

SECTION 3 GENERAL PROVISIONS

(1) **ACCESSORY USES**

(a) ACCESSORY USES PERMITTED IN ALL ZONES

Where this By-Law permits a lot to be used or a building or structure to be erected or used for a purpose, and the purpose exists, that purpose shall include any building, structure or use accessory thereto, except that no home occupation, open storage or accessory dwelling unit shall be permitted in any zone other than a zone in which such a use is specifically listed as a permitted use.

(b) LOT COVERAGE

The total lot coverage of all accessory buildings or structures on a lot shall not exceed 10 percent of the lot area of the said lot. Notwithstanding the aforementioned, within any residential zone, an accessory use may have a maximum of 60 square metres. The total area of an accessory building may not exceed the gross floor area of the main building except in the Industrial Zones. The area of an open swimming pool shall not be calculated in determining lot coverage.

(c) HEIGHT RESTRICTIONS

No accessory building or structure in any zone other than an Industrial or Agricultural Zone shall exceed 5.0 metres in height at its highest point as per Section 2(144).

(d) YARD REQUIREMENTS

Any accessory building or structure shall comply with the zone requirements and all other provisions hereof applicable to the zone in which such accessory building or structure is located, except that nothing in this By-Law shall apply to prevent the erection of:

- (i) a building or structure accessory to a single dwelling, anywhere in an interior side yard or a rear yard, provided that such accessory building or structure is not located closer than 1.0 metre to any lot line;
- (ii) a mutual garage with a party wall astride a side lot line in a Residential Zone, shall be constructed to provide a proper fire separation, and, such mutual garage is not located in a required front yard, nor closer than 1.5 metres to any portion of a rear lot line, unless that portion of the rear lot line adjoins the interior side yard of the adjoining lot; the distance shall be no closer than 4 metres, and in no case shall any such accessory building be built closer than 7 metres to any street line;

- (iii) a gatehouse, anywhere in a front yard or exterior side yard in an Industrial Zone;
- (iv) a swimming pool, in accordance with the provisions of Section 3(22) of this By-Law; or
- (v) a boat house or boat dock at the edge of a watercourse.

(2) ACCESS REGULATIONS

No person shall hereafter erect any main building or structure on any lot in any zone unless such lot or an adjacent lot held under the same ownership abuts an improved street or a reserve on the opposite side of which is located an improved street, except that this provision shall not apply to a lot located on a plan of subdivision registered subsequent to the date of the passing of this By-Law.

Private streets in a Residential Zone that existed on the date of passage of this By-law shall be considered as improved streets despite the fact that such private streets have not been assumed by the Corporation. This provision shall only have the effect for the purpose of applying certain regulations of this By-law and not to consideration and granting of consents. This provision shall not imply any obligation on the Corporation to assume and/or develop any private street into an improved street, or to maintain it for private or public purposes.

(3) BUILDING ADDITIONS

Where the erection of one or more additional storeys is proposed on a building where the existing yards appurtenant to such building would not conform to the requirements of this By-Law subsequent to such erection, no such erection shall be permitted except where:

- (a) the addition is located so as to comply with the yard requirements of this By-Law at the level of the base of such addition; and
- (b) the addition complies in all other respects with the provisions of this By-Law.

(4) DWELLING UNITS

(a) LOCATION WITHIN NON-RESIDENTIAL BUILDING

Where a dwelling unit is located within or attached to a non-residential building, such building and dwelling unit shall comply with the yard requirements of this By-Law which apply to the said non-residential building provided that any wall containing a window of a habitable room shall be located not less than 2.5 metres from any side lot line.

(b) LOCATION WITHIN BASEMENT OR CELLAR

- (i) No dwelling unit shall be located in its entirety within a cellar. If any portion of a dwelling unit is located in a cellar, such portion shall be for non-habitable rooms only.
- (ii) A dwelling unit or part thereof may be located in a basement provided the finished floor level of such basement is not below the level of any sanitary or storm sewer servicing the building or structure in which such basement is located.

(c) DWELLING UNIT AREA (MINIMUM)

No dwelling unit shall be erected or used unless:

- (i) a dwelling unit constituting a single dwelling – 70 square metres;
- (ii) any other dwelling unit – 37 square metres for a bachelor dwelling unit plus an additional 10 square metres for each bedroom.

(d) DWELLING UNITS PER LOT (MAXIMUM)

No lot shall be used for or a unit erected upon it, save then:

One only, except:

- (i) in the case of a lot which contains more than one dwelling unit on the date of passing of this By-Law, in which case the maximum number of dwelling units permitted on such lot shall be the number of existing dwelling units on the said lot; and
- (ii) in a zone where more than one dwelling unit is specifically permitted hereby.

