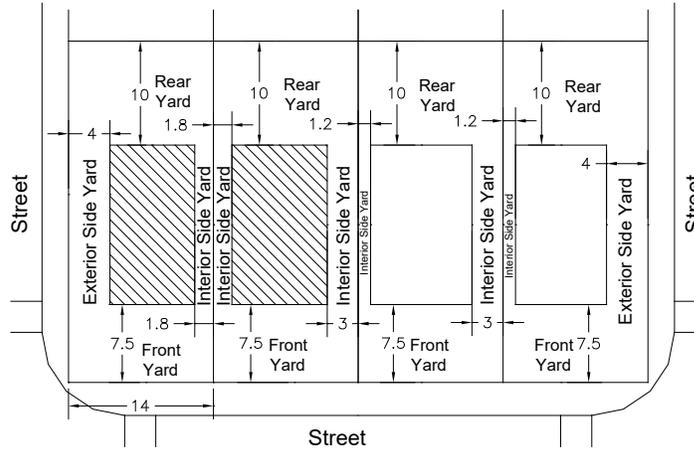
Where 2 *dwelling units* share a common wall, no *interior side yard* is required between the 2 *dwelling units* that share such a common wall.



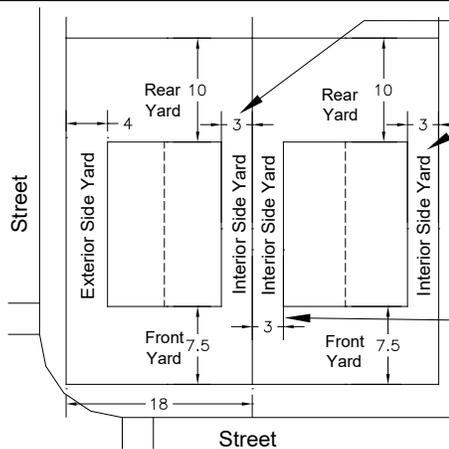
Table 20 : Low Density Residential Zone (R3) Building Regulations

Low Density Residential Zone (R3) Building Regulations (1 of 2)

Single Detached Dwellings, Group Homes & Rooming Houses

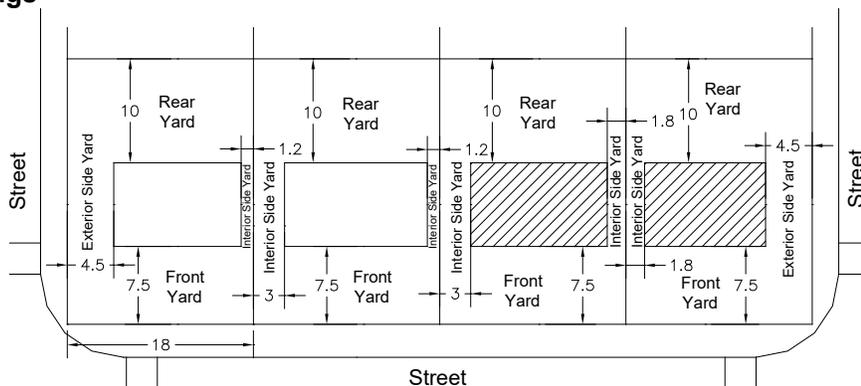


Semi-Detached Dwellings



* Or Where There is an Attached Garage 1.2m for 1 Storey/1.8m for 2 Storeys

Duplex Dwellings



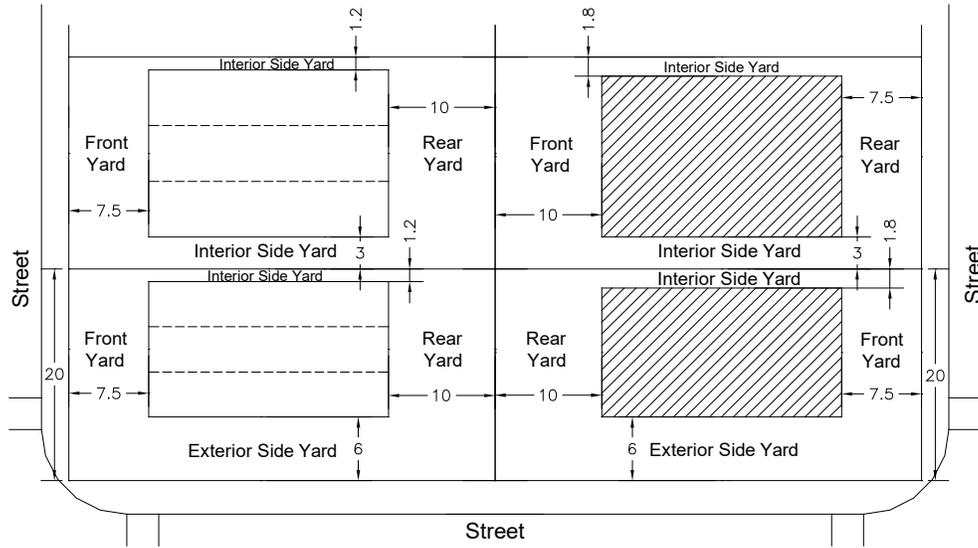
□ Single Storey Building Envelope ▨ Two Storey Building Envelope

NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.



Medium Density Residential Zone (R3) Building Regulations (2of2)

Multiple Attached Dwellings



Single Storey Building Envelope



Two Storey Building Envelope

NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.



9.8 MEDIUM DENSITY RESIDENTIAL ZONE (R4)

Introduction

This zone provides for and regulates medium density residential developments. Zone regulations are designed to allow for and encourage a mixture of several types of multi-unit residential uses.

9.8.1 ANY LOT MAY BE USED FOR ONE OF THE FOLLOWING PERMITTED USES;

- {2019-83} *Accessory use second units* - Refer to Section 4.15 for additional regulations
- {2006-200} *Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- {2007-105} *Accessory use solar power installations* – Refer to Section 1.1.6 for additional regulations
- *Semi-detached dwelling*
- *Duplex dwelling*
- *Triplex dwelling*
- *Multiple attached dwelling* {2014-6} Subject to site plan control
 - {2012-158} *Multiple attached dwellings* may be developed on the same *lot* as an *Apartment building*.
- *Apartment building* {2014-6} Subject to site plan control
 - {2012-158} *Apartment buildings* may be developed on the same *lot* as *Multiple attached dwellings*.
- *Day care facility* – Subject to Institutional Zone (I) regulations
- *Elementary school* – Subject to Institutional Zone (I) regulations
- *Group Home* - Subject to *single detached dwelling* regulations set out in the Low Density Residential Zone (R3)
- *Group Residence* – Subject to Institutional Zone regulations & site plan control
- *Home based business as accessory to a dwelling unit* – Subject to additional regulations set out in Definitions Section
- *Nursing and Residential Care Facilities* - Subject to Institutional Zone (I) regulations
- *Park and playground* – Subject to Parks and Recreation Zone (PR) regulations
- *Place of Worship*– Subject to Institutional Zone (I) regulations
- *Rooming house*- Subject to Single detached zone regulations set out in Low Density Residential Zone (R3)
- *Short-Term Rental* – Refer to Section 4.16 for additional regulations



9.8.2 MEDIUM DENSITY RESIDENTIAL (R4) ZONE BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Semi-Detached	Duplex & Triplex	Multiple Attached	Apartment Building
<i>Lot Area</i>	n/a	n/a	n/a	N/a
<i>Frontage</i>	18m	18m	20m	23m
<i>Front yard</i>	7.5m	7.5m	7.5m	7.5m
<i>Exterior Side Yard</i>	4.5m	4.5m	6m	7.5m
<i>Interior side yard</i>	{2009-5} 3m, or where there is an attached garage: 1.2m for 1 storey 1.8m for 2 storeys	1.2m for 1 storey 1.8m for 2 storeys	<i>Double Duplex:</i> 3m <i>Multiple Attached:</i> 1.2m for 1 storey 1.8m for 2 storeys	7.5m
<i>The other side yard</i>	{2009-5} 3m, or where there is an attached garage: 1.2m for 1 storey 1.8m for 2 storeys	3m	3m	7.5m
<i>Rear yard</i>	10m	10m	10m	10m
<i>Maximum Building Height</i>	2 storeys	2 storeys	2 storeys	5 storeys
<i>Maximum Lot Coverage</i>	40%	40%	40%	30%
<i>Landscaped Open Space</i>	n/a	n/a	n/a	30%

9.8.3 ADDITIONAL MEDIUM DENSITY RESIDENTIAL ZONE (R4) REGULATIONS

9.8.3.1 SEMI-DETACHED DWELLINGS

Lot frontage and lot area are halved if individual dwelling units are developed upon separate lots.

9.8.3.2 INTERIOR SIDE YARDS AND COMMON WALLS

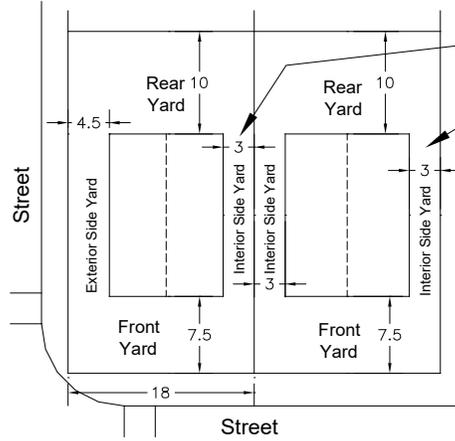
Where 2 dwelling units share a common wall, no interior side yard is required between the 2 dwelling units that share such a common wall.



Table 21 : Medium Density Residential Zone (R4) Building Regulations (1of2)

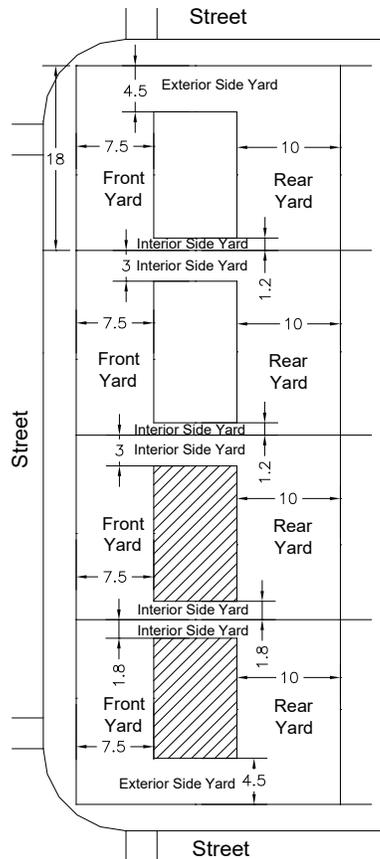
Medium Density Residential Zone (R4) Building Regulations (1of2)

Semi-Detached Dwellings



*Or Where There is an Attached Garage 1.2m for 1 Storey/1.8m for 2 Storeys

Duplex & Triplex Dwellings



□ Single Storey Building Envelope ▨ Two Storey Building Envelope

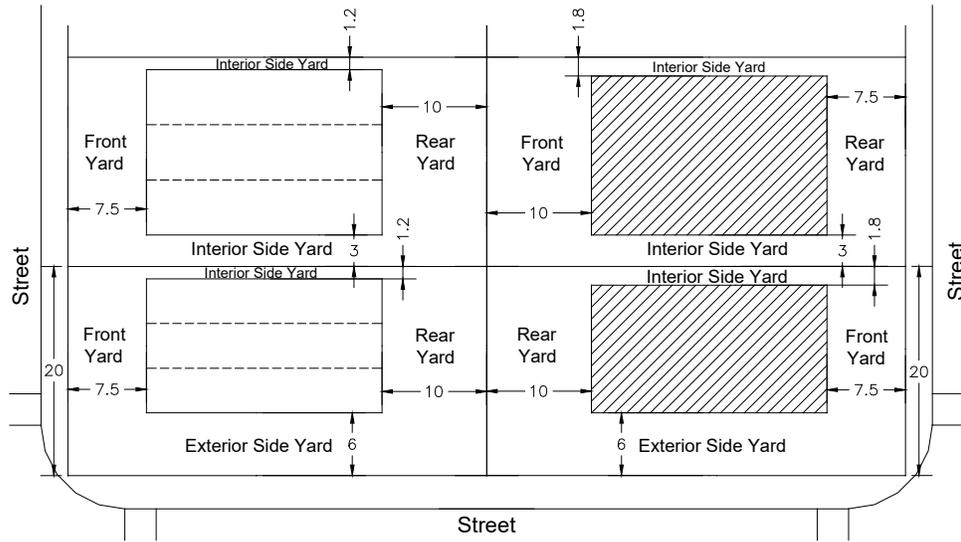
NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.



