ZONING BY-LAW 2005-150

TEXT

Prepared By:
City of Sault Ste. Marie
Planning Division

OFFICE CONSOLIDATION

April 2019
# Table of Contents

## I  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  
1.22 [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 SIMILAR USES
1.86 SPORTS STADIUMS
1.87 TOURISM RELATED SERVICES
1.88 UTILITIES
1.89 VETERINARY CLINICS
1.90 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>
<thead>
<tr>
<th>Table</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>Design of Parking Areas &amp; Spaces</td>
</tr>
<tr>
<td>13</td>
<td>Barrier-Free Parking Design {2019-69}</td>
</tr>
<tr>
<td>14</td>
<td>Sightline Setbacks for Fences</td>
</tr>
<tr>
<td>15</td>
<td>Location of Blocks A, B, &amp; C in the Airport Zone (AIR)</td>
</tr>
<tr>
<td>16</td>
<td>Estate Residential Zone (R1) Building Regulations</td>
</tr>
<tr>
<td>17</td>
<td>Estate Residential Zone (R1) Abutting Lake Superior &amp; St. Mary’s River Building Regulations</td>
</tr>
<tr>
<td>18</td>
<td>Single Detached Residential Zone (R2) Building Regulations</td>
</tr>
<tr>
<td>19</td>
<td>Single Residential Zone (R2) Abutting Lake Superior &amp; St. Mary’s River Building Regulations</td>
</tr>
<tr>
<td>20</td>
<td>Low Density Residential Zone (R3) Building Regulations</td>
</tr>
<tr>
<td>21</td>
<td>Medium Density Residential Zone (R4) Building Regulations (1of2)</td>
</tr>
<tr>
<td>22</td>
<td>Medium Density Residential Zone (R4) Building Regulations (2of2)</td>
</tr>
<tr>
<td>23</td>
<td>High Density Residential Zone (R5) Building Regulations</td>
</tr>
<tr>
<td>24</td>
<td>Mobile Home Residential Zone (R6) Building Regulations</td>
</tr>
<tr>
<td>25</td>
<td>Institutional Zone (I) Building Regulations</td>
</tr>
<tr>
<td>26</td>
<td>Traditional Commercial Zone (C1) Building Regulations</td>
</tr>
<tr>
<td>27</td>
<td>Central Commercial Zone (C2) Building Regulations</td>
</tr>
<tr>
<td>28</td>
<td>Commercial Transitional Zone (CT2) Building Regulations</td>
</tr>
<tr>
<td>29</td>
<td>Riverfront Commercial Zone (C3) Building Regulations</td>
</tr>
<tr>
<td>30</td>
<td>General Commercial Zone (C4) Building Regulations</td>
</tr>
<tr>
<td>31</td>
<td>Shopping Centre Commercial Zone (C5) Building Regulations</td>
</tr>
<tr>
<td>32</td>
<td>Highway Zone (HZ) Building Regulations</td>
</tr>
<tr>
<td>33</td>
<td>Light Industrial Zone (M1) Building Regulations</td>
</tr>
<tr>
<td>34</td>
<td>Medium Industrial Zone (M2) Building Regulations</td>
</tr>
<tr>
<td>35</td>
<td>Heavy Industrial Zone (M3) Building Regulations</td>
</tr>
<tr>
<td>36</td>
<td>Heavy Industrial Zone (M3) Building Regulations Abutting Residentially Zone Lands</td>
</tr>
</tbody>
</table>
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**

<table>
<thead>
<tr>
<th>Yard Where Permitted</th>
<th>Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Distance from Any Building</td>
<td>4.5m</td>
</tr>
<tr>
<td>Maximum Number of Accessory Use Trailers &amp; Freight Containers per lot</td>
<td>3</td>
</tr>
<tr>
<td>Minimum Distance from Any Lot Line</td>
<td>9m</td>
</tr>
</tbody>
</table>

**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 internment 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 suns 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

<table>
<thead>
<tr>
<th>Dwelling Type</th>
<th>Illustration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Detached Unit</td>
<td><img src="image1" alt="Single Detached Unit Illustration" /></td>
</tr>
<tr>
<td>Semi-Detached</td>
<td><img src="image2" alt="Semi-Detached Illustration" /></td>
</tr>
<tr>
<td>Duplex</td>
<td><img src="image3" alt="Duplex Illustration" /></td>
</tr>
<tr>
<td>Triplex</td>
<td><img src="image4" alt="Triplex Illustration" /></td>
</tr>
<tr>
<td>Multiple Attached</td>
<td><img src="image5" alt="Multiple Attached Illustration" /></td>
</tr>
<tr>
<td>Apartment Building</td>
<td><img src="image6" alt="Apartment Building Illustration" /></td>
</tr>
</tbody>
</table>

**NOTE:** Illustrative purpose only. Not all dwelling types represented.

#### 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 50m$^2$ whichever the lesser,

F. A sign no bigger than 0.2m$^2$ 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 **SIMILAR USES**  
Uses of like characteristics, exhibiting the same nature, purpose and scope to those permitted uses within the zone in question.

1.86 **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.

1.87 **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
1.88 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

1.89 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).