(5) **GRADING**

(a) EXCAVATIONS

No person shall make any excavations or remove any topsoil, earth, sand or gravel from any lot, alone or in conjunction with any construction work, unless the written permission of the Chief Building Official or a building permit with respect to such construction work has first been obtained, and except in accordance with any requirements of the Corporation with respect to retention of topsoil, grading and finished elevations.

(b) **DUMPING**

No person shall use any lot for dumping or otherwise depositing or storing any topsoil, earth, sand, gravel or fill unless written permission has first been obtained from the Chief Building Official.

(c) **DRAINAGE AND PLACEMENT OF DOWNSPOUTS**

Drainage and placement of downspouts shall occur in accordance with the *Drainage Act*.

(6) **GROUP HOMES**

Notwithstanding any other provisions of this By-Law to the contrary, a Group Home Type 1 may be permitted in any single dwelling unit provided there is no Group Home Type 1 or similar facility within 100 metres from the proposed facility and the dwelling unit has a minimum floor area of 18.5 square metres per person residing within the unit. Group Homes Type 1 must be registered with the municipality as per the *Municipal Act*.

Group Homes Type 2 and Supervised Residences are permitted only within the zones as specified as a permitted use. In order to prevent concentrations of Group Home Type 2 uses within specific areas, and notwithstanding their being listed as a permitted use, a minimum separation between facilities shall be 300.0 metres measured in any one direction.

(7) **HEIGHT RESTRICTIONS**

- (a) Unless otherwise specifically provided elsewhere herein, no building or structure anywhere within the zoned area shall exceed 10 metres in height, and a fence shall not exceed 1.5 metres in a Residential Zone and 3 metres in all other zones, except that neither this provision nor any other provision of this By-Law shall apply to restrict the height of any of the following structures: an antenna;
- (b) grain elevators;
 - (c) grain dryers;
 - (d) a belfry;
 - (e) a chimney;
 - (f) a church spire;
 - (g) a clock tower;
 - (h) a cracking tower;
 - (i) an elevator or stairway penthouse;
 - (j) a flag pole;
 - (k) a hydro-electric transmission tower;
 - (l) an ornamental structure;
 - (m) a precipitating tower;
 - (n) a radio or television antenna;
 - (o) a silo;

- (p) a steeple or cupola;
- (q) a structure containing heating, cooling, or other mechanized equipment attached to such building;
- (r) a water tower;
- (s) a windmill;

(8) HOME OCCUPATION – RESIDENTIAL

No home occupation shall be permitted within any Residential Zone except in accordance with the following provisions:

- (a) A home occupation shall be accessory to a dwelling occupied by the owner or tenant thereof as his principal residence and located within a zone in which a home occupation is specifically listed as a permitted use.
- (b) At no time shall any home occupation employ anyone other than a person residing within the dwelling unit to which such home occupation is accessory.
- (c) The home occupation shall be clearly incidental and secondary to the main residential use to which it is accessory, shall not change the residential character of the dwelling and shall be contained within the dwelling unit. No more than 25% of the dwelling unit may be devoted to a home occupation use.
- (d) There shall be no display of sign or product to indicate to persons outside that any part of the dwelling unit is being used for a purpose other than residential other than a non-illuminated sign located on the dwelling no larger than 0.6 square metre.
- (e) No home occupation shall create or become a public nuisance, as defined by Council, particularly with regard to noise, traffic, emissions, parking or radio or television interference, nor shall any open storage be permitted in conjunction with a home occupation.
- (f) Home occupations shall be limited to such occupations as insurance agents, sales agents, accountant, telephone sales, computer graphics, seamstress/tailor, artists, music teacher, crafts, hobbies, tradesman, hairdresser/barber, caterer/baker, and child care.
- (g) A home occupation may also include a bed and breakfast establishment so long as there is sufficient off-street parking in accordance with the parking regulations of this By-Law.
- (h) None of the following uses shall be considered home occupations, except where such uses are specifically permitted herein:
 - (i) a body shop or car repair;
 - (ii) a convenience store;

- (iii) a funeral home;
- (iv) a hospital;
- (v) a restaurant;
- (vi) a salvage yard;
- (vii) a transport terminal;
- (viii) a veterinarian's clinic.

(9) HOUSEHOLD SALE/GARAGE SALE

Household sales/garage sales are permitted in any Residential Zone, except that there shall not be more than two (2) such sales per annum at one (1) property and no such sale shall exceed three (3) consecutive days in duration.