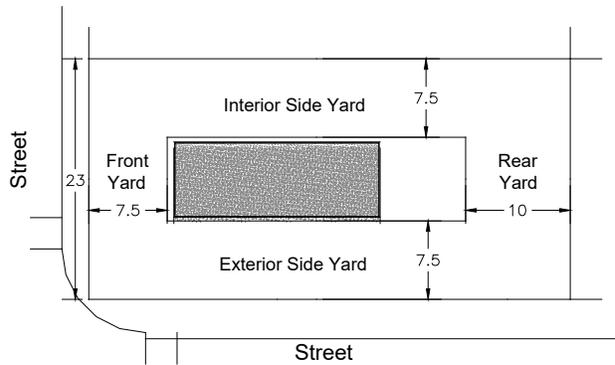
Table 22 Medium Density Residential Zone (R4) Building Regulations (2of2)

Medium Density Residential Zone (R4) Building Regulations (2of2)

Multiple Attached Dwellings



Apartment Building



Single Storey Building Envelope
 Two Storey Building Envelope

NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.



9.9 HIGH DENSITY RESIDENTIAL ZONE (R5)

Introduction

This zone provides for and regulates multi-unit residential developments. The least restrictive of all residential zones, this zone will allow the highest residential densities in Sault Ste. Marie.

9.9.1 ANY LOT MAY BE USED FOR ONE OF THE FOLLOWING PERMITTED USES;

- {2019-83} *Accessory use second units* - Refer to Section 4.15 for additional regulations
- {2006-200} *Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- {2007-105} *Accessory use solar power installations*– Refer to Section 1.1.6 for additional regulations
- *Multiple attached dwelling* – Subject to Medium Density Residential Zone (R4) regulations and {2014-6} site plan control
 - {2012-158} *Multiple attached dwellings* may be developed on the same *lot* as an *Apartment building*.
- *Apartment building* - {2014-6} Subject to site plan control
 - {2012-158} *Apartment buildings* may be developed on the same *lot* as a *Multiple attached dwelling*.
- *Day care facility* – Subject to Institutional Zone (I) regulations
- *Elementary school* – Subject to Institutional Zone (I) regulations
- *Group Home* - Subject to *single detached dwelling* regulations set out in Low Density Residential Zone (R3)
- *Group Residence* – Subject to Institutional Zone (I) regulations & site plan control
- *Home based business as accessory to a dwelling unit* - Subject to additional regulations set out in Definitions Section
- *Nursing and Residential Care Facilities* – Subject to Institutional Zone (I) regulations
- *Park and playground*- Subject to Parks and Recreation Zone (PR) regulations
- *Place of Worship* – Subject to Institutional Zone (I) regulations
- *Rooming house*
- *Short-Term Rental* – Refer to 4.16 for additional regulations

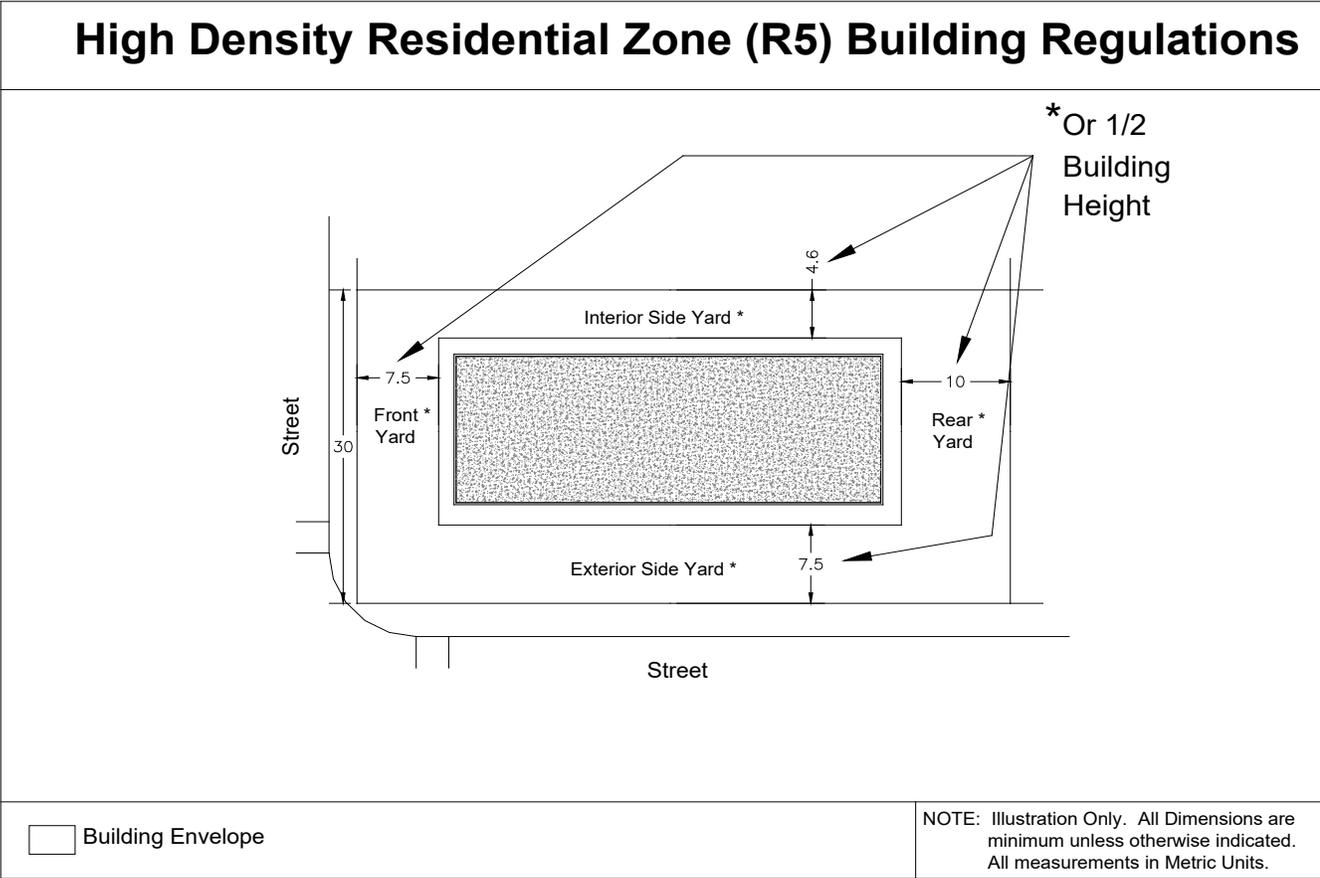


9.9.2 HIGH DENSITY RESIDENTIAL ZONE (R5) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Apartment Building
Lot Area	N/a
Frontage	30m
Front yard	7.5m or 1/2 of <i>building height</i> , whichever is greater
Exterior side yard	7.5m or 1/2 of <i>building height</i> , whichever is greater
Interior side yards	4.6m or 1/2 of <i>building height</i> , whichever is greater
Rear yard	10m or 1/2 of <i>building height</i> , whichever is greater
Maximum Building Height	N/a
Maximum Lot Coverage	33%
Landscaped Open Space	33%

Table 23 : High Density Residential Zone (R5) Building Regulations





9.10 MOBILE HOME RESIDENTIAL ZONE (R6)

Introduction

This zone will regulate *mobile home parks*; therefore the regulations will apply to the entire park. Individual lots and units within such a park are required to conform to Sault Ste. Marie's *Mobile Homes By-Law 70-342*.

9.10.1 PERMITTED USES

- *Accessory uses*
- {2007-105} *Accessory use solar power installations* – Refer to Section 1.1.6 for additional regulations
- {2006-200} *Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- *Home based business*
- *Mobile home Park*
- *Similar uses*

9.10.2 MOBILE HOME RESIDENTIAL ZONE (R6) REGULATIONS*

All Minimums Unless Otherwise Noted

	Metres
<i>Lot Area</i>	2ha
<i>Frontage</i>	30m
<i>Front yard</i>	7.5m
<i>Rear yard</i>	7.5m
<i>Side yards</i>	7.5m
<i>Maximum Lot Coverage</i>	35%

***Note:** These *yard* regulations shall be applied to the entire *Mobile Home Park* only. Individual *lots* and units shall conform to the *Mobile Homes By-law*.



Table 24 : Mobile Home Residential Zone (R6) Building Regulations

Mobile Home Residential Zone (R6) Building Regulations	
<p>The diagram illustrates the required yard dimensions for a mobile home park envelope. It shows a rectangular mobile home unit with a front yard of 7.5 units, a rear yard of 7.5 units, an interior side yard of 7.5 units, and an exterior side yard of 7.5 units. The front of the envelope is adjacent to a street with a 30-unit frontage. The diagram is labeled with 'Street' on both the left and bottom sides.</p>	
<input type="checkbox"/> Mobile Home Park Envelope	NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.



10 ENVIRONMENTAL MANAGEMENT ZONE (EM)

Introduction

This zone is applied to the creeks, ravines, and wetlands that have been designated as Natural Resource and Constraint Areas in the Official Plan. The top of the embankments in which the rivers and creeks are located, and the identified boundaries of a wetland and their abutting areas determine the zone boundaries. While the main purpose of this zone is to protect the natural environment, some areas might be conducive to the placement of a building or *structure*. Consequently, building applications will be reviewed on a site-by-site basis, through the removal of a 'holding provision'.

10.1 PERMITTED USES

- *Conservation Uses*
- {2009-5}, The lands may be used in conjunction with the uses permitted and the regulations of the zoning that is applied to abutting areas, subject to the removal of a holding provision.

10.2 ENVIRONMENTAL MANAGEMENT ZONE (EM) BUILDING REGULATIONS

Required zone regulations for the Environmental Management Zone shall be the same as those found for the abutting zone that is applied to the remainder of the *lot*.

10.3 CONDITIONS FOR REMOVAL OF HOLDING PROVISION

As a condition for the removal of the holding provision, the developer or property owner shall address the following applicable Official Plan policies affecting the *lot* in question;

- A. Fish Habitat,
- B. Slope Stabilization,
- C. Flood Lands,
- D. Wetlands, and
- E. Conservation Authority Cut and Fill Areas



11 INSTITUTIONAL ZONE (I)

Introduction

This zone provides for and regulates a variety of public and quasi-public land uses which generally operate on a non-profit basis. Zone regulations will ensure an aesthetically pleasing environment.