1.90 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 ½ 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 ½ 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, 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

<table>
<thead>
<tr>
<th>Illustration of Established Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Wall</strong></td>
</tr>
<tr>
<td><img src="image1" alt="Wall Diagram" /></td>
</tr>
<tr>
<td>Established Grade</td>
</tr>
<tr>
<td><img src="image2" alt="Established Grade" /></td>
</tr>
<tr>
<td><strong>Building</strong></td>
</tr>
<tr>
<td><img src="image3" alt="Building Diagram" /></td>
</tr>
<tr>
<td>Established Grade</td>
</tr>
<tr>
<td><img src="image4" alt="Established Grade" /></td>
</tr>
<tr>
<td><strong>Structure</strong></td>
</tr>
<tr>
<td><img src="image5" alt="Structure Diagram" /></td>
</tr>
<tr>
<td>Established Grade</td>
</tr>
<tr>
<td><img src="image6" alt="Established Grade" /></td>
</tr>
</tbody>
</table>

NOTE: Illustration Only. All Dimensions are maximum unless otherwise indicated. All measurements in Metric Units.
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 it’s 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*. 
### Measuring The Maximum Building Height

<table>
<thead>
<tr>
<th>Type</th>
<th>Diagram</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Slope Roof</td>
<td><img src="image" alt="One Slope Roof Diagram" /></td>
</tr>
<tr>
<td>Gambrel Roof</td>
<td><img src="image" alt="Gambrel Roof Diagram" /></td>
</tr>
<tr>
<td>Gable Roof</td>
<td><img src="image" alt="Gable Roof Diagram" /></td>
</tr>
<tr>
<td>Hip Roof</td>
<td><img src="image" alt="Hip Roof Diagram" /></td>
</tr>
<tr>
<td>Flat Roof</td>
<td><img src="image" alt="Flat Roof Diagram" /></td>
</tr>
<tr>
<td>Gambrel Roof</td>
<td><img src="image" alt="Gambrel Roof Diagram" /></td>
</tr>
<tr>
<td>Mansard Roof</td>
<td><img src="image" alt="Mansard Roof Diagram" /></td>
</tr>
</tbody>
</table>

**NOTE:** Illustrative purpose only. Not all dwelling types represented.
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

Table 5: Measuring Frontage on Corner 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.
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

<table>
<thead>
<tr>
<th><strong>2.26 LOT, INTERIOR</strong></th>
<th>Means any lot that abuts a Street, but is not a corner lot or through lot.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2.27 LOT LINE</strong></td>
<td>Means any boundary of a lot, or the vertical projection thereof.</td>
</tr>
<tr>
<td><strong>2.28 LOT LINE, EXTERIOR SIDE</strong></td>
<td>A side lot line of a corner lot, which is also a street line.</td>
</tr>
<tr>
<td><strong>2.29 LOT LINE, FRONT</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>2.30 LOT LINE, INTERIOR SIDE</strong></td>
<td>A side lot line, which is not a street line.</td>
</tr>
<tr>
<td><strong>2.31 LOT LINE, REAR</strong></td>
<td>The lot line opposite the front lot line.</td>
</tr>
<tr>
<td><strong>2.32 LOT LINE, SIDE</strong></td>
<td>A lot line, which is not a front or rear lot line.</td>
</tr>
<tr>
<td><strong>2.33 LOT, THROUGH</strong></td>
<td>An interior lot abutting two or more public Streets.</td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>Visually Solid Screening</th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image" alt="Illustration of Visually Solid Screening" /></td>
</tr>
</tbody>
</table>

**NOTE:** Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.
2.48 **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

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

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

### 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 PROVINCIALY SIGNIFICANT WETLANDS
Where an Environmental Management Zone (EM) is applied to a Provinceky 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

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

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

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

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, ½ 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.
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

<table>
<thead>
<tr>
<th>Within or joined to Main Building</th>
<th>Maximum Building Height</th>
<th>Required Minimum Setback Distances</th>
<th>Maximum Accessory Use Second Unit Size (Gross Floor Area of living space)</th>
<th>Required Lot Frontage and Area, and Maximum Lot Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Same as for main building - specific height dependent on zoning.</td>
<td>Same as for main building - specific distances dependent on zoning.</td>
<td>Not larger in gross floor area than the dwelling unit that is the lot's primary use.</td>
<td>Same as for main building - specific requirements dependent on zoning.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>As part of an Accessory Building</th>
<th>Maximum Building Height</th>
<th>Required Minimum Setback Distances</th>
<th>Maximum Accessory Use Second Unit Size (Gross Floor Area of living space)</th>
<th>Required Lot Frontage and Area, and Maximum Lot Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>8.0m in Rural Area (RA) zone.</td>
<td>Same as for accessory buildings - specific distances dependent on zoning - to a minimum of: 1.2m for 1 storey building. 1.8m for 2 storey building.</td>
<td>Not larger in gross floor area than the dwelling unit that is the lot's primary use, to a maximum of: 90m² in the Estate Residential (R1) and Rural Area (RA) zones.</td>
<td>Same as for main building - specific requirements dependent on zoning.</td>
</tr>
<tr>
<td></td>
<td>6.0m in all other zones.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>As a standalone Accessory Building</th>
<th>Maximum Building Height</th>
<th>Required Minimum Setback Distances</th>
<th>Maximum Accessory Use Second Unit Size (Gross Floor Area of living space)</th>
<th>Required Lot Frontage and Area, and Maximum Lot Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 storey</td>
<td>Same as for accessory buildings - specific distances dependent on zoning - to a minimum of 1.2m.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## 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.
5 PARKING REGULATIONS

5.1 CALCULATION OF PARKING REQUIREMENTS

5.1.1 ROUNDED 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

<table>
<thead>
<tr>
<th>Parking Space Angle (A)</th>
<th>Stall Width (B)</th>
<th>Perpendicular Distance from Parking Stall End to Driveway (C)</th>
<th>Aisle Width (D)</th>
<th>Parking Area Width (Curb to Curb)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>With Parking Spaces on 1 side only (E)</td>
</tr>
<tr>
<td>90°</td>
<td>2.75m</td>
<td>5.8m</td>
<td>6.71m</td>
<td>12.5m</td>
</tr>
<tr>
<td>60°</td>
<td>2.75m</td>
<td>6.4m</td>
<td>5.49m</td>
<td>11.89m</td>
</tr>
<tr>
<td>45°</td>
<td>2.75m</td>
<td>6.1m</td>
<td>3.96m</td>
<td>10.06m</td>
</tr>
<tr>
<td>30°</td>
<td>2.75m</td>
<td>5.49m</td>
<td>3.35m</td>
<td>8.84m</td>
</tr>
<tr>
<td>Parallel</td>
<td>2.75m</td>
<td>7.92m</td>
<td>3.05m</td>
<td>5.79m</td>
</tr>
</tbody>
</table>