(10) LANDSCAPING

(a) LANDSCAPED OPEN SPACE

Landscaped open space shall be provided in accordance with the zone provisions set out herein for each zone and the following general provisions:

- (i) Any part of a lot which is not occupied by buildings, structures, parking areas, loading spaces, driveways, excavations, agricultural use or permitted outdoor storage areas shall be maintained as landscaped open space.
- (ii) Except as otherwise specifically provided herein, no part of any required front yard or required exterior side yard shall be used for any purpose other than landscaped open space.
- (iii) Where landscaped open space of any kind, including a planting strip, is required adjacent to any lot line or elsewhere on a lot, nothing in this By-Law shall apply to prevent such landscaped open space from being traversed by pedestrian walkways or permitted driveways.
- (iv) No part of any driveway, parking area, loading space, stoop, roof-top terrace, balcony, swimming pool or space enclosed within a building, other than a landscaped area located above an underground parking area, shall be considered part of the landscaped open space on a lot.

(b) PLANTING STRIPS

- (i) Where the lot line of a lot containing a non-residential use and located in a Commercial Zone or Industrial Zone abuts a lot in a Residential Zone, or abuts a street on the opposite side of which is located a lot in a Residential Zone, then that part of the lot containing such non-residential use or directly adjoining the

said lot line shall be used for no purpose other than a planting strip having a minimum width of 3 metres measured perpendicularly to the said lot line.

- (ii) Where a fence, a wall, a row of trees or a hedgerow is provided as part of a planting strip required by this By-Law, such fence, wall, row of trees or hedgerow shall be designed to have an ultimate height of not less than 1.5 metres above the elevation of the ground at the nearest lot line, except that within a sight triangle the maximum height of any landscaping materials shall be 0.6 metres.
- (iii) Where a planting strip required hereby is traversed by a pedestrian walkway or by a driveway, in accordance with Paragraph (iii) of Clause (a) of this Subsection, such planting strip shall not be required to extend closer than 1 metre to the edge of such walkway or 2 metres closer to the edge of such driveway, provided that any intervening space between the said planting strip and the said walkway or driveway is maintained as landscaped open space.

(11) LIGHTING

Lighting fixtures designed to provide exterior illumination on any lot shall be installed with the light directed or deflected away from adjacent lots and streets and shall not be similar to traffic lights.

(12) LOADING SPACE REGULATIONS

(a) LOADING SPACES REQUIRED

The owner or occupant of any lot, building or structure used or erected for any purpose involving the receiving, shipping loading or unloading of animals, goods, wares, merchandise or raw materials, shall provide and maintain, on the same lot, facilities comprising one or more loading spaces in accordance with the provision of this Subsection.

(b) LOADING SPACE REQUIREMENTS (MINIMUM)

The number of loading spaces required on a lot shall be based on the total net floor area of all the uses on the said lot for which loading spaces are required by Clause (a) of this Subsection, in accordance with the following:

- (i) less than 250 square metres of total net floor area – 0 loading spaces;
- (ii) over 250 square metres up to and including 500 square metres of net floor area -1 loading space;
- (iii) over 500 square metres up to and including 2,500 square metres of net-floor area - 2 loading spaces;

- (iv) over 2 500 square metres up to and including 7,500 square metres of net-floor area - 3 loading spaces;
- (v) over 7,500 square metres of net-floor area - 3 loading spaces plus 1 additional loading space for each 10,000 square metres or part thereof of total net floor area in excess of 7,500 square metres.

(c) DIMENSIONS OF LOADING SPACES

A loading space required hereby shall have minimum dimensions of 3.5 metres by 10 metres and a minimum vertical clearance of 4 metres.

(d) LOCATION OF LOADING SPACES

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 shall not form a part of any street or lane.

(e) YARDS WHERE PERMITTED

Loading spaces shall be permitted in any yard, except that:

- (i) no part of any loading space shall be located in the front yard or closer than 3 metres to any lot line; and
- (ii) in the case of a through lot, no loading spaces shall be permitted in any part of the front yard.

(f) ACCESS TO LOADING SPACES

Access to loading spaces shall be provided by means of one or more unobstructed driveways which:

- (i) have a minimum unobstructed width of at least 3.5 metres, regardless of the direction of traffic flow thereupon, and provide sufficient space to permit the manoeuvring of vehicles on the lot so as not to obstruct or otherwise cause a hazard on adjacent streets;
- (ii) are contained within the lot on which such loading spaces are located and lead either to an improved street or to a lane; and
- (iii) comply in all other respects with the requirements for driveways providing access to parking areas and spaces set out in Subsection (18) of this Section.