11.1 PERMITTED USES

- *Accessory uses*
- *{2007-105} Accessory use solar power installations* – Refer to Section 1.1.6 for additional regulations
- *{2006-200} Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- *Arts Culture and Heritage Uses*
- *Assembly facilities*
- *Care facilities*
- *Caretaker Dwelling unit*
- *Cemeteries, Crematoriums and Mausoleums*
- *Day Care Facilities*
- *Emergency Response Centres*
- *Federal, Provincial, and Municipal Government Public Administration* – maximum gross floor area of 300m² when located outside of *The Downtown*.
- *Group Home*
- *Group Residence* – Subject to site plan control
- *Hospices*
- *Hospitals*
- *Medical Centres*
- *Nursing and Residential Care Facilities*
- *Parks and Playgrounds*
- *Places of Worship*
- *Recreational Facilities*
- *Schools*
- *Similar uses*

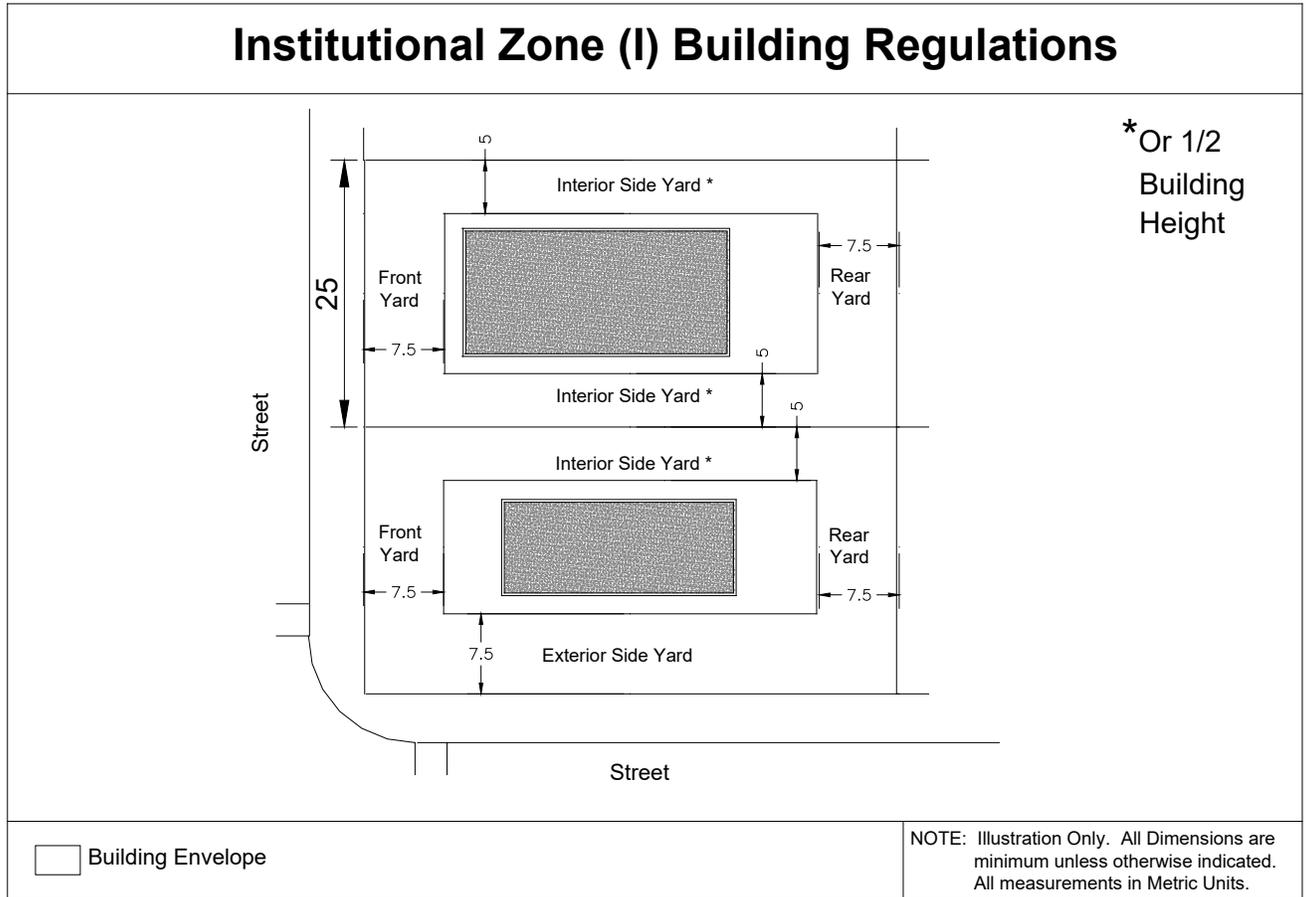


11.2 INSTITUTIONAL ZONE (I) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Metres
Frontage	25m
Front yard	7.5m or ½ of building height whichever the greater
Exterior side yard	7.5m or ½ of building height whichever the greater
Interior side yard	5m or ½ of building height whichever the greater
Rear yard	7.5m or ½ of building height whichever the greater
Maximum Building Height	None
Maximum Lot Coverage	30%
Landscaped Open Space	30%

Table 25 : Institutional Zone (I) Building Regulations





12 PARKS AND RECREATION ZONE (PR)

Introduction

This zone provides for and regulates land uses that accommodate a variety of active and passive forms of outdoor recreation. While it is intended to apply this zone to open space or outdoor locations, buildings and *structures* are permitted as *accessory uses*.

12.1 PERMITTED USES

- *Accessory uses*
- {2007-105} *Accessory use solar power installations*– Refer to Section 1.1.6 for additional regulations
- {2006-200} *Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- *Campgrounds*
- *Care Facilities*
- *Caretaker Dwelling unit*
- *Conservation Uses*
- *Day Care Facilities*
- *Golf Courses* – Subject to holding provision
- *Marinas*
- *Parks and Playgrounds*
- *Recreational Facilities*
- *Schools*
- *Similar uses*

12.2 PARKS AND RECREATION ZONE (PR) BUILDING REGULATIONS

- Minimum distance of any building from any public Street is **20m**
- Minimum distance of any building from any *lot line* is **30m**
- *Maximum building height* is **2 storeys**

12.3 ADDITIONAL PARKS AND RECREATION ZONE (PR) REGULATIONS

12.3.1 HOLDING PROVISION FOR GOLF COURSES

The Holding Provision will be removed once the following has been completed:

- A hydro-geological report on the taking of water needed to support the golf course, along with any potential impacts on surface and ground water quality and quantity.
- This report shall be prepared in consultation with the Sault Ste. Marie Conservation Authority.



12.3.2 SPECIAL REGULATIONS FOR MARINAS

Any building must be a minimum of **7.5m** from any public Street or *lot line*.
The maximum *building height* is **2 storeys**.



13 COMMERCIAL ZONES

13.1 TRADITIONAL COMMERCIAL ZONE (C1)

Introduction

The main principal of this zone is to reduce regulations and encourage the re-use of *existing* buildings for commercial and/or residential purposes. *Existing* buildings in older, high intensity commercial areas (Gore, Korah, Steelton) shall maintain present standards, including parking, even if the use changes.

13.1.1 PERMITTED USES

- *Accessory uses*
- *Accessory use storage trailers*
- *{2006-200} Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- *Accommodation services*
- *Amusement and fitness facilities*
- *Arts, culture, and heritage uses*
- *Assembly facilities*
- *Bed and breakfasts*
- *Bingo Halls*
- *Building, hardware, and garden supply stores*
- *Day care facilities*
- *Delivery and courier services*
- *Food Services*
- *Fuel sales*
- *Home based business*
- *Information and technology services*
- *Medical centres*
- *Motion picture and sound recording studios*
- *Motor vehicle rental and leasing services*
- *Motor vehicle sales and parts dealers*
- *Nursing and residential care facilities*
- *Office Uses* - Maximum *gross floor area* of 300m², but does not apply to *existing* buildings
- *Parking Lots*
- *Personal services*
- *Personal storage*
- *Places of worship*
- *Printing and related support activities*
- *Repair and maintenance services*



- *Residential Dwellings* – Located within *existing* buildings, subject to C1 building regulations
 - *Single Detached Dwellings* – Subject to R3 building regulations
 - *Semi-Detached Dwellings* – Subject to R3 building regulations
 - *Duplexes and Triplexes* - Subject to R3 building regulations
 - *Multiple Attached Dwellings* – Subject to R4 building regulations
 - *Apartment Dwellings* – Subject to R4 building regulations
- *Retail trade* (Max. gross floor area= 300 square meters – but does not apply to *existing* buildings)
- *Rooming houses*
- *Short-Term Rental* – Refer to 4.16 for additional regulations
- *Similar uses*
- *Warehousing, wholesaling and distribution centres*

13.1.2 TRADITIONAL COMMERCIAL ZONE (C1) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Metres
<i>Front yard</i>	5m
<i>Exterior side yard</i>	5m
<i>Interior side yard</i>	0m
<i>Abutting a Residential Zone</i>	1.2 for 1 storey, 1.8 for 2 storeys
<i>Rear yard</i>	5m
<i>Abutting a Residential Zone</i>	10m
<i>Maximum building height</i>	2 Storeys

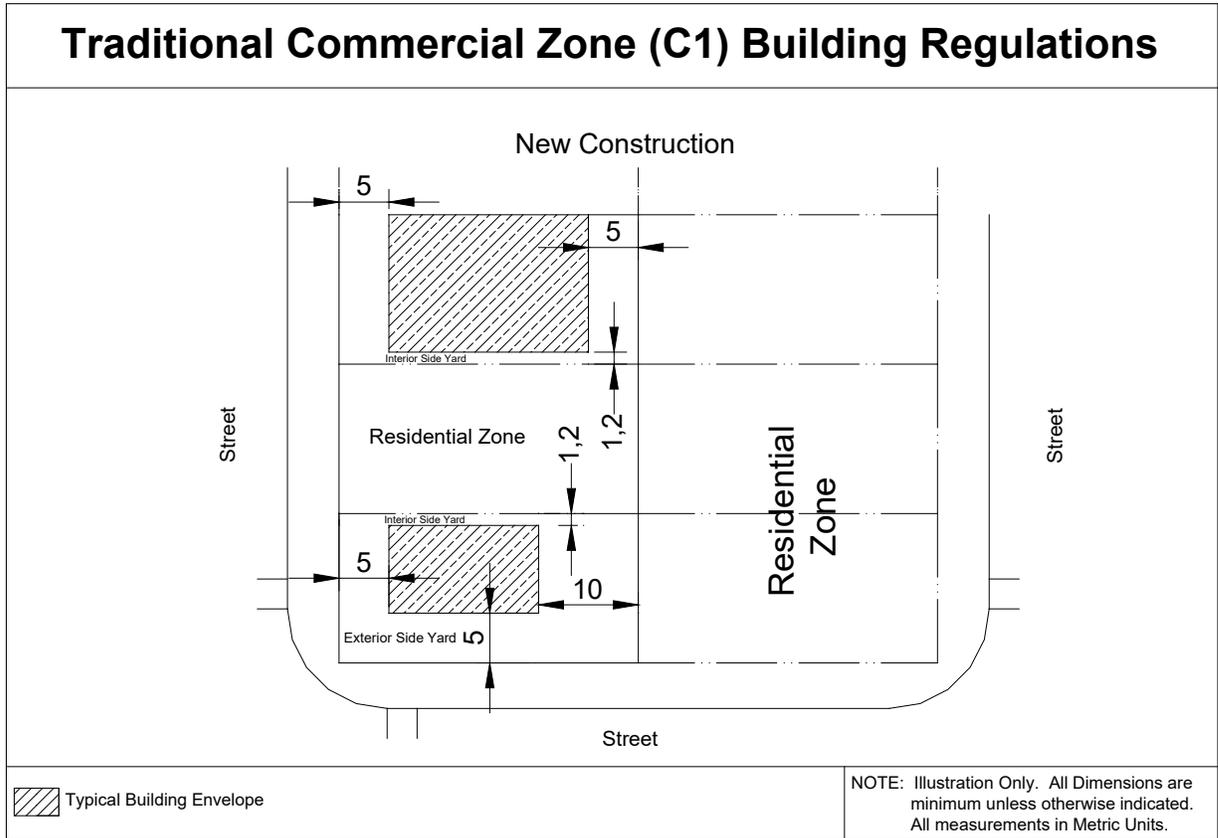
13.1.3 ADDITIONAL TRADITIONAL COMMERCIAL ZONE (C1) REGULATIONS

13.1.3.1 FUEL SALES: SETBACKS FOR FUEL PUMP ISLAND AND CANOPY

The minimum distance between any *lot line* and any part of a fuel pump island, including a canopy, shall be **4.5m**.