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.
### Design of Parking Areas & Spaces

#### Diagram 1

![Diagram 1](image)

#### Diagram 2

![Diagram 2](image)

<table>
<thead>
<tr>
<th>Parking Space Angle</th>
<th>Stall Width</th>
<th>Perpendicular Distance from Parking Stall End to Driveway</th>
<th>Aisle Width</th>
<th>Parking Area Width (Curb to Curb)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(A)</td>
<td>(B)</td>
<td>(C)</td>
<td>With Parking Spaces on One Side Only</td>
</tr>
<tr>
<td>90°</td>
<td>2.75m</td>
<td>5.8m</td>
<td>6.71m</td>
<td>12.5m</td>
</tr>
<tr>
<td>60°</td>
<td>2.75m</td>
<td>6.4m</td>
<td>5.49m</td>
<td>11.89m</td>
</tr>
<tr>
<td>45°</td>
<td>2.75m</td>
<td>6.1m</td>
<td>3.96m</td>
<td>10.06m</td>
</tr>
<tr>
<td>30°</td>
<td>2.75m</td>
<td>5.49m</td>
<td>3.35m</td>
<td>8.84m</td>
</tr>
<tr>
<td>Parallel</td>
<td>2.75m</td>
<td>7.92m</td>
<td>3.05m</td>
<td>5.79m</td>
</tr>
</tbody>
</table>

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

---

**ACCESSIBLE PARKING PERMIT SIGN**

- **Rb-93** 30cm x 45cm
- **Font Colour**
  - Helvetica Bold Condensed
  - Interdictory Symbol – Red Reflective
  - Symbol of Access and Symbol Border - Blue Reflective
  - Legend & Border – Black
  - Background – White Reflective

---

**Single Space Design**

**Side by Side Design**
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:

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

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:

<table>
<thead>
<tr>
<th>Number of Required Parking Spaces for Residential Uses</th>
<th>Minimum Number of Required Barrier-Free Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any</td>
<td>6% of total required parking spaces</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Permitted Uses</th>
<th>Required Parking</th>
<th>Required Parking in The downtown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Uses (Excluding Multiple Attached Dwellings and {2019-83} Accessory Use Second Units)</td>
<td>1.25 spaces / Dwelling Unit</td>
<td></td>
</tr>
<tr>
<td>{2011-81} Multiple Attached Dwellings</td>
<td>1 space / Dwelling Unit</td>
<td></td>
</tr>
<tr>
<td>{2019-83} Accessory Use Second Units</td>
<td>1 space / Accessory use second unit</td>
<td>None required</td>
</tr>
<tr>
<td>{2009-5} Accommodation Services</td>
<td>1.25 spaces / guestroom</td>
<td></td>
</tr>
<tr>
<td>Agricultural Uses</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Amusement and Fitness Facilities</td>
<td>1/5 persons Max. Building Capacity</td>
<td>1/10 persons Max. Building Capacity</td>
</tr>
<tr>
<td>Amusement Parks</td>
<td>10 spaces/activity or attraction</td>
<td></td>
</tr>
<tr>
<td>Animal Pens and Cages</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Arts Culture and Heritage Uses</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Assembly Facilities {2014-6}</td>
<td>1/5 persons Max. Building Capacity</td>
<td>1/10 persons Max. Building Capacity</td>
</tr>
<tr>
<td>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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Athletic Fields</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Auto Body Repair Establishments</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Bakeries</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Bandstands</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfasts</td>
<td>1 space/guestroom + required parking for residence</td>
<td></td>
</tr>
<tr>
<td>Bingo Halls</td>
<td>1/5 persons Max. Building Capacity</td>
<td>1/10 persons Max. Building Capacity</td>
</tr>
<tr>
<td>Bowling Greens</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Broadcasting</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Building, Hardware, and Garden Supply Stores</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Bulk Storage of Fossil Fuels</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Campgrounds</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Care Facilities</td>
<td>1/5 persons Max. Building Capacity</td>
<td>1/10 persons Max. Building Capacity</td>
</tr>
<tr>
<td>Casinos</td>
<td>1/5 persons Max. Building Capacity</td>
<td>1/10 persons Max. Building Capacity</td>
</tr>
<tr>
<td>Permitted Uses</td>
<td>Required Parking in The downtown</td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td>----------------------------------</td>
<td></td>
</tr>
<tr>
<td>Catering Establishments</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Cemeteries and Crematoriums</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Colleges</td>
<td>1 space/2 employees + 1 space/10 students with full time enrolment</td>
<td></td>
</tr>
<tr>
<td>Computer and Electronics Manufacture and Repair</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Conservation Area</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Contractors Yards</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Convenience Stores</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Day Care Facilities</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Dry Cleaning and Laundry Plants</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Elementary Schools</td>
<td>1.25 spaces/classroom</td>
<td></td>
</tr>
<tr>
<td>Emergency Response Centres</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Food Services (Exclusions: Bakeries and Take-out Establishments)</td>
<td>1/5 persons Max. Building Capacity</td>
<td>1/10 persons Max. Building Capacity</td>
</tr>
<tr>
<td>Food Services as an Accessory use (Less than 25% of main buildings Gross floor area)</td>
<td>1 space /10 persons max. building capacity</td>
<td></td>
</tr>
<tr>
<td>Fruit and Vegetable Stands</td>
<td>4.5 spaces/100m²</td>
<td>3.5 spaces/100 m²</td>
</tr>
<tr>
<td>Fuel Sales</td>
<td>{2014-6} No parking required for fuel sales use.</td>
<td></td>
</tr>
<tr>
<td>Funeral Service Establishments</td>
<td>1/5 persons Max. Building Capacity</td>
<td>1/10 persons Max. Building Capacity</td>
</tr>
<tr>
<td>Furniture Store</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Golf Courses</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Greenhouses and Botanical Gardens</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Group Home</td>
<td>3 spaces/100m²</td>
<td></td>
</tr>
<tr>
<td>Group Residence</td>
<td>3 spaces/100m²</td>
<td></td>
</tr>
<tr>
<td>Heavy Equipment Sales, Repair and Maintenance Services</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Hospices</td>
<td>2 spaces/100m²</td>
<td></td>
</tr>
<tr>
<td>Hospitals</td>
<td>2 spaces/100m²</td>
<td></td>
</tr>
<tr>
<td>Ice Rinks</td>
<td>1/5 persons Max. Building Capacity</td>
<td>1/10 persons Max. Building Capacity</td>
</tr>
<tr>
<td>Industrial Plazas</td>
<td>2 spaces/100 m²</td>
<td></td>
</tr>
<tr>
<td>Permitted Uses</td>
<td>Required Parking in The downtown</td>
<td>Required Parking in The downtown</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------</td>
<td>----------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Information and Technology Services (Including Call Centres)</td>
<td>4.5 spaces/100m²</td>
<td>3.5 spaces/100 m²</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>1 space/employee on the largest shift</td>
<td></td>
</tr>
<tr>
<td>Marinas, Boat Launching Ramps, Wharves</td>
<td>15 spaces/launch ramp with min. dimensions of 11m by 4m + 1 space/docking space</td>
<td></td>
</tr>
<tr>
<td>Medical Centres</td>
<td>4.5 spaces/100m²</td>
<td>3.5 spaces/100 m²</td>
</tr>
<tr>
<td>Motion Picture and Sound Recording Studios</td>
<td>1 space/employee on the largest shift</td>
<td></td>
</tr>
<tr>
<td>Motor Vehicle Equipment Rental and Leasing</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Motor Vehicle Sales and Parts Dealers</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Movie Theatres</td>
<td>1/5 persons Max. Building Capacity</td>
<td>1/10 persons Max. Building Capacity</td>
</tr>
<tr>
<td>{2011-81} Nursing and Residential Care Facilities</td>
<td>1 space/2 beds</td>
<td></td>
</tr>
<tr>
<td>Office Uses</td>
<td>4.5 spaces/100m²</td>
<td>3.5 spaces/100 m²</td>
</tr>
<tr>
<td>Open Pit Aggregate Extraction</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Parks and Playgrounds</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Personal Services <em>(Exclusion: Funeral Service Establishments)</em></td>
<td>4.5 spaces/100m²</td>
<td>3.5 spaces/100 m²</td>
</tr>
<tr>
<td>Personal Storage</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Pet Care Services</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Pits and Quarries</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Places of Worship</td>
<td>1/5 persons Max. Building Capacity</td>
<td>1/10 persons Max. Building Capacity</td>
</tr>
<tr>
<td><em>(2014-6) 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.</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*(2012-158)Power Centres</td>
<td>4.5 spaces/100m²</td>
<td>3.5 spaces/100 m²</td>
</tr>
<tr>
<td>Printing and Related Support Activities</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Professional, Scientific, and Technical Services</td>
<td>4.5 spaces/100m²</td>
<td>3.5 spaces/100 m²</td>
</tr>
<tr>
<td>Publishing Industries</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Rail Yards Related to Railway Uses</td>
<td>1 space/employee on the largest shift</td>
<td></td>
</tr>
<tr>
<td>Reload Centres for Logs and Pulpwood</td>
<td>1 space/employee on the largest shift</td>
<td></td>
</tr>
<tr>
<td>Rental and Leasing Services</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Repair and Maintenance Services</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Retail Trade</td>
<td>4.5 spaces/100m²</td>
<td>3.5 spaces/100 m²</td>
</tr>
<tr>
<td>Road Transportation and Warehousing</td>
<td>1 space/employee on the largest shift</td>
<td></td>
</tr>
<tr>
<td>Permitted Uses</td>
<td>Required Parking in The downtown</td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------------------------------------------</td>
<td>----------------------------------</td>
<td></td>
</tr>
<tr>
<td>Rooming Houses</td>
<td>1/5 persons Max. Building Capacity</td>
<td>1/10 persons Max. Building Capacity</td>
</tr>
<tr>
<td>Salvage Yards and Recycling Centres</td>
<td>1 space/employee on the largest shift</td>
<td></td>
</tr>
<tr>
<td>Secondary Schools</td>
<td>5 spaces/classroom</td>
<td></td>
</tr>
<tr>
<td>Shopping Centres</td>
<td>4.5 spaces/100m² 3.5 spaces/100 m²</td>
<td></td>
</tr>
<tr>
<td>Skateboard Park</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Sports Stadiums</td>
<td>1/5 persons Max. Building Capacity</td>
<td>1/10 persons Max. Building Capacity</td>
</tr>
<tr>
<td>Strip Plazas</td>
<td>4.5 spaces/100m² 3.5 spaces/100 m²</td>
<td></td>
</tr>
<tr>
<td>Take-out Facilities that are not part of a restaurant</td>
<td>4.5 spaces/100m² 3.5 spaces/100 m²</td>
<td></td>
</tr>
<tr>
<td>Tennis, Squash, and Racquet Ball Courts</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Tourism Uses (Exclusions: Marinas and Amusement Parks)</td>
<td>4.5 spaces/100m² 3.5 spaces/100 m²</td>
<td></td>
</tr>
<tr>
<td>Universities</td>
<td>1 space/2 employees + 1 space/10 students with full time enrolment</td>
<td></td>
</tr>
<tr>
<td>Utilities</td>
<td>No parking required for main use</td>
<td></td>
</tr>
<tr>
<td>Veterinary Clinic</td>
<td>3.5 spaces/100m² for the 1st 1000m² + 1/200m² thereafter</td>
<td></td>
</tr>
<tr>
<td>Warehousing, Wholesaling and Distribution Centres</td>
<td>1 space/employee on the largest shift</td>
<td></td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartment Dwellings with more than 25 Dwelling units</td>
<td>1</td>
</tr>
<tr>
<td>All Non-Residential Uses (Gross floor area)</td>
<td></td>
</tr>
<tr>
<td>0 - 500m²</td>
<td>0</td>
</tr>
<tr>
<td>501m² – 2500m²</td>
<td>1</td>
</tr>
<tr>
<td>2501m² – 7500m²</td>
<td>2</td>
</tr>
<tr>
<td>7501m² – 14000m²</td>
<td>3</td>
</tr>
<tr>
<td>Greater Than – 14000m²</td>
<td>3 + 1/10,000m²</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Zones</th>
<th>Location of Fence</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Front yard</td>
</tr>
<tr>
<td>Residential Zones</td>
<td>0.9m</td>
</tr>
<tr>
<td>Commercial, Institutional, Light &amp; Medium Industrial Zones</td>
<td>0.9m</td>
</tr>
<tr>
<td>Heavy Industrial, Parks and Recreation, Rural Area, Airport Development, Rural Precambrian Upland and Rural Aggregate Extraction Zones</td>
<td>No limit</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Feature</th>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exterior Lot Line</td>
<td>9.0</td>
</tr>
<tr>
<td>Rear Lot Line</td>
<td>4.5</td>
</tr>
<tr>
<td>Interior Lot Line</td>
<td>0.75</td>
</tr>
<tr>
<td>Chain Link Fence</td>
<td>0.75</td>
</tr>
<tr>
<td>Typical Residential Corner</td>
<td>9.0</td>
</tr>
<tr>
<td>Driveway</td>
<td>1.8</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Minimum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area</td>
<td>1.2 ha</td>
</tr>
<tr>
<td>Minimum Frontage (2009-5)</td>
<td>75m</td>
</tr>
<tr>
<td>Minimum setbacks from any lot line</td>
<td>30m</td>
</tr>
</tbody>
</table>