(g) SURFACE AND DRAINAGE OF LOADING SPACES AND DRIVEWAYS

- (i) All loading spaces and driveways providing access thereto shall be provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles. Loading spaces and driveways required for all Commercial Zones shall be either asphalt, concrete or other hard surfaced material. All other required loading spaces and driveways may be crushed stone or gravel.
- (ii) The access point to the loading area shall be well defined.

(h) ADDITION TO EXISTING USE

When a building or structure has insufficient loading spaces on the date of passing of this By-Law to comply with the requirements herein, (this By-Law shall not be interpreted to require that the deficiency be made up) prior to the construction of any addition, any loading spaces required by this By-Law for such addition shall be provided in accordance with all provisions hereof respecting loading spaces.

(i) EXEMPTION FOR C1 ZONES

Notwithstanding any other provision hereof to the contrary, no loading spaces shall be required for any building, structure or use located within a C1 Zone.

(13) LOTS WITH MORE THAN ONE USE OR ZONE

(a) MORE THAN ONE USE

- (i) Where a lot contains more than one permitted use defined separately herein, other than an accessory use, each such use shall conform to the provisions of this By-Law which are applicable to such use in the zone in which the said lot is located as if such use existed independently of any other use.
- (ii) Where standards or provisions pertaining to two or more uses on one lot are in conflict, the highest or most restrictive standards or provisions shall prevail.

(b) MORE THAN ONE ZONE

Where the use or uses of a lot divided into two or more zones are permitted in all such zones, the said lot shall be considered to be a single lot as defined herein and the highest or most restrictive zone requirements pertaining to such use or uses in all the said zones shall apply throughout the said lot.

(14) MUNICIPAL SERVICES REQUIRED

Notwithstanding any other provisions of this By-Law, no land shall be used nor any buildings or structures erected or used unless, pursuant to an agreement made or condition imposed under Sections 41, 45, 51 or 53 of the *Planning Act* or Section 50 of the *Condominium Act*, dealing with the provision of any of the municipal services as are set out in this By-Law, the municipal services to be provided are available to service the land, buildings or structures, as the case may be.

(15) NON-CONFORMING USES AND LOTS**(a) REBUILDING OR REPAIR PERMITTED**

- (b) Nothing in this By-Law shall prevent the rebuilding or repair of an existing use, building, or structure, even though such use, building, or structure or the lot on which such use, building, or structure is located does not conform to one or more of the provisions of this By-Law, provided that the dimensions of the original building or structure are not increased, the use thereof is not altered, and the yards appurtenant thereto are not reduced except in accordance with the provisions of this By-Law. **EXTENSIONS PERMITTED AND EXISTING YARDS RECOGNIZED**

Nothing in this By-Law shall prevent a vertical or horizontal extension or addition from being made to an existing or permitted building or structure on a lot, even though such building, structure or lot or the use thereof does not conform to one or more of the provisions of this By-Law, provided such extension or addition itself is designed, used and otherwise is in compliance with the provisions of this By-Law, except that all yards appurtenant to an existing building or structure shall be deemed to conform to the yard and setback requirements of this By-Law, notwithstanding that the width or depth of such yards might be less than that required elsewhere herein.

(c) LOT AREA OR LOT FRONTAGE LESS THAN REQUIRED

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

- (i) is or has been held under distinct and separate ownership from abutting lots or was legally created prior to the passing of this By-Law; or
- (ii) is created as a result of an expropriation; and
- (iii) if within a Residential Zone has at least 6.0 m frontage;

then the said lot shall be deemed to conform to the requirements of this By-Law with respect to the lot area or lot frontage, and the provisions hereof respecting lot area and

lot frontage shall not apply to prevent the use of a permitted building or structure thereupon, in accordance with all other provisions hereof.

(d) **SUBSEQUENT CONSENT AND/OR CONDOMINIUM ACT**

Where the development of any land is approved under Section 41 of the *Planning Act*, and pursuant to a consent subsequently given under Section 53 of the Act or pursuant to an approval or exemption subsequently given under Section 50 of the *Condominium Act*, any part of the land is conveyed or otherwise dealt with, the regulations of this By-Law are hereby deemed to apply to the land as a whole and to any building or structure thereon in the same manner and to the same extent as if the consent, approval or exemption was not given, so long as the land and any building or structure thereon are used and continue to be used for the purpose for which the development was approved.