Table 26 : Traditional Commercial Zone (C1) Building Regulations





13.2 CENTRAL COMMERCIAL ZONE (C2)

Introduction

Applied to *the downtown* of Sault Ste. Marie, this zone is intended to regulate and provide for an intensive use of the land. Reuse, redevelopment, and conversions will be encouraged with minimal regulations and lot-line-to-lot-line *building footprints*. Permitted uses and regulations will have regard for the need to preserve the vibrancy of *the downtown* area as the administrative, cultural and entertainment center of the community. No limitations have been set on *building height* or size.

13.2.1 PERMITTED USES

- *Accessory uses*
- {2007-105} *Accessory use solar power installations*– Refer to Section 1.1.6 for additional regulations
- {2006-200} *Accessory use wind turbines*- Refer to Section 4.13 for additional regulations
- *Accommodation services*
- *Amusement and fitness facilities*
- *Arts, culture, and heritage uses*
- *Assembly facilities*
- *Bingo halls*
- *Broadcasting*
- *Building, hardware, and garden supply stores*
- *Car wash facilities*
- *Casinos*
- *Day care facilities*
- *Delivery and courier services*
- *Food Services*
- *Fuel sales*
- *Home based business*
- *Information and technology services*
- *Medical centres*
- *Motion picture and sound recording studios*
- *Motor vehicle rental and leasing services*
- *Motor vehicle sales and parts dealers*
- *Movie theatres*
- *Nursing and residential care facilities*
- *Office uses*
- *Parking lots*
- *Personal services*
- *Places of worship*
- *Repair and maintenance services*
- *Residential Dwellings - With no dwelling units on the Ground Floor*



- Retail trade
- Short-Term Rental – Refer to 4.16 for additional regulations
- Similar uses
- Sports stadiums
- Tourism related services

13.2.2 CENTRAL COMMERCIAL ZONE (C2) BUILDING REGULATIONS

There are no *required yards* in the Central Commercial Zone. *Lot-line to lot-line* development is permitted with no *maximum building height* restrictions, including accessory buildings and structures. {2012-158}

13.2.3 ADDITIONAL CENTRAL COMMERCIAL ZONE (C2) REGULATIONS

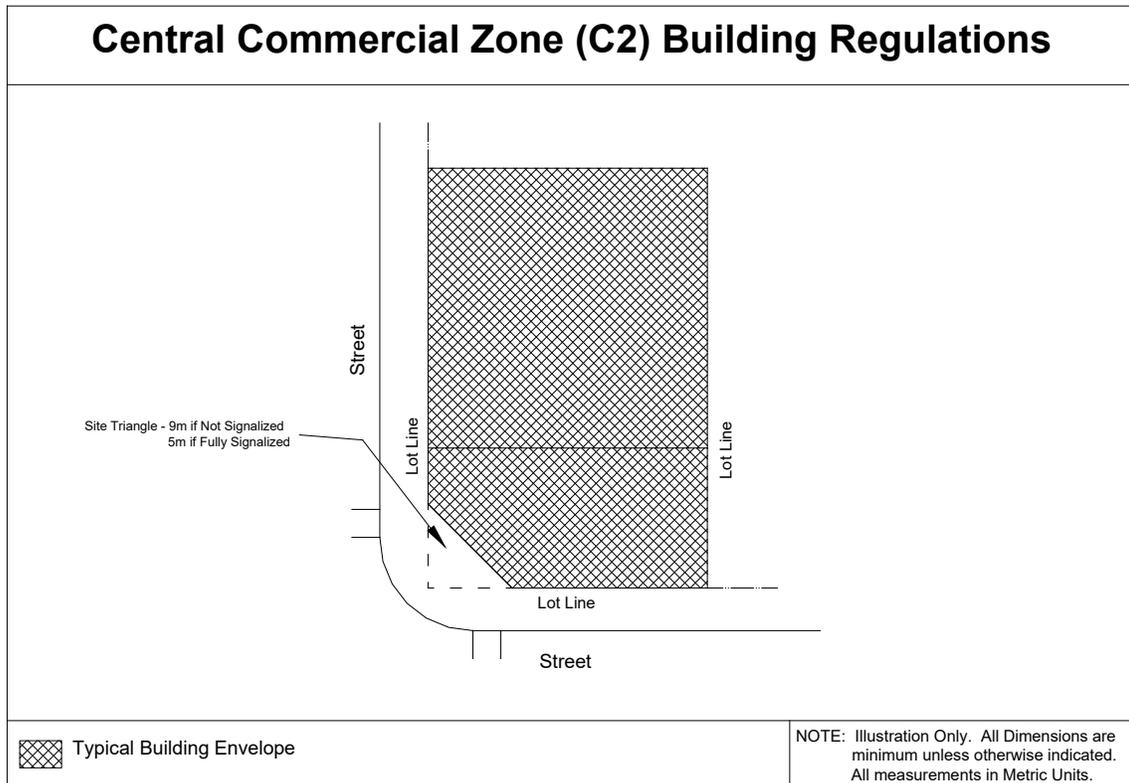
13.2.3.1 NO DWELLING UNITS PERMITTED ON THE GROUND FLOOR

Dwelling Units are not permitted on the ground floor in the Central Commercial Zone.

13.2.3.2 FUEL SALES: SETBACKS FOR FUEL PUMP ISLAND AND CANOPY

The minimum distance between any *lot line* and any part of a fuel pump island, including a canopy, shall be **4.5m**.

Table 27 : Central Commercial Zone (C2) Building Regulations





13.3 COMMERCIAL TRANSITIONAL ZONE (CT2)

Introduction

This zone provides for and regulates a mix of commercial, small office, and residential land uses throughout the community. While this zone is primarily applied to the areas immediately surrounding the Central Commercial Zone, it may also be applied as a neighbourhood commercial zone within residential areas. Building regulations will reflect the present forms of development, as well as encourage the re-use of *existing* buildings.

13.3.1 PERMITTED USES

- *Accessory uses*
- *{2007-105} Accessory use solar power installations*– Refer to Section 1.1.6 for additional regulations
- *{2006-200} Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- *Arts, culture, and heritage uses*
- *Bed and Breakfasts* – Subject to site plan control
- *Day care facilities*
- *Federal Provincial and Municipal Government administration*
- *Food services*
 - **Exclusions:** *Fast food outlets, Bars and taverns*
- *Group homes*
- *Group residences* – Subject to site plan control
- *Home based business*
- *Information and technology services*
- *Nursing and Residential Care Facilities*
- *Office uses*
- *Parking Lots*
- *Personal services*
- *Residential Dwellings*
 - *Single Detached* - Subject to R3 zone regulations
 - *Semi-Detached* - Subject to R3 zone regulations
 - *Duplexes and Triplexes* - Subject to R3 zone regulations
 - *Multiple Attached* - Subject to R4 zone regulations
 - *Apartment Dwellings* – Subject to R4 zone regulations
- *Retail trade* – *Maximum gross floor area = 300m²*, excluding *existing* buildings
- *Rooming houses*
- *Short-Term Rentals* – Refer to 4.16 for additional regulations
- *Similar uses*

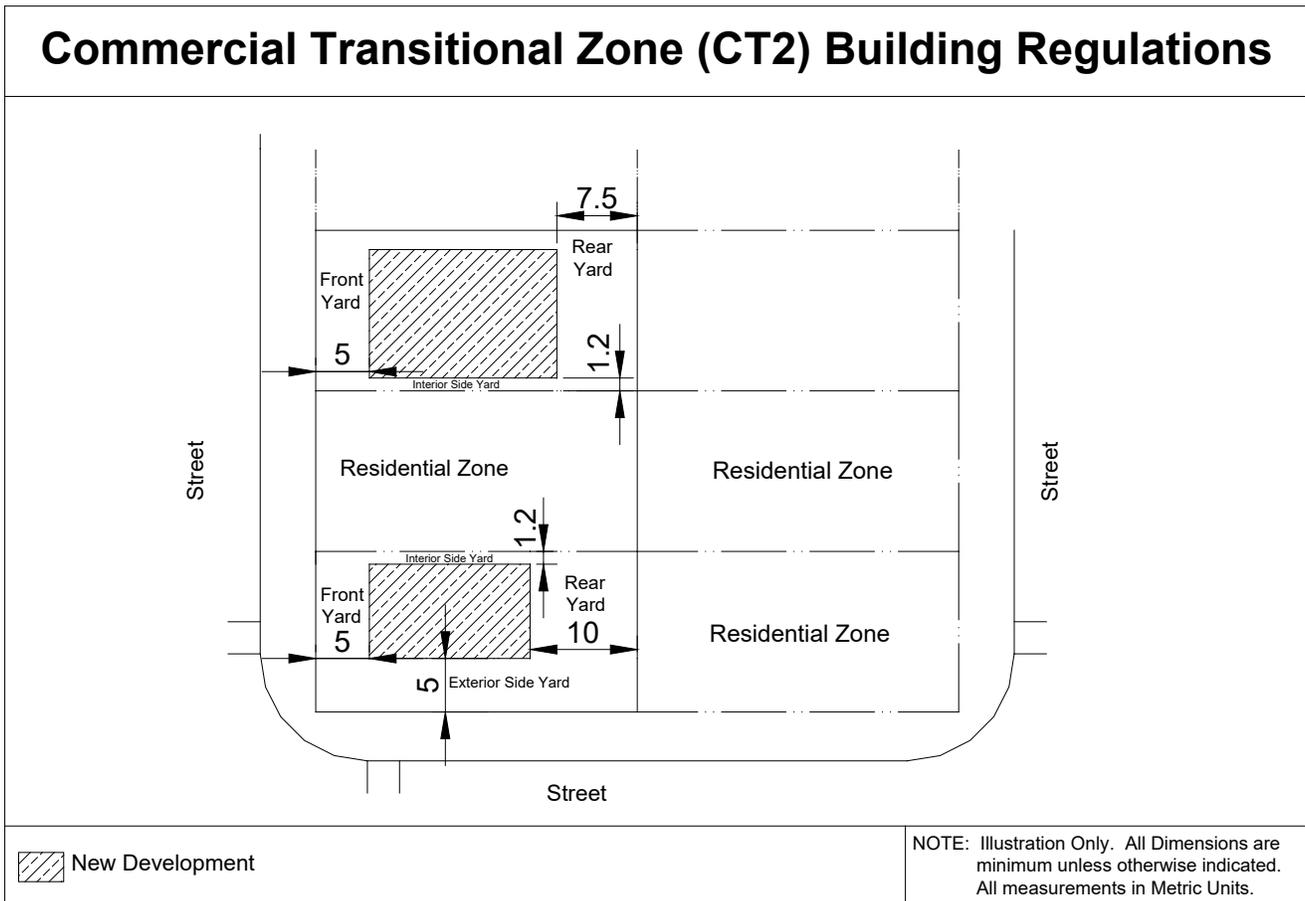


13.3.2 COMMERCIAL TRANSITIONAL ZONE (CT2) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Metres
Front yard	5m
Exterior side yard	5m
Interior side yard	0m
Abutting a Residential Zone	1.2m for 1 storey, 1.8 for 2 or more storeys
Rear yard	7.5m
Abutting Residential Zone	10m
Maximum building height	12m

Table 28 : Commercial Transitional Zone (CT2) Building Regulations





13.4 RIVERFRONT ZONE (C3)

Introduction

This zone is applied to the waterfront area south of Bay St. between the Gateway Site and the Hospitals. Additional setbacks from the water, a narrower scope of permitted uses, and high quality landscape requirements will create a pleasant park-like setting, catering to tourists and locals as they travel along the waterfront.