Barns and Kennels are only permitted in the rear yard.

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 then 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
- Accessory use solar power installations – Refer to Section 1.1.6 for additional regulations
- Accessory use wind turbines – Refer to Section 4.13 for additional regulations
- Home based business
- 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
- Conservation uses
- Elementary schools
- Golf course
- Group home
- Home based business
- Parks and playgrounds
- Pet care services
- Place of worship
- Recreational facility
- Similar uses
- Veterinary clinic
### 8.5.2 RURAL AREA ZONE (RA) BUILDING AND USE REGULATIONS

Minimums unless otherwise indicated

<table>
<thead>
<tr>
<th></th>
<th>Single Detached Dwellings, Bed and Breakfasts &amp; all Accessory Buildings</th>
<th>Places of Worship</th>
<th>Golf Courses, &amp; Recreational Facilities</th>
<th>Any Other Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lot Area</strong></td>
<td>0.8ha (2014-153)</td>
<td>1.2ha</td>
<td>10ha</td>
<td>1.2ha</td>
</tr>
<tr>
<td><strong>Lot Frontage</strong></td>
<td>45m</td>
<td>75m (2009-5)</td>
<td>75m (2009-5)</td>
<td>75m (2009-5)</td>
</tr>
<tr>
<td><strong>Front Yard</strong></td>
<td>15m</td>
<td>15m</td>
<td>45m</td>
<td>30m</td>
</tr>
<tr>
<td><strong>Interior Side yard</strong></td>
<td>5m</td>
<td>5m</td>
<td>45m</td>
<td>15m</td>
</tr>
<tr>
<td><strong>Exterior Side yard</strong></td>
<td>5m</td>
<td>5m</td>
<td>45m</td>
<td>15m</td>
</tr>
<tr>
<td><strong>Rear Yard</strong></td>
<td>15m</td>
<td>15m</td>
<td>45m</td>
<td>30m</td>
</tr>
<tr>
<td><strong>Max. Lot Coverage</strong></td>
<td>10%</td>
<td>10%</td>
<td>N/a</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Max. Building Height</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Main Building</strong></td>
<td>3 Storeys</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Accessory Building</strong></td>
<td>8m</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Max. Building Height</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Main Building</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Accessory Building</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 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

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

*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.

<table>
<thead>
<tr>
<th>Location</th>
<th>Minimum Distance from Main Building</th>
<th>Minimum Distance from Interior Side Lot Line</th>
<th>Minimum Distance from Exterior Side Lot Line</th>
<th>Minimum Distance from Rear Lot Line</th>
<th>Maximum Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joined to the main building</td>
<td>N/a</td>
<td>(2012-158) 1.2m for 1 storey building 1.8 for 2 storey building</td>
<td>Same as for main building</td>
<td>Same as for main building</td>
<td>Same as main building</td>
</tr>
<tr>
<td>In Side yard</td>
<td>1m</td>
<td>1.2m</td>
<td>Accessory structures shall not be located within a required exterior side yard. (2006-78)</td>
<td>0.6m</td>
<td>6m</td>
</tr>
<tr>
<td>In Rear yard</td>
<td>1m</td>
<td>0.6m</td>
<td>Same as for main building</td>
<td>0.6m</td>
<td>6m</td>
</tr>
</tbody>
</table>
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 ½ of the width of the front yard, measured between the side lot lines, so long as the remaining ½ 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