(16) OPEN STORAGE

(a) **OPEN STORAGE REGULATIONS**

Except as specifically listed as a permitted use in a zone, no open storage shall be permitted on any lot in any zone, except in accordance with the following provisions:

- (i) No open storage area shall be permitted in any required yard or, except in the case of an agricultural use or the outside display and sale of goods and materials in conjunction with a permitted commercial use, in any part of a front yard or exterior side yard.
- (ii) No open storage area shall be located closer than 1 metre to any lot line.
- (iii) No open storage area shall be visible from any street or from any adjacent lot, where such adjacent lot is located in a zone other than a Commercial Zone or an Industrial Zone, and to this end any open storage area shall be screened, wherever necessary in order to comply with this provision, by a planting strip containing an opaque fence, wall or other opaque barrier not less than 2 metres in height, except that this provision shall not apply to any storage area accessory to an agricultural use or to the outside display and sale of goods and materials in conjunction with a permitted commercial use or industrial use.
- (iv) Any open storage area shall be maintained as landscaped open space or provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles and drained in accordance with the requirements of the Corporation, except that this provision shall not apply to any storage area located on a lot whereon the main use is an agricultural use.

- (v) Notwithstanding Paragraph (iv) of this Clause, no open storage area shall be considered part of any landscaped open space required hereby.
- (vi) No parking spaces or loading spaces required by this By-Law shall be used for open storage purposes.

(17) OUTDOOR PATIO ASSOCIATED WITH A RESTAURANT

Notwithstanding any other provisions of this By-Law, the following shall apply to an outdoor patio associated with a permitted restaurant:

(a) CAPACITY

No outdoor patio shall accommodate more than 50 percent (50%) of the licensed capacity of the restaurant with which the patio is associated, or 50 persons, whichever is the greater.

(b) LOCATION

(i) No outdoor patio shall be permitted where any lot line adjoins lands which are in a residential zone class which is not in combination with another zone, or is separated therefrom by a lane.

(ii) Notwithstanding the provisions of paragraph (i), where only the rear lot line adjoins a residential zone class which is not in combination with another zone, or is separated therefrom by a lane, an outdoor patio shall be permitted in the front yard.

(iii) No outdoor patio shall be located above the elevation of the floor of the first storey of the principal building where the lot adjoins a residential zone class which is not in combination with another zone, or is separated therefrom by a lane.

(c) LIGHTING

Any outdoor lighting shall be directed toward or onto the patio area and away from adjoining properties and streets.

(d) LOADING

Notwithstanding Subsection 3(12), no loading space shall be required for an outdoor patio restaurant.

(e) ENTERTAINMENT

No music (whether performed live or recorded), dancing or other forms of entertainment shall be permitted.

(f) PARKING

Parking spaces shall be required for the gross floor area associated with the outdoor patio at the same ratio as for restaurants.

(18) PARKING REGULATIONS

(a) PARKING SPACES REQUIRED

With the exception of the C1 Zone, or unless otherwise provided herein, the owner or occupant of any lot, building or structure used or erected for any of the purposes set forth in Clause (b) and Clause (c) of this Subsection, shall provide and maintain, for the sole use of the owner, occupant or other persons entering upon or making use of the said lot, building or structure from time to time, one or more parking spaces in accordance with the provisions of this Subsection. In addition to the parking spaces required by Section 3(18)(b) and 3(18)(c) where the parking requirement for any use is in excess of twenty (20) spaces, one (1) space out of the first twenty (20) spaces required and one additional space out of each additional one hundred (100) spaces or portion thereof, shall be provided near and accessible to the building and clearly marked for the parking of vehicles used by the physically handicapped person or persons. Parking spaces for the physically handicapped shall have a minimum width of 3.7 metres and a minimum length of 6.0 metres.

(b) PARKING SPACE REQUIREMENTS FOR RESIDENTIAL USES (MINIMUM)

i.	Apartment Building	1 per unit
ii.	Apartment Building, Senior Citizens	0.25 per unit
iii.	Apartment Hotel	1.25 per unit
iv.	Cluster Housing	See Specific Dwelling Type
v.	Converted Dwelling	1 per unit
vi.	Duplex	1 per unit
vii.		
viii.	Group Home	2 spaces
ix.	Lodging House	0.33 per unit
x.	Mobile Home	1 per unit
xi.	Multiple Dwelling	1.25 per unit
xii.	Quadruplex Dwelling	5 spaces

xiii.	Townhouse	1 per unit
xiv.	Semi-Detached Dwelling	2 per unit
xv.	Single Detached	2 per unit
xvi.	Special Needs Apartment Building	0.25 per unit
xvii.	Stacked Townhouse	1.4 per unit
xviii.	Street Townhouse	2 per unit
xix.	Triplex	1 per unit