13.4.1 PERMITTED USES

- *Accessory uses*
- *{2007-105} Accessory use solar power installations – Refer to Section 1.1.6 for additional regulations*
- *{2006-200} Accessory use wind turbines - Refer to Section 4.13 for additional regulations*
- *Accommodation services*
- *Amusement and fitness facilities*
- *Arts, culture, and heritage institutions*
- *Assembly facilities*
- *Casinos*
- *Day care facilities*
- *Food services*
- *Home based business*
- *Movie theatres*
- *{2010-74} Nursing homes and residential care facilities*
- *Office uses*
- *Parking lots*
- *Personal services*
- *Recreational facilities*
- *Residential Dwellings*
 - *Multiple Attached*
 - *Apartment Dwellings*
- *Retail trade*
- *Short-Term Rentals – Refer to Section 4.16 for additional regulations*
- *Similar uses*
- *Tourism related services*

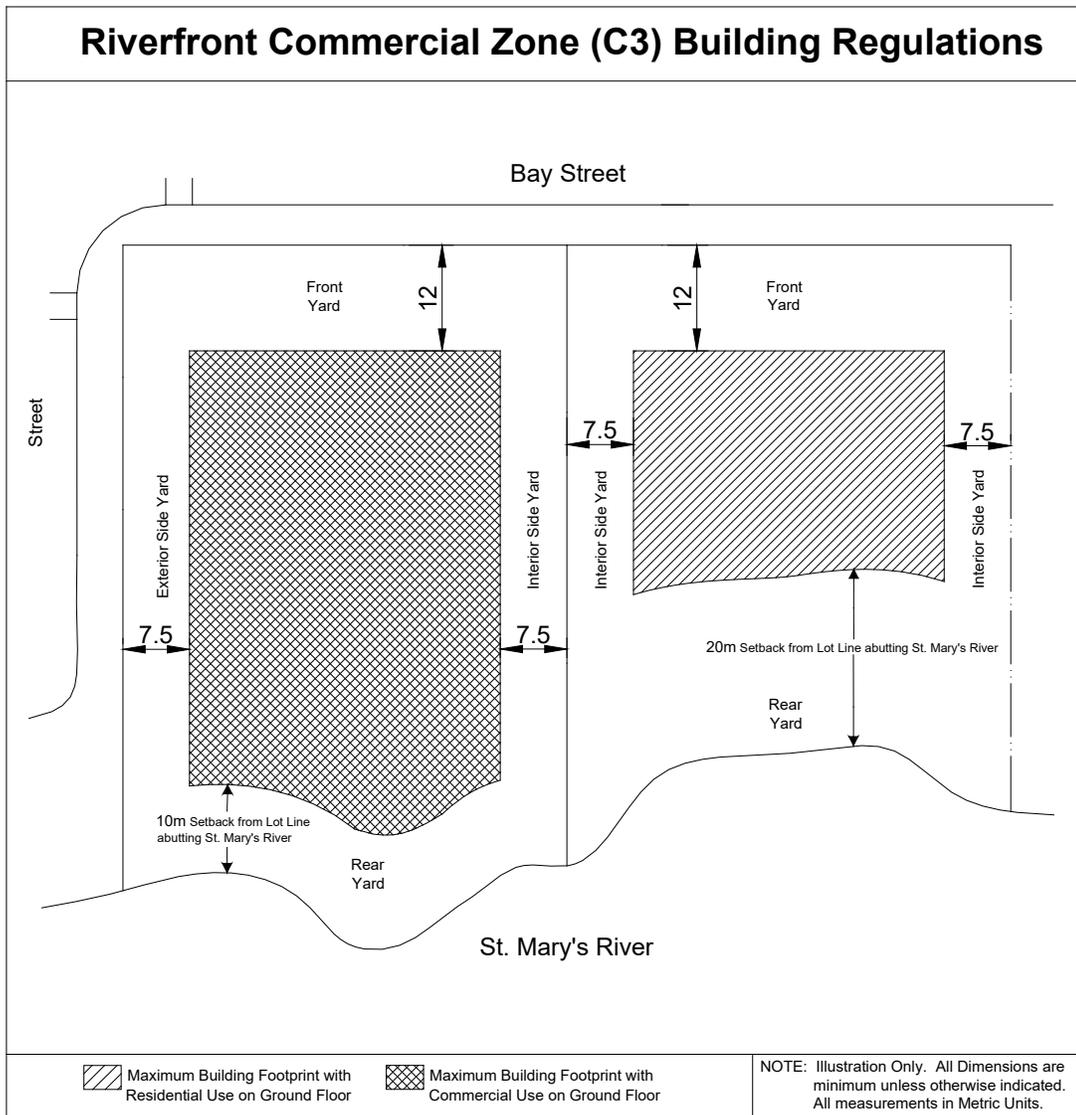


13.4.2 RIVERFRONT ZONE (C3) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Metres
Setback from Bay Street	12m
Setbacks from any other lot line	7.5m
Setbacks from the lot line abutting St. Mary's River:	
• Residential uses on ground floor	20m
• Commercial uses on ground floor	10m
Landscaped open space	100% of required front and exterior side yards excluding driveways

Table 29 : Riverfront Commercial Zone (C3) Building Regulations





13.5 GENERAL COMMERCIAL ZONE (C4)

Introduction

This zone permits a wide variety of commercial uses. The most common of all commercial zones, this classification will permit mixed use buildings with commercial uses on the ground floor and *dwelling units* above.

13.5.1 PERMITTED USES

- *Accessory uses*
- *Accessory use storage trailers*
- *Accessory use seasonal garden centres*
- *{2007-105} Accessory use solar power installations*– Refer to Section 1.1.6 for additional regulations
- *{2006-200} Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- *Accommodation services*
- *Amusement and fitness facilities*
- *Arts, culture, and heritage institutions*
- *Assembly facilities*
- *Bingo halls*
- *Broadcasting*
- *Building, hardware, and garden supply stores*
- *Car wash facilities*
- *Day care facilities*
- *Delivery and courier services*
- *Food services*
- *Fuel sales*
- *Home based business*
- *Information technology services*
- *Motion picture and sound recording studios*
- *Motor vehicle rental and leasing services*
- *Motor vehicle sales and parts dealers*
- *Nursing and residential care facilities*
- *Office uses* (Maximum gross floor area= 300m²)
- *Parking lots*
- *Personal services*
- *Printing and related support activities*
- *Repair and maintenance*
- *Residential dwellings* - no *dwelling units* on the ground floor
- *Retail trade*
- *Short-Term Rental* – Refer to Section 4.16 for additional regulations
- *Similar uses*
- *Sports stadiums*



- *Tourism related services*
- *Veterinary Clinics* - with no outdoor kennel facilities

13.5.2 ~~{2010-74}~~ GENERAL COMMERCIAL ZONE (C4) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Metres
Front Yard	6m
Exterior Side Yard	6m
Interior Side yard Abutting a Residential Zone	0m 3m or 50% of the building height, whichever is greater
Rear Yard Abutting a Residential Zone	3m or 30% of the building height, whichever is greater 10m or 50% of the building height, whichever is greater
Landscaped Open Space	50% of required front and exterior side yards.

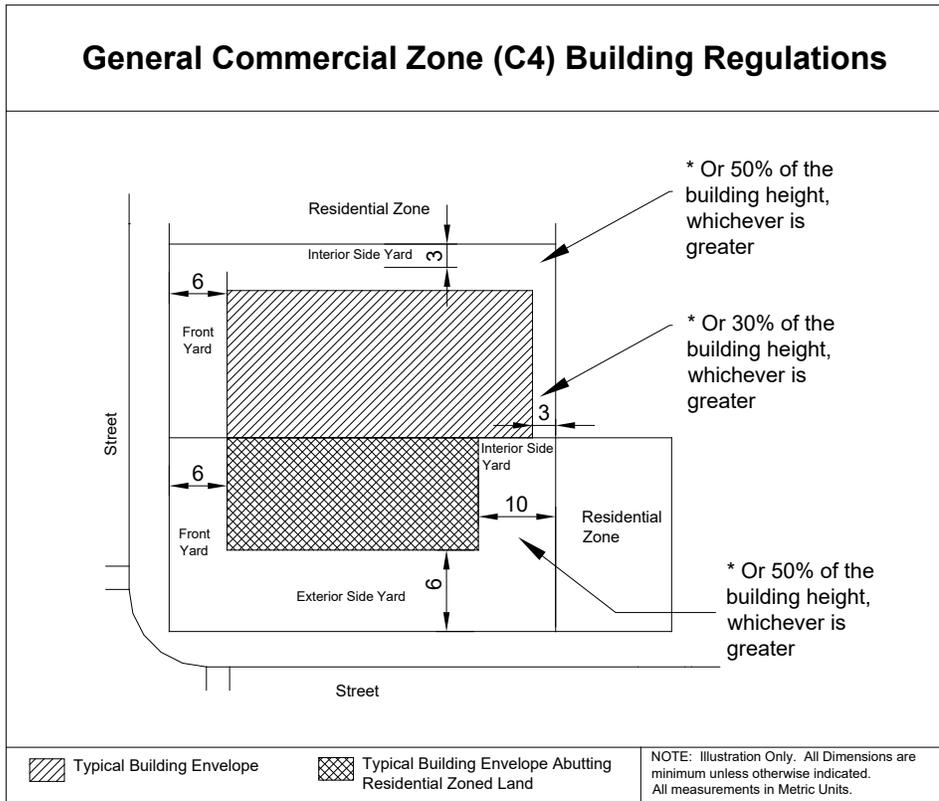
13.5.3 ADDITIONAL GENERAL COMMERCIAL ZONE (C4) REGULATIONS

13.5.3.1 **FUEL SALES: SETBACKS FOR FUEL PUMP ISLAND AND CANOPY**

The minimum distance between any *lot line* and any part of a fuel pump island, including a canopy, shall be **4.5m**.



Table 30 : General Commercial Zone (C4) Building Regulations





13.6 SHOPPING CENTRE ZONE (C5)

Introduction

A shopping center, as defined in the Definitions Section, means several mixed commercial functions housed in one or more buildings designed as an integrated unit and contained within one legal parcel of land. Shopping centres shall have a minimum *gross floor area* of 10 000m².