9.5.2 ESTATE RESIDENTIAL ZONE (R1) BUILDING REGULATIONS

<table>
<thead>
<tr>
<th>All R1 Permitted Uses</th>
<th>R1 Properties that abut Lake Superior &amp; St. Mary’s River</th>
<th>All other R1 Properties</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lot Area</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Serviced Lots</td>
<td>0.4ha</td>
<td>0.4ha</td>
</tr>
<tr>
<td>Un-serviced Lots</td>
<td>0.8ha {2014-153}</td>
<td>0.8ha {2014-153}</td>
</tr>
<tr>
<td><strong>Frontage</strong></td>
<td>30m</td>
<td>45m</td>
</tr>
<tr>
<td><strong>Front yard</strong></td>
<td>12m</td>
<td>12m</td>
</tr>
<tr>
<td><strong>Exterior side yard</strong></td>
<td>9m</td>
<td>9m</td>
</tr>
<tr>
<td><strong>Interior side yard</strong></td>
<td>3.5m {2007-105}</td>
<td>3.5m {2007-105}</td>
</tr>
<tr>
<td>(The other interior side yard)</td>
<td>6m</td>
<td>6m</td>
</tr>
<tr>
<td><strong>Rear yard</strong></td>
<td>15m from the rear lot line abutting St. Mary’s River or</td>
<td>10m</td>
</tr>
<tr>
<td></td>
<td>Lake Superior</td>
<td></td>
</tr>
<tr>
<td><strong>Maximum Building Height</strong></td>
<td>2 storeys</td>
<td>2 storeys</td>
</tr>
<tr>
<td><strong>Maximum Lot Coverage</strong></td>
<td>40%</td>
<td>40%</td>
</tr>
</tbody>
</table>

*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 16: Estate Residential Zone (R1) Building Regulations

Estate Residential Zone (R1) Building Regulations

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

[Diagram showing specifications for front and rear yards, interior side yards, and exterior side yards with dimensions provided.]
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

<table>
<thead>
<tr>
<th>Street</th>
<th>Lot Line</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>St. Mary’s River/Lake Superior</td>
</tr>
<tr>
<td></td>
<td>Rear Yard</td>
</tr>
<tr>
<td></td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Interior Side Yard</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
</tr>
<tr>
<td></td>
<td>Exterior Side Yard</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
</tr>
<tr>
<td></td>
<td>Front Yard</td>
</tr>
<tr>
<td></td>
<td>12</td>
</tr>
<tr>
<td>Street</td>
<td></td>
</tr>
</tbody>
</table>

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
9.6.2 SINGLE DETACHED RESIDENTIAL ZONE (R2) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

<table>
<thead>
<tr>
<th>Single Detached Dwellings &amp; Group Homes</th>
<th>R2 Lots that abut Lake Superior &amp; St. Mary’s River</th>
<th>All other R2 Properties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>650 m²</td>
<td>550m²</td>
</tr>
<tr>
<td>Frontage</td>
<td>18m</td>
<td>15m</td>
</tr>
<tr>
<td>Front yard</td>
<td>7.5m</td>
<td>7.5m</td>
</tr>
<tr>
<td>Exterior side yard</td>
<td>4m</td>
<td>4m</td>
</tr>
<tr>
<td>Interior side yard</td>
<td>1.2m for 1 storey building</td>
<td>1.2m for 1 storey building</td>
</tr>
<tr>
<td></td>
<td>1.8m for 2 storey building</td>
<td>1.8m for 2 storey building</td>
</tr>
<tr>
<td>The other Interior side yard</td>
<td>{2012-158 } 3.5m</td>
<td>3m</td>
</tr>
<tr>
<td>Rear yard</td>
<td>15m from rear lot line</td>
<td>10m</td>
</tr>
<tr>
<td>Maximum. Building Height</td>
<td>2 storeys</td>
<td>2 storeys</td>
</tr>
<tr>
<td>Maximum. Lot Coverage</td>
<td>40%</td>
<td>40%</td>
</tr>
</tbody>
</table>

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 HIEght 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

Single Detached Residential Zone (R2) Building Regulations

NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.
Table 19: Single Residential Zone (R2) Abutting Lake Superior & St. Mary’s River Building Regulations

NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.
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**
### 9.7.2 LOW DENSITY RESIDENTIAL ZONE (R3) BUILDING REGULATIONS