(c) PARKING SPACE REQUIREMENTS FOR NON-RESIDENTIAL USES (MINIMUM)

i.	Abattoir	1 per 90 m ² (969 sq. ft.)
ii.	Adult Entertainment Parlour	1 per 10 m ² (108 sq. ft.)
iii.	Agricultural Service Establishment	1 per 30 m ² (323 sq. ft.)
iv.	Agricultural Supply Establishment	1 per 30 m ² (323 sq. ft.) for retail showroom, plus 1 per 200 m ² (2,153 sq. ft.) for warehousing/ wholesaling
v.	Amusement Game Establishment	1 per 25 m ² (269 sq. ft.)
vi.	Amusement Park	See appropriate components as proportioned
vii.	Arena (No Seats)	1 per 35 m ² (376 sq. ft.)
viii.	Arena (With Seats)	1 per 8 seats
ix.	Art Gallery	1 per 50 ² (538 sq. ft.)
x.	Assembly Hall	1 per 8 seats or 1 per 35 m ² (376 sq. ft.) whichever is greater
xi.	Auction Establishment	1 per 30 m ² (323 sq. ft.)
xii.	Automobile Rental Establishment	1 per 25 m ² (269 sq. ft.)
xiii.	Automobile Sales & Service Establishment	See Vehicle Sales and Rental Establishment
xiv.	Automobile Service Station	6 per bay
xv.	Automobile Supply Store	1 per 25 m ² (269 sq. ft.)
xvi.	Bake Shop	1 per 25 m ² (269 sq. ft.)
xvii.	Bakery	1 per 100 m ² (1,076 sq. ft.)
xviii.	Banquet Hall	See Assembly Hall

xix.	Bed and Breakfast Establishment	1 per bedroom utilized plus 1 for the dwelling unit
xx.	Body Rub Parlour	1 per 40 m ² (431 sq. ft.)
xxi.	Body Shop	1 per 30 m ² (323 sq. ft.)
xxii.	Bowling Alley	See Commercial Recreation Establishment
xxiii.	Brewing on Premises Establishment	1 per 40 m ² (431 sq. ft.)
xxiv.	Builder's / Contractor's Yard	1 per 90 m ² (969 sq. ft.)
xxv.	Building or Contracting Establishment	See Manufacturing Establishment
xxvi.	Building Supply Outlet	1 per 30 m ² (323 sq. ft.) for retail/showroom plus 1 per 200 m ² (2,153 sq. ft.) for warehousing/wholesaling
xxvii.	Bulk Beverage Establishment	1 per 30 m ² (323 sq. ft.)
xxviii.	Bulk Sales Establishment	1 per 30 m ² (323 sq. ft.)
xxix.	Business Service Establishment	1 per 50 m ² (538 sq. ft.)
xxx.	Car Wash	3 spaces
xxxi.	Catalogue Store	See Retail Store
xxxii.	Caterer's Establishment	1 per 200 m ² (2,153 sq. ft.)
xxxiii.	Chemical Plant	1 per 90 m ² (969 sq. ft.)
xxxiv.	Chronic Care Facility	See Nursing Home
xxxv.	Cinema	1 per 8 seats
xxxvi.	Clinic	1 per 20 m ² (215 sq. ft.)
xxxvii.	Commercial Outdoor Recreation Facility	1 per 1000 m ² (10,764 sq. ft.)
xxxviii.	Commercial Recreation Establishment	1 per 30 m ² (323 sq. ft.)
xxxix.	Commercial School	See School
xl.	Commercial Storage Unit	1 per 200 m ² (2,153 sq. ft.)
xli.	Community Centre and Hall	1 per 8 seats or 1 per 35 m ² (376 sq. ft.) whichever is greater
xlii.	Continuum-of-Care Facility	See Appropriate Components as Proportioned
xliii.	Convenience Store	1 per 30 m ² (323 sq. ft.)
xliv.	Data Processing	1 per 40 m ² (430 sq. ft.)