13.6.1 PERMITTED USES

- *Accessory uses*
- *Accessory use storage trailers*
- *Accessory use seasonal garden centres*
- *{2007-105} Accessory use solar power installations – Refer to Section 1.1.6 for additional regulations*
- *{2006-200} Accessory use wind turbines - Refer to Section 4.13 for additional regulations*
- *Amusement and fitness facilities*
- *Arts, culture, and heritage institutions*
- *Assembly facilities*
- *Bingo halls*
- *Building hardware and garden supply stores*
- *Car wash facilities*
- *Day care facilities*
- *Food services*
- *Fuel sales*
- *Information and technology services*
- *Motor vehicle rental and leasing*
- *Motor vehicle sales and parts dealers*
- *Movie theatres*
- *Office uses (to a maximum of 10% of Gross floor area)*
- *Personal services*
- *Repair and maintenance services*
- *Retail Trade*
- *Similar uses*
- *Tourism related services*

13.6.2 SHOPPING CENTRE COMMERCIAL ZONE (C5) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Metres
<i>Front yard</i>	15m
<i>Exterior side yard</i>	15m
<i>Interior side yard</i>	15m
<i>Rear yard</i>	15m
<i>Landscaped open space</i>	10% of total <i>lot area</i>

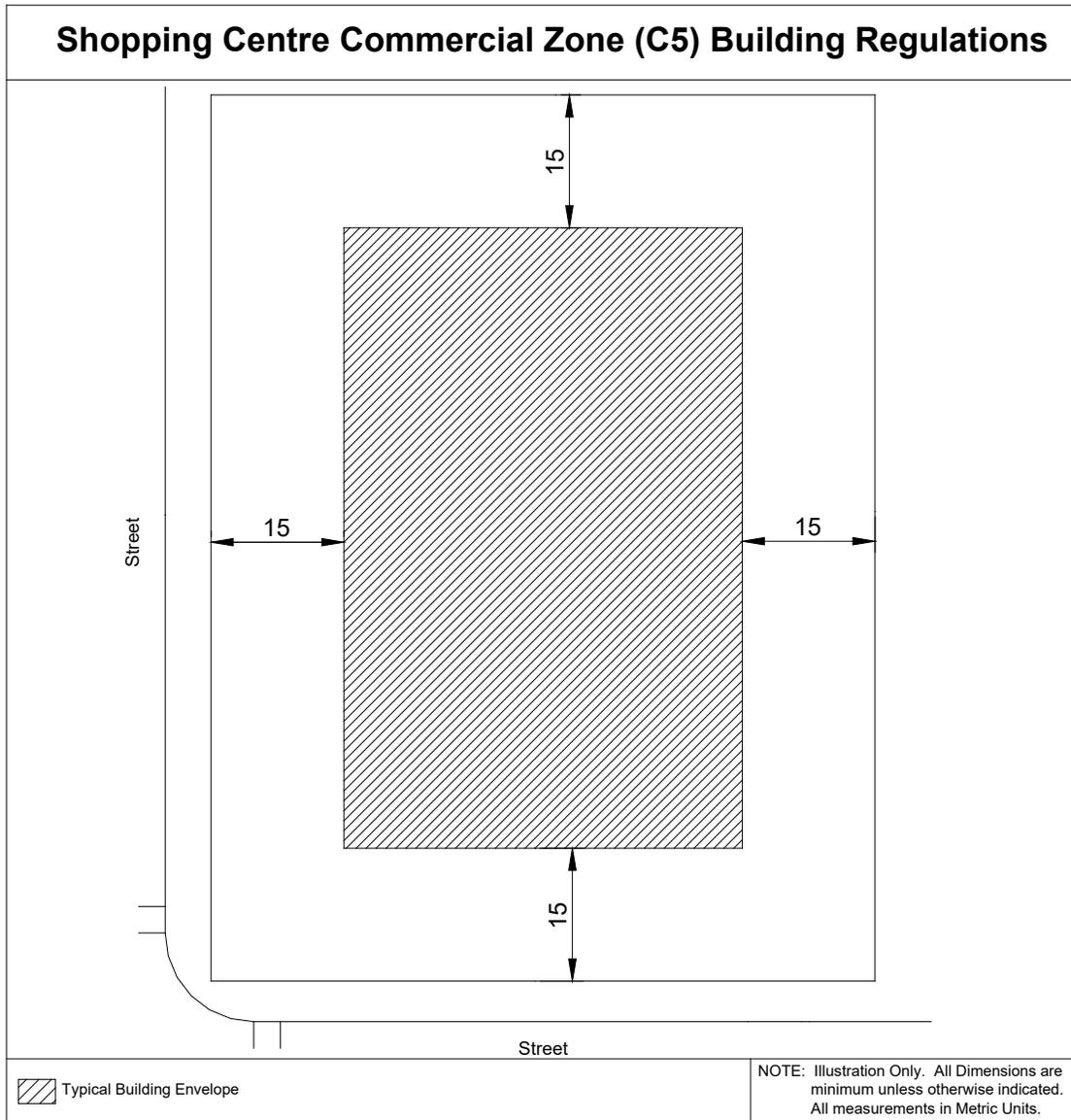


13.6.3 ADDITIONAL SHOPPING CENTRE COMMERCIAL ZONE (C5) REGULATIONS

13.6.3.1 FUEL SALES: SETBACKS FOR FUEL PUMP ISLAND AND CANOPY

The minimum distance between any *lot line* and any part of a fuel pump island, including a canopy, shall be **4.5m**.

Table 31 : Shopping Centre Commercial Zone (C5) Building Regulations





13.7 HIGHWAY ZONE (HZ)

Introduction

The uses within this zone are intended to service travelers moving along Sault Ste. Marie's highway corridor. This zone also includes uses geared towards servicing the commercial transportation business and commercial uses that require large supporting *lots* such as car dealerships and home building supply retailers.

13.7.1 PERMITTED USES

- *Accessory uses*
- *Accessory use seasonal garden centres*
- *{2007-105} Accessory use solar power installations*– Refer to Section 1.1.6 for additional regulations
- *{2006-200} Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- *Accommodation services*
- *{2009-5} Amusement and fitness facilities*
- *Bingo halls*
- *Building hardware and garden supply stores*
- *Caretaker dwelling unit*
- *Car wash facilities*
- *Food services*
- *Fruit and vegetable stands*
- *Fuel sales*
- *Heavy equipment sales, repair, and maintenance*
- *Information and technology services*
- *Mixed use service centers*
- *Motor vehicle equipment rental and leasing services*
- *Motor vehicle sales and parts dealers*
- *Personal storage*
- *Rental and leasing services*
- *Repair and maintenance services*
- *Road transportation and warehousing*
- *Similar uses*
- *Tourism related uses*
- *Veterinary Clinics* - without any outdoor kennel facilities



13.7.2 ~~{2010-74}~~ HIGHWAY ZONE (HZ) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Metres
Front Yard	6m
Exterior Side Yard	6m
Interior Side yard Abutting a Residential Zone	0m 3m or 50% of the building height, whichever is greater
Rear Yard Abutting a Residential Zone	3m or 30% of the building height, whichever is greater 10m or 50% of the building height, whichever is greater
<i>Landscaped open space</i>	100% of <i>required front and exterior side yards</i> , with the exception of driveways.

13.7.3 ADDITIONAL HIGHWAY ZONE (HZ) REGULATIONS

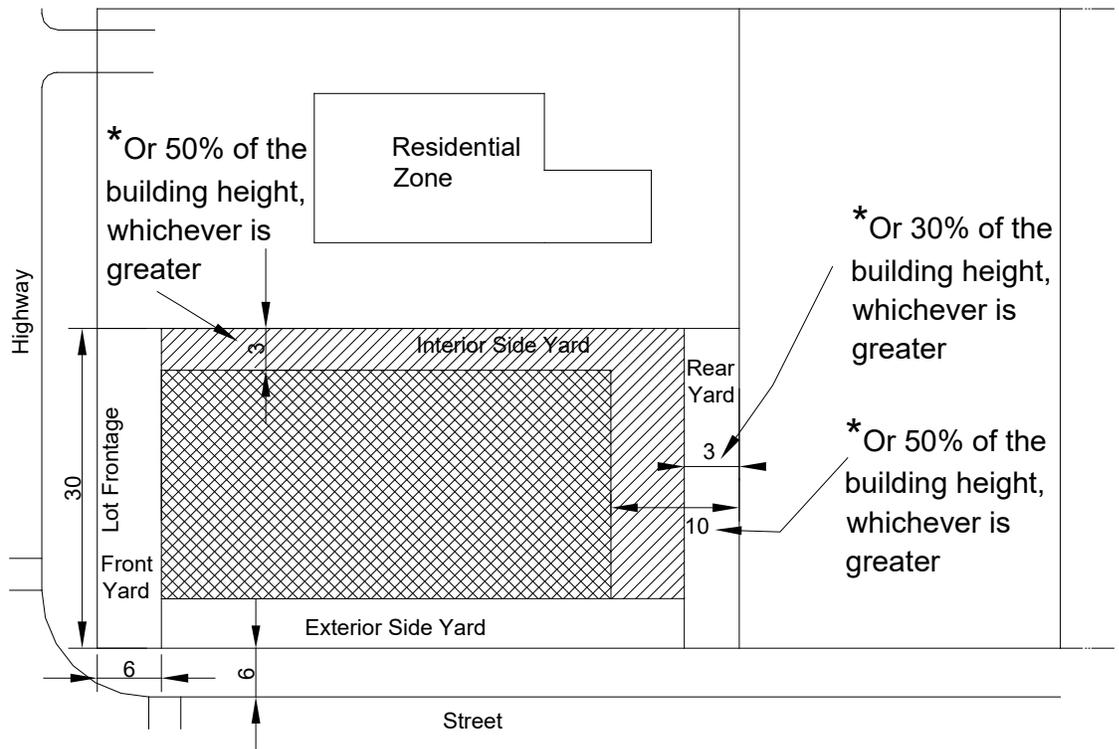
13.7.3.1 **FUEL SALES: SETBACKS FOR FUEL PUMP ISLAND AND CANOPY**

The minimum distance between any *lot line* and any part of a fuel pump island, including a canopy, shall be **4.5m**.



Table 32 : Highway Zone (HZ) Building Regulations

Highway Zone (HZ) Building Regulations



Typical Building Envelope



Typical Building Envelope Abutting Residentially Zoned Land

NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.



14 INDUSTRIAL ZONES

14.1 LIGHT INDUSTRIAL ZONE (M1)

Introduction

This zone accommodates low intensity industrial uses. Effects such as noise, dust, odours, and vibrations should be minimal to non-existent. This zone shall include regulations meant to create a campus like atmosphere.