*All Minimums Unless Otherwise Noted*

<table>
<thead>
<tr>
<th></th>
<th>Single Detached, Group Homes, and Rooming Houses</th>
<th>Semi-Detached</th>
<th>Duplex</th>
<th>Triplex</th>
<th>Multiple Attached {2010-74}</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lot Area (In the downtown)</strong></td>
<td>460m² (279m²)</td>
<td>600m² (460m²)</td>
<td>460m²</td>
<td>(460m²)</td>
<td>n/a</td>
</tr>
<tr>
<td><strong>Frontage (In the downtown)</strong></td>
<td>14m (9m)</td>
<td>18m (15m)</td>
<td>18m</td>
<td>(15m)</td>
<td>20m</td>
</tr>
<tr>
<td><strong>Front yard (In the downtown)</strong></td>
<td>7.5m (7.5m)</td>
<td>7.5m (7.5m)</td>
<td>7.5m</td>
<td>(7.5m)</td>
<td>7.5m</td>
</tr>
<tr>
<td><strong>Exterior side yard</strong></td>
<td>4m</td>
<td>4.5m</td>
<td>4.5m</td>
<td>4.5m</td>
<td>6m</td>
</tr>
<tr>
<td><strong>Interior side yard</strong></td>
<td>1.2m for 1 storey</td>
<td>3m</td>
<td>1.2m for 1 storey</td>
<td>1.2m for 1 storey</td>
<td>1.2m for 1 storey</td>
</tr>
<tr>
<td></td>
<td>1.8m for 2 storeys</td>
<td></td>
<td>1.8m for 2 storeys</td>
<td>1.8m for 2 storeys</td>
<td>1.8m for 2 storeys</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>Double Duplex:</strong> 3m</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>Multiple Attached:</strong> 1.2m for 1 storey</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1.8m for 2 storeys</td>
</tr>
<tr>
<td><strong>The other interior side yard (In the downtown)</strong></td>
<td>3m (n/a)</td>
<td>{Apr. 2006-78}</td>
<td>3m (n/a)</td>
<td>(n/a)</td>
<td>3m (n/a)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3m</td>
<td>(n/a)</td>
<td>(n/a)</td>
<td>(n/a)</td>
</tr>
<tr>
<td><strong>Rear yard</strong></td>
<td>10m</td>
<td>10m</td>
<td>10m</td>
<td>10m</td>
<td>10m</td>
</tr>
<tr>
<td><strong>Maximum Building Height (In the downtown)</strong></td>
<td>2 storeys</td>
<td>2 storeys</td>
<td>2 storeys</td>
<td>(2 ½ storeys or 9m)</td>
<td>2 storeys</td>
</tr>
<tr>
<td></td>
<td>(2 ½ storeys or 9m)</td>
<td>(2 ½ storeys or 9m)</td>
<td>(2 ½ storeys or 9m)</td>
<td>(2 ½ storeys or 9m)</td>
<td>(2 ½ storeys or 9m)</td>
</tr>
<tr>
<td><strong>Maximum Lot Coverage</strong></td>
<td>40%</td>
<td>40%</td>
<td>40%</td>
<td>40%</td>
<td>40%</td>
</tr>
</tbody>
</table>
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

### Single Detached Dwellings, Group Homes & Rooming Houses

![Diagram of Single Detached Dwellings]

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

### Semi-Detached Dwellings

![Diagram of Semi-Detached Dwellings]

### Duplex Dwellings

![Diagram of Duplex Dwellings]

**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

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

Single Storey Building Envelope   Two Storey Building Envelope
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)
### 9.8.2 MEDIUM DENSITY RESIDENTIAL (R4) ZONE BUILDING REGULATIONS

*All Minimums Unless Otherwise Noted*

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

### 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

Duplex & Triplex Dwellings

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

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

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*
### High Density Residential Zone (R5) Building Regulations

<table>
<thead>
<tr>
<th>Lot Area</th>
<th>N/a</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frontage</td>
<td>30m</td>
</tr>
<tr>
<td>Front yard</td>
<td>7.5m or ½ of building height, whichever is greater</td>
</tr>
<tr>
<td>Exterior side yard</td>
<td>7.5m or ½ of building height, whichever is greater</td>
</tr>
<tr>
<td>Interior side yards</td>
<td>4.6m or ½ of building height, whichever is greater</td>
</tr>
<tr>
<td>Rear yard</td>
<td>10m or ½ of building height, whichever is greater</td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>N/a</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>33%</td>
</tr>
<tr>
<td>Landscaped Open Space</td>
<td>33%</td>
</tr>
</tbody>
</table>

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

---

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

<table>
<thead>
<tr>
<th></th>
<th>Metres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>2ha</td>
</tr>
<tr>
<td>Frontage</td>
<td>30m</td>
</tr>
<tr>
<td>Front yard</td>
<td>7.5m</td>
</tr>
<tr>
<td>Rear yard</td>
<td>7.5m</td>
</tr>
<tr>
<td>Side yards</td>
<td>7.5m</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>35%</td>
</tr>
</tbody>
</table>

*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

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
  - Accessory use solar power installations – Refer to Section 1.1.6 for additional regulations
  - 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*

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Metres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frontage</td>
<td>25m</td>
</tr>
<tr>
<td>Front yard</td>
<td>7.5m or ½ of <em>building height</em> whichever the greater</td>
</tr>
<tr>
<td>Exterior side yard</td>
<td>7.5m or ½ of <em>building height</em> whichever the greater</td>
</tr>
<tr>
<td>Interior side yard</td>
<td>5m or ½ of <em>building height</em> whichever the greater</td>
</tr>
<tr>
<td>Rear yard</td>
<td>7.5m or ½ of <em>building height</em> whichever the greater</td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>None</td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>30%</td>
</tr>
<tr>
<td>Landscaped Open Space</td>
<td>30%</td>
</tr>
</tbody>
</table>

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
  o **Single Detached Dwellings** – Subject to R3 building regulations
  o **Semi-Detached Dwellings** – Subject to R3 building regulations
  o **Duplexes and Triplexes** – Subject to R4 building regulations
  o **Multiple Attached Dwellings** – Subject to R4 building regulations
  o **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**
• **Similar uses**
• **Warehousing, wholesaling and distribution centres**

13.1.2 TRADITIONAL COMMERCIAL ZONE (C1) BUILDING REGULATIONS

*All Minimums Unless Otherwise Noted*

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

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

NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.
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
- 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 = 300m$^2$, excluding existing buildings
- Rooming houses
- Similar uses
### 13.3.2 COMMERCIAL TRANSITIONAL ZONE (CT2) BUILDING REGULATIONS