	Establishment	
xlv.	Day Care Facility	1 per 40 m ² (430 sq. ft.)
xlvi.	Department Store	1 per 30 m ² (323 sq. ft.)
xlvii.	Driving Range (Golf)	1.5 per tee
xlviii.	Drug Store	See Pharmacy
xlix.	Dry Cleaning and Laundry Depot	1 per 25 m ² (269 sq. ft.)
i.	Dry Cleaning and Laundry Plant	1 per 200 m ² (2,153 sq. ft.)
li.	Dry Cleaning Establishment	1 per 50 m ² (538 sq. ft.)
lii.	Duplicating Shop	1 per 25 m ² (269 sq. ft.)
liii.	Electrical and Electronic Products	See Manufacturing Establishment
liv.	Emergency Care Establishment	1 per 40 m ² (430 sq. ft.)
lv.	Factory Outlet	1 per 90 m ² (969 sq. ft.)
lvi.	Film Processing Depot	1 per 25 m ² (269 sq. ft.)
lvii.	Financial Institution	1 per 30 m ² (323 sq. ft.)
lviii.	Fire Station	1 per 1.5 employees
lix.	Florist Shop	See Retail Store
lx.	Food Processing Plant	1 per 90 m ² (969 sq. ft.)
lxi.	Food Store	1 per 25 m ² (269 sq. ft.)
lxii.	Food, Tobacco and Beverage Processing	See Manufacturing Establishment
lxiii.	Fuel Storage Depot/Supply Yard	1 per 90 m ² (969 sq. ft.)
lxiv.	Funeral Home	Greater of 1 per 20 m ² (215 sq. ft.) or 20 spaces
lxv.	Gallery	See Art Gallery
lxvi.	Garden Centre	1 per 30 m ² (323 sq. ft.)
lxvii.	Gas Bar	3 spaces
lxviii.	General Manufacturing	See Manufacturing Establishment
lxix.	Golf Course	9 per tee
lxx.	Grocery Store	See Food Store
lxxi.	Hardware Store	1 per 25 m ² (269 sq. ft.)
lxxii.	Home and Auto Supply Store	1 per 25 m ² (269 sq. ft.)
lxxiii.	Home Appliance Store	1 per 30 m ² (323 sq. ft.)

lxxiv.	Home Decorating Store	1 per 30 m ² (323 sq. ft.)
lxxv.	Home Furnishings Store	1 per 30 m ² (323 sq. ft.)
lxxvi.	Home Improvement Store	1 per 30 m ² (323 sq. ft.)
lxxvii.	Homes for the Aged	See Rest Home
lxxviii.	Hospital	1.25 per bed
lxxix.	Hotel	1.25 per unit
lxxx.	Industrial and Agricultural Equipment Sales and Service	1 per 30 m ² (323 sq. ft.)
lxxxi.	Industrial Mall	1 per 65 m ² (700 sq. ft.)
lxxxii.	Kennel	1 per 25 m ² (269 sq. ft.)
lxxxiii.	Laboratory	1 per 45 m ² (484 sq. ft.)
lxxxiv.	Landscape Supply Outlet	1 per 30 m ² (323 sq. ft.)
lxxxv.	Laundromat/Laundry	1 per 25 m ² (269 sq. ft.)
lxxxvi.	Leather and Fur Processing Industry	1 per 90 m ² (969 sq. ft.)
lxxxvii.	Library	1 per 50 m ² (538 sq. ft.)
lxxxviii.	Manufacturing and Assembly	See Manufacturing Establishment
lxxxix.	Manufacturing Establishment	1 per 100 m ² (1,076 sq. ft.)
xc.	Merchandise Service Shop	1 per 25 m ² (269 sq. ft.)
xc.	Miniature Golf Course	1.5 per tee
xcii.	Monastery	See Place of Worship
xciii.	Motel	1.25 per unit
xciv.	Motor Vehicle Service and Repair	1 per 25 m ² (269 sq. ft.)
xcv.	Museum	1 per 50 m ² (538 sq. ft.)
xcvi.	Music School	1 per 45 m ² (484 sq. ft.)
xcvii.	Nursery and Garden Store	1 per 30 m ² (323 sq. ft.)
xcviii.	Nursing Home	1 per 3 beds
xcix.	Office, Business, Service and Professional	1 per 40 m ² (430 sq. ft.)
c.	Office, General	1 per 40 m ² (430 sq. ft.)
ci.	Office, Medical/Dental	1 per 25 m ² (215 sq. ft.)
cii.	Office, Support and Charitable Organization	1 per 45 m ² (484 sq. ft.)
ciii.	Office Supply Outlet	See Retail Store
civ.	Open Storage	1 per hectare (2.5 acres)
cv.	Paper and Allied Products	See Manufacturing