14.1.1 PERMITTED USES

- *Accessory uses*
 - *{2007-105} Accessory use solar power installations – Refer to Section 1.1.6 for additional regulations*
 - *{2006-200} Accessory use wind turbines - Refer to Section 4.13 for additional regulations*
 - *Broadcasting*
 - *{2007-105} Commercial solar power installations – Refer to Section 1.21 for additional regulations*
 - *Computer, precision, and electronic products manufacture and repair*
 - *Contractors yards*
 - *Delivery and courier services*
 - *Dry cleaning and laundry plants*
 - *Emergency response centres*
 - *Industrial plazas*
 - *Information and technology services*
 - *Manufacture of food and beverages*
 - *Motion picture and sound recording studios*
 - *Personal Storage*
 - *Printing and related support activities*
 - *Professional scientific and technical services*
 - *Publishing industries*
 - *Rental and leasing services*
 - *Similar uses*
 - *Warehousing, Wholesaling and Distribution Centres - with no outdoor storage*
- Exclusion:** *Reload centres for logs and pulpwood*



14.1.2 LIGHT INDUSTRIAL ZONE (M1) BUILDING REGULATIONS

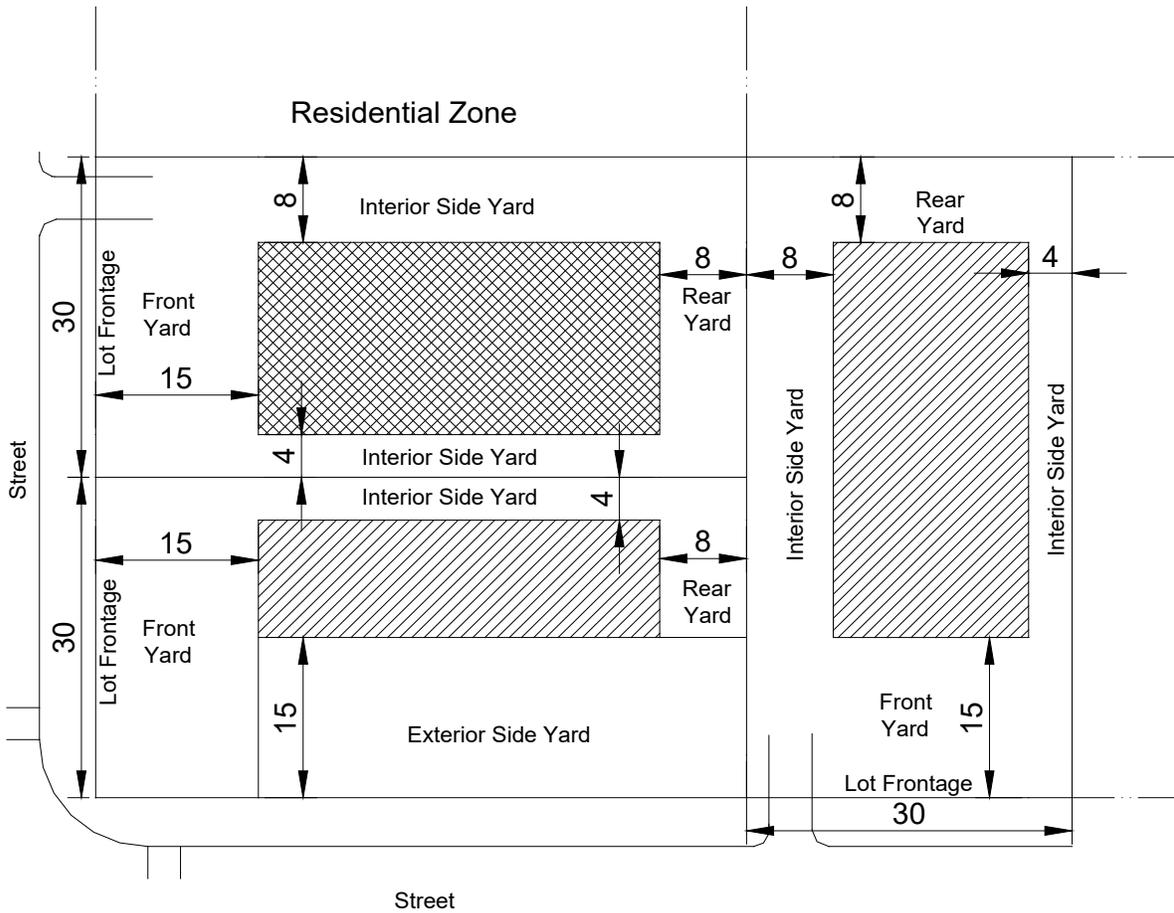
All Minimums Unless Otherwise Noted

	Metres
<i>Frontage</i>	30m
<i>Front yard</i>	15m
<i>Interior side yard</i> Abutting a residential zone	4m on one side, 8m on the other side 8m
<i>Rear yard</i>	8m
<i>Exterior side yard</i>	15m
<i>Maximum building height</i>	15m
<i>Landscaped open space</i>	A minimum 75% of the <i>required front and exterior side yards</i> must be landscaped.



Table 33 : Light Industrial Zone (M1) Building Regulations

Light Industrial Zone (M1) Building Regulations



 Typical Building Envelope

 Typical Building Envelope Abutting Residential Zoned Land

NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.



14.2 MEDIUM INDUSTRIAL ZONE (M2)

Introduction

This zone allows more intensive uses than the Light Industrial Zone, however it requires that noise, dust, odors, and vibrations impacting sensitive uses in the area be kept to a minimum.

14.2.1 PERMITTED USES

- All uses permitted in M1 zone
 - *Accessory uses*
 - *{2007-105} Accessory use freight containers*
 - *Accessory use storage trailers*
 - *{2006-200} Accessory use wind turbines - Refer to Section 4.13 for further regulations*
 - *Auto body repair establishments*
 - *Building, hardware, and garden supply stores*
 - *Bulk storage and distribution of fossil fuels*
 - *{2006-200} Commercial wind generating systems— Refer to Section 4.13 for additional regulations.*
 - *Heavy equipment sales maintenance and repair*
 - *Industrial plaza*
 - *Medium manufacturing*
 - *Motor vehicle sales and parts dealers*
 - *Rental and leasing services*
 - *Repair and maintenance services*
 - *Road transportation and warehousing*
 - *Similar uses*
 - *Warehousing, wholesaling and distribution centres - with 100% visually screened exterior storage*
- Exclusion:** *Reload centres for logs and pulpwood*



14.2.2 MEDIUM INDUSTRIAL ZONE (M2) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Metres
<i>Frontage</i>	30m
<i>Front yard</i>	15m
<i>Interior side yard</i> Abutting a residential zone	5m on one side, 10m on the other side 10m
<i>Rear yard</i> Abutting a residential zone	8m 10m
<i>Exterior side yard</i>	15m
<i>Maximum building height</i>	15m
<i>Landscaped open space</i>	A minimum of 75% of <i>required front and exterior side yards</i> must be landscaped.

14.2.3 ADDITIONAL MEDIUM INDUSTRIAL ZONE (M2) REGULATIONS

14.2.3.1 NO OPENINGS LARGER THAN 1.5 BY 2.2M FACING ABUTTING RESIDENTIAL LANDS

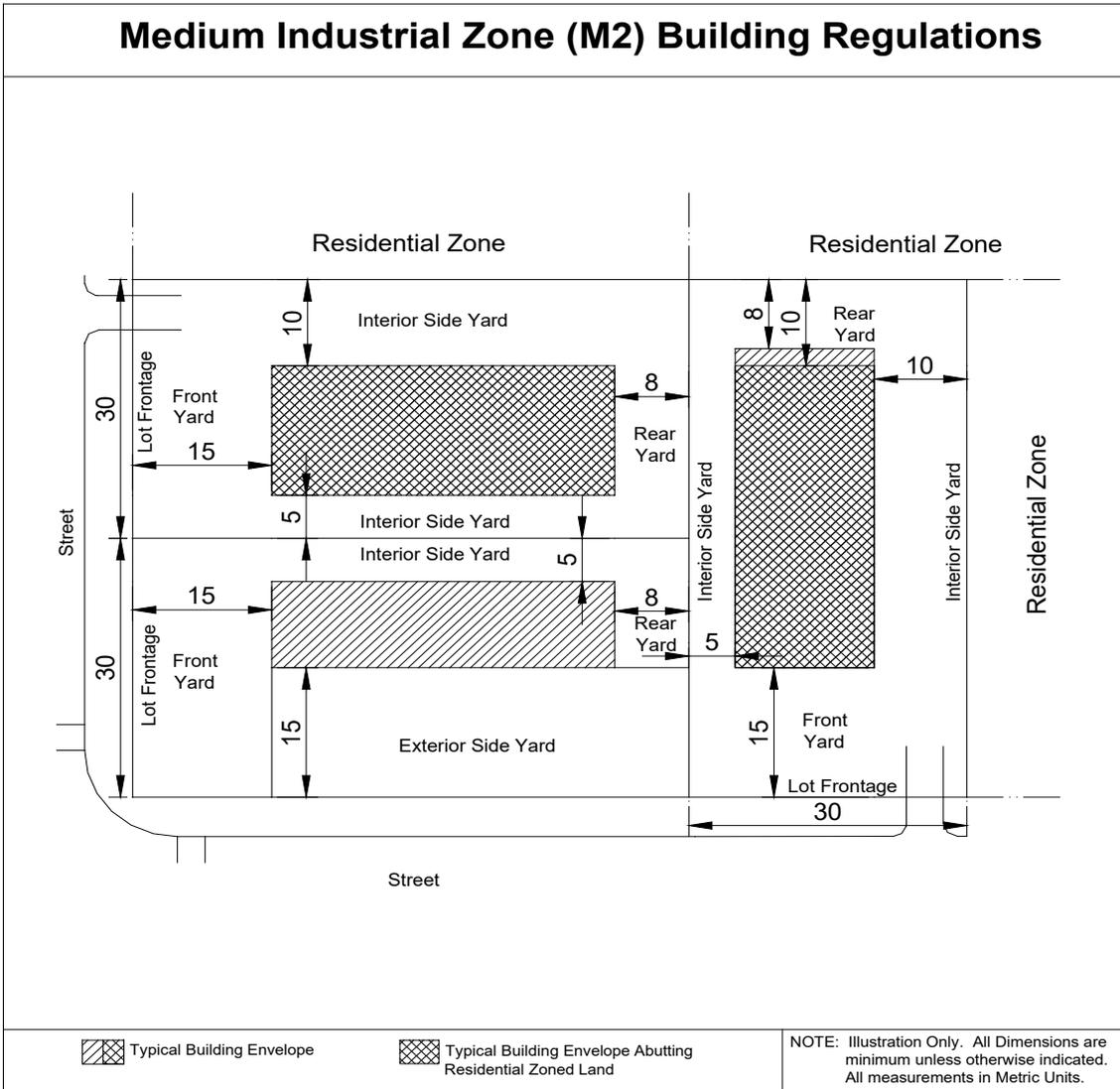
Where a Medium Industrial zoned *lot* abuts or is opposite residentially zoned lands, any part of a building façade that faces these residentially zone lots shall not have any openings larger than **1.5m by 2.2m**. For any buildings, or portions thereof, that house office uses, the area occupied by the office use is exempt from this provision.

14.2.3.2 WHERE A REAR OR INTERIOR SIDE YARD ABUTS A RAILWAY

If a *rear* or *interior side yard* abuts a railway, no such *yard* is required if the use requires access to the railway.



Table 34 Medium Industrial Zone (M2) Building Regulations





14.3 HEAVY INDUSTRIAL ZONE (M3)

Introduction

The least restrictive Industrial Zone reserved for heavy industrial uses that are incompatible with most other land uses.

14.3.1 PERMITTED USES

- All permitted uses within M2 Zones, excluding M1 uses
- *Accessory uses*
- {2007-105} *Accessory use freight containers*
- *Accessory use storage trailers*
- {2006-200} *Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- *Commercial port facilities*
- {2007-105} *Commercial solar power installations* – Refer to Section 1.21 for additional regulations
- {2006-200} *Commercial wind generating facilities*– Refer to Section 4.13 for additional regulations.
- *Contractors yards*
- {2006-78} *Contractors yards supporting heavy and civil engineering construction*
- *Delivery and courier services*
- *Dry cleaning and laundry plants*
- *Emergency response centres*
- *Heavy manufacturing*
- *Rail yards and related railway uses*
- *Reload centres for logs and pulpwood*
- *Salvage yards and recycling centers* - Subject to an Environmental Impact Assessment
- *Similar uses*
- *Utilities*



14.3.2 HEAVY INDUSTRIAL ZONE (M3) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Metres
<i>Frontage</i>	45m
<i>Front yard</i>	15m
Opposite a residential zone	30m
<i>Interior side yard</i>	5m on one side, 10m on the other side
Abutting a residential zone	30m
<i>Rear yard</i>	8m
Abutting a residential zone	30m
<i>Exterior side yard</i>	15m
Opposite a residential zone	30m
<i>Maximum building height</i>	None
<i>Landscaped open space</i>	75% of <i>required yards</i> opposite or adjacent to residential zones, or abutting streets must be landscaped

14.3.3 ADDITIONAL HEAVY INDUSTRIAL ZONE (M3) REGULATIONS

14.3.3.1 NO OPENINGS LARGER THAN 1.5 BY 2.2M FACING ABUTTING RESIDENTIAL LANDS

Where a Heavy Industrial zoned *lot* abuts or is opposite residentially zoned lands, any part of a building façade that faces these residentially zone lots shall not have any openings larger than **1.5m by 2.2m**. For any buildings, or portions thereof, that house office uses, the area occupied by the office use is exempt from this provision.