**All Minimums Unless Otherwise Noted**

<table>
<thead>
<tr>
<th>Metres</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Front yard</strong></td>
<td>5m</td>
</tr>
<tr>
<td><strong>Exterior side yard</strong></td>
<td>5m</td>
</tr>
<tr>
<td><strong>Interior side yard</strong></td>
<td>0m</td>
</tr>
<tr>
<td>Abutting a Residential Zone</td>
<td>1.2m for 1 storey, 1.8 for 2 or more storeys</td>
</tr>
<tr>
<td><strong>Rear yard</strong></td>
<td>7.5m</td>
</tr>
<tr>
<td>Abutting Residential Zone</td>
<td>10m</td>
</tr>
<tr>
<td><strong>Maximum building height</strong></td>
<td>12m</td>
</tr>
</tbody>
</table>

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
- Similar uses
- Tourism related services
### Table 29: Riverfront Commercial Zone (C3) Building Regulations

<table>
<thead>
<tr>
<th>Setback from Bay Street</th>
<th>Metres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Setback from any other lot line</td>
<td>7.5m</td>
</tr>
</tbody>
</table>

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

![Diagram of Riverfront Commercial Zone (C3) Building Regulations](image)

**NOTE**: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.
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
- Similar uses
- Sports stadiums
- Tourism related services
13.5.2 **(2010-74) GENERAL COMMERCIAL ZONE (C4) BUILDING REGULATIONS**

All Minimums Unless Otherwise Noted

<table>
<thead>
<tr>
<th>Metres</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard</td>
<td>6m</td>
</tr>
<tr>
<td>Exterior Side Yard</td>
<td>6m</td>
</tr>
<tr>
<td>Interior Side yard Abutting a Residential Zone</td>
<td>0m</td>
</tr>
<tr>
<td>Rear Yard Abutting a Residential Zone</td>
<td>3m or 30% of the building height, whichever is greater</td>
</tr>
<tr>
<td>Landscaped Open Space</td>
<td>50% of required front and exterior side yards.</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th></th>
<th>Metres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front yard</td>
<td>15m</td>
</tr>
<tr>
<td>Exterior side yard</td>
<td>15m</td>
</tr>
<tr>
<td>Interior side yard</td>
<td>15m</td>
</tr>
<tr>
<td>Rear yard</td>
<td>15m</td>
</tr>
<tr>
<td>Landscaped open space</td>
<td>10% of total lot area</td>
</tr>
</tbody>
</table>
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

![Typical Building Envelope](image)

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

<table>
<thead>
<tr>
<th>Metres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard</td>
</tr>
<tr>
<td>Exterior Side Yard</td>
</tr>
<tr>
<td>Interior Side yard</td>
</tr>
<tr>
<td>Abutting a Residential Zone</td>
</tr>
<tr>
<td>Rear Yard</td>
</tr>
<tr>
<td>Abutting a Residential Zone</td>
</tr>
<tr>
<td>Landscaped open space</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th><strong>Highway Zone (HZ) Building Regulations</strong></th>
</tr>
</thead>
</table>

| **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. |

<table>
<thead>
<tr>
<th><strong>Exterior Side Yard</strong></th>
<th><strong>Interior Side Yard</strong></th>
<th><strong>Rear Yard</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td></td>
<td>3</td>
</tr>
<tr>
<td><strong>Lot Frontage</strong></td>
<td><strong>Front Yard</strong></td>
<td><strong>10</strong></td>
</tr>
<tr>
<td>30</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Or 50% of the building height, whichever is greater

*Or 30% of the building height, whichever is greater

*Or 50% of the building height, whichever is greater

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**

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

THE CITY OF SAULT STE. MARIE ZONING BY-LAW
OFFICE CONSOLIDATION
Table 33: Light Industrial Zone (M1) Building Regulations
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

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

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

Medium Industrial Zone (M2) Building Regulations

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

<table>
<thead>
<tr>
<th></th>
<th>Metres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frontage</td>
<td>45m</td>
</tr>
<tr>
<td>Front yard</td>
<td>15m</td>
</tr>
<tr>
<td>Opposite a residential zone</td>
<td>30m</td>
</tr>
<tr>
<td><strong>Interior side yard</strong></td>
<td>Abutting a residential zone</td>
</tr>
<tr>
<td><strong>Exterior side yard</strong></td>
<td>Opposite a residential zone</td>
</tr>
<tr>
<td><strong>Rear yard</strong></td>
<td>8m</td>
</tr>
<tr>
<td>Abutting a residential zone</td>
<td>30m</td>
</tr>
<tr>
<td>Maximum building height</td>
<td>None</td>
</tr>
<tr>
<td>Landscaped open space</td>
<td>75% of required yards opposite or adjacent to residential zones, or abutting streets must be landscaped</td>
</tr>
</tbody>
</table>

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

Heavy Industrial Zone (M3) Building Regulations

<table>
<thead>
<tr>
<th>Street Lot Frontage</th>
<th>Front Yard</th>
<th>Exterior Side Yard</th>
<th>Rear Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>15</td>
<td></td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>45</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot Frontage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>15</td>
<td></td>
<td>6</td>
</tr>
<tr>
<td>Lot Frontage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>45</td>
<td></td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interior Side Yard</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOTE: Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.
<table>
<thead>
<tr>
<th><strong>Heavy Industrial Zone (M3) Building Regulations Abutting Residentially Zoned Lands (Front, Rear, Interior &amp; Exterior Yards)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Typical Building Envelope</strong></td>
</tr>
<tr>
<td><strong>NOTE:</strong> Illustration Only. All Dimensions are minimum unless otherwise indicated. All measurements in Metric Units.</td>
</tr>
</tbody>
</table>
## 15 NAMED USES

<table>
<thead>
<tr>
<th>Named Use (Including Accessory and Similar Uses)</th>
<th>Building Regulations to be Applied</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Dock</td>
<td>Heavy Industrial Zone (M3)</td>
</tr>
<tr>
<td>Municipal Landfill</td>
<td>Heavy Industrial Zone (M3)</td>
</tr>
</tbody>
</table>
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

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