14.3.3.2 WHERE A REAR OR INTERIOR SIDE YARD ABUTS A RAILWAY

If a *rear* or *interior side yard* abuts a railway, no such *yard* is required if the use requires access to the railway.



Table 35 : Heavy Industrial Zone (M3) Building Regulations

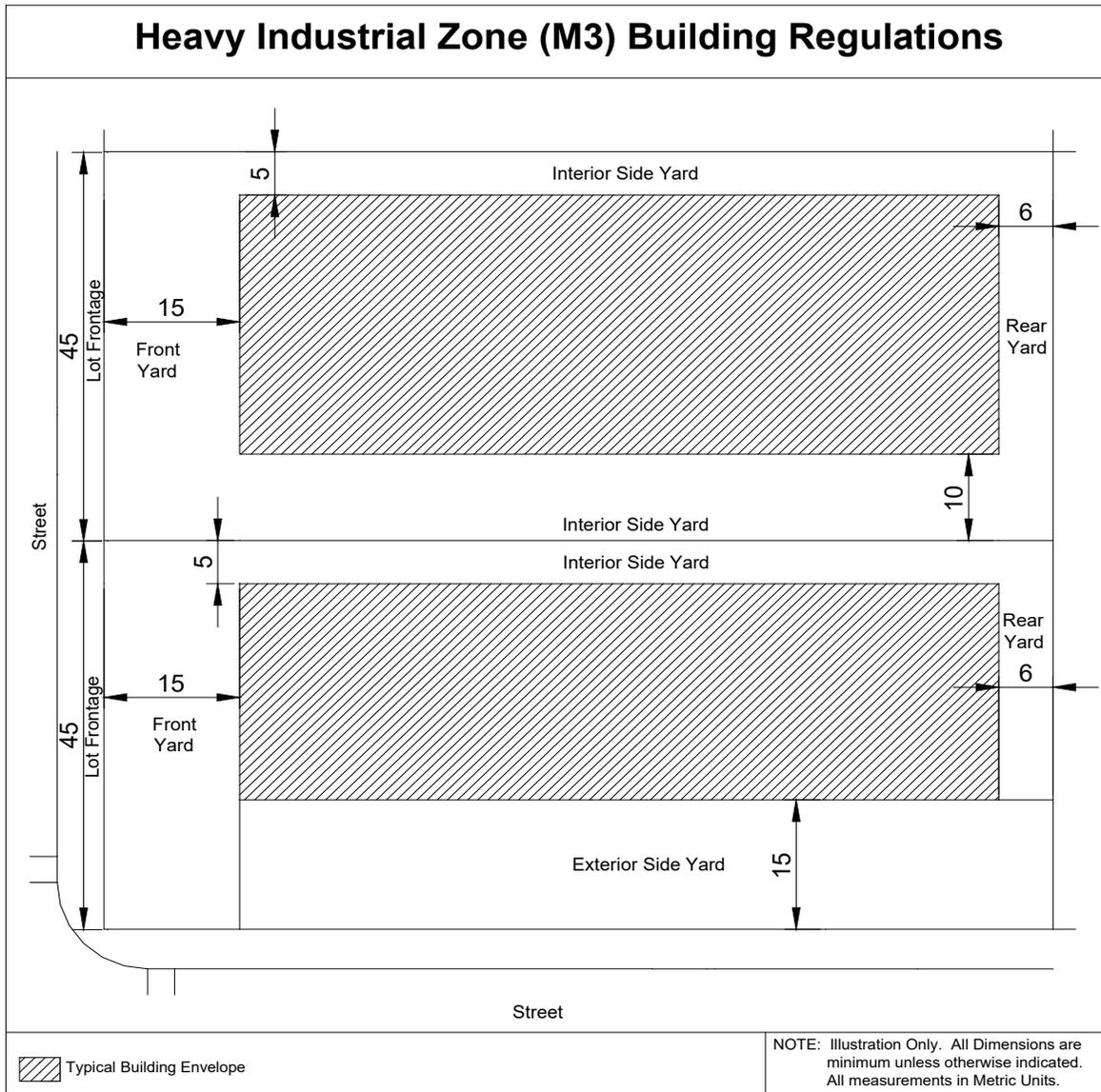
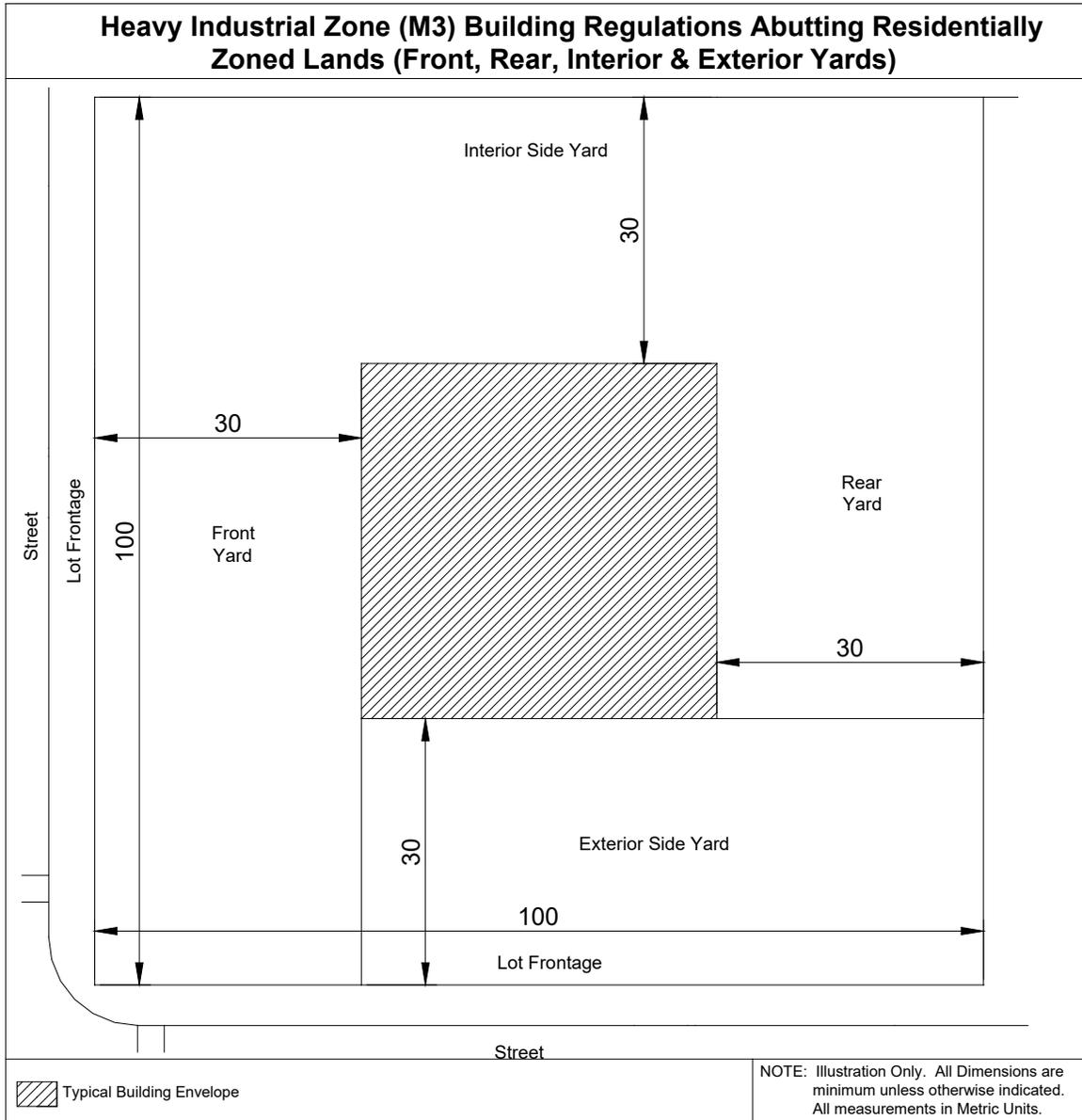




Table 36 : Heavy Industrial Zone (M3) Building Regulations Abutting Residentially Zone Lands





15 NAMED USES

Named Use (Including <i>Accessory</i> and <i>Similar Uses</i>)	Building Regulations to be Applied
Commercial Dock	Heavy Industrial Zone (M3)
Municipal Landfill	Heavy Industrial Zone (M3)



16 ADDITIONAL BUILDING SETBACKS ON SPECIFIED STREETS

In order to facilitate future road widening, *lots* located along the public Streets specified below shall provide an additional building setback equal to the amount shown below. This setback shall be in addition to the required setbacks described in the zone regulations of this By-law. The additional setback shall be measured from the edge of the original **20m** road allowance.

16.1 STREETS REQUIRING ADDITIONAL BUILDING SETBACKS

Street	Side	Limits	Additional Setback
Allen's Side Rd.	Both	Base Line to Second Line	3m
Base Line	South	Airport Rd. to Town Line	3m
Base Line	Both	Town Line to Allen's Side Rd.	3m
Black Rd.	Both	McNabb to Old Garden River Rd.	6m
Bruce St.	Both	Wellington St. to Alberta Ave.	3m
Goulais Ave.	Both	Bonney St. to Second Line	3m
Leigh's Bay Rd.	Both	Base Line to Second Line	3m
McNabb St.	Both	St. George's Ave. to South Market St. Extension	3m
Northern Ave.	North	Sackville Rd. to Great Northern Rd.	5m
Northern Ave.	Both	Great Northern Rd. to Willow Ave.	3m
Northern Ave.	South	Willow Ave. to Pine St. extended	6m
Old Goulais Bay Rd.	Both	Third Line to Fifth Line	3m
People's Rd.	East	Second Line to Third Line	6m
People's Rd.	West	Third Line to Fourth Line	6m
Pim St.	East	100m South of McDonald Ave. to Oxford St.	6m
Pine St.	Both	Wellington St. to Second Line	3m
Queen St.	Both	Pim St. to Pine St.	3m
Sackville Rd.	East	Northern Ave. to Third Line	6m
Second Line	Both	West City Limit to East City Limit	5m
St. George's Ave.	South	Huron St. to McNabb St.	6m
Third Line	Both	People's Rd. to Black Rd.	3m
Wellington St.	Both	Lyons Ave. to Second Line	3m
Wellington St.	North	Gloucester St. to Trunk Rd.	6m



17 REPEAL AND CONTINUATION OF EXISTING REGULATIONS

All By-Laws passed pursuant to Section 34 of The Planning Act, or a predecessor thereof, which affect land in the City of Sault Ste. Marie, insofar as they are inconsistent with this By-law, are hereby repealed but, subject to the foregoing, such By-Laws shall remain in full force and effect.

18 EFFECTIVE DATE

This By-law shall be effective on the final day of its passing

READ THREE TIMES and PASSED in Open Council this 17th day of October 2005.

MAYOR – JOHN ROWSWELL

DEPUTY CLERK – MALCOLM WHITE