	Industry	Establishment
cvi.	Personal Service Establishment	1 per 20 m ² (215 sq. ft.)
cvii.	Pet Grooming Establishment	1 per 20 m ² (215 sq. ft.)
cviii.	Pharmaceutical and Medical Products Industry	See Manufacturing Establishment
cix.	Pharmacy	1 per 25 m ² (269 sq. ft.)
cx.	Place of Worship	1 per each 5 persons seating capacity
cxii.	Police Station	1 per 1.5 employees
cxii.	Post Office	1 per 30 m ² (323 sq. ft.)
cxiii.	Primary Metals Industry	1 per 90 m ² (969 sq. ft.)
cxiv.	Printing Establishment	1 per 200 m ² (2,153 sq. ft.)
cxv.	Printing, Reproduction and Data Processing Industries	See Manufacturing Establishment
cxvi.	Printing Shop	1 per 100 m ² (1,076 sq. ft.)
cxvii.	Private Club	1 per 20 m ² (215 sq. ft.)
cxviii.	Private Outdoor Recreation Club	1 per 700 m ² (7,535 sq. ft.) of lot area for the first 10 ha (25 ac.) plus 1 per 5000 m ² (53,820 sq. ft.) of lot area over 10 ha (25ac.)
cxix.	Processed Goods Industry	See Manufacturing Establishment
cxx.	Public Hall	See Assembly Hall
cxxi.	Public Recreation Facility	1 per 35 m ² (376 sq. ft.)
cxxii.	Public Use	1 per 45 m ² (484 sq. ft.)
cxxiii.	Public Utility	See Public Use
cxxiv.	Racquet Facility	2 per court
cxxv.	Raw Materials Processing	See Manufacturing Establishment
cxxvi.	Recreation or Community Centre	See Community Centre
cxxvii.	Recreational Establishment	1 per 20 m ² (215 sq. ft.)
cxxviii.	Repair and Rental Establishment	1 per 20 m ² (215 sq. ft.)
cxxix.	Research and Development Establishment	See Manufacturing Establishment

cxxx.	Resource Extraction Operation	2 spaces
cxxx.	Rest Home	1 per 3 beds
:xxxii.	Restaurant	1 per 15 m ² (161 sq. ft.)
xxxiii.	Restricted Manufacturing and Assembly	See Manufacturing Establishment
xxxiv.	Retail Lumber and Building Supply Yard	See Building Supply Outlet
:xxxv.	Retail Store	1 per 25 m ² (269 sq. ft.)
xxxvi.	Retirement Lodge	1 per 3 beds
:xxvii.	Salvage or Scrap Yard	1 per 30 m ² (323 sq. ft.) for retail/showroom plus 1 per 200 m ² for warehousing
xxviii.	School, Commercial	1 per 45 m ² (484 sq. ft.)
xxxix.	School, Community College	1 per 100 m ² (1,076 sq. ft.) plus 1 per 15 students
cxl.	School, Elementary	3 plus 1 per classroom
cxli.	School, Private	3 per classroom
cxlii.	School, Secondary	3 per classroom
cxliii.	School, University	1 per 100 m ² (1,076 sq. ft.) plus 1 per 15 students
cxliv.	Self-Storage Establishment	1 per 450 m ² (4,843 sq. ft.)
cxlv.	Service and Repair Establishment	1 per 25 m ² (269 sq. ft.)
cxlvi.	Service Shop	1 per 25 m ² (269 sq. ft.)
cxlvii.	Shopping Centre (Greater than 2000 m ² and with 4 or more individual business establishment)	1 per 30 m ² (323 sq. ft.) Gross Leasable Floor Area
:xlviii.	Shopping Centre (less than 2000 m ²)	1 per 25 m ² (269 sq. ft.)
cxlix.	Stadium	1 per 8 seats
cl.	Storage Depot	See Warehousing
cli.	Studio	1 per 45 m ² (484 sq. ft.)
clii.	Supermarket	See Food Store
cliii.	Supervised Residence	1 per 4 residents
cliv.	Tavern	1 per 6 m ² (65 sq. ft.)
clv.	Taxi Establishment	1 per 6 m ² (65 sq. ft.)
clvi.	Tennis Club	2 per court
clvii.	Tennis Court (Outdoors)	2 per court
clviii.	Textile Processing	See Manufacturing

		Establishment
clix.	Theatre	1 per 8 seats
clx.	Tourist Establishment	1 per available unit
clxi.	Tradesman's Shop	1 per 20 m ² (215 sq. ft.)
clxii.	Transport Terminal	1 per 100 m ² (1,076 sq. ft.)
clxiii.	Variety Store	1 per 25 m ² (269 sq. ft.)
clxiv.	Vehicle Repair Garage	6 per bay
clxv.	Vehicle Repair Shop	1 per 25 m ² (215sq. ft.)
clxvi.	Vehicle Sales and Rental Establishment	1 per 100 m ² (1,076 sq. ft.)
clxvii.	Veterinarian's Clinic	1 per 45 m ² (484 sq. ft.)
clxviii.	Video Rental Establishment	1 per 25 m ² (269 sq. ft.)
clxix.	Warehousing	1 per 200 m ² (2,153 sq. ft.)
clxx.	Wholesale Establishment	1 per 150 m ² (1,614 sq. ft.)
clxxi.	Wholesale Outlet/Uses	1 per 125 m ² (1,345 sq. ft.)

(d) CALCULATION OF PARKING REQUIREMENTS

- (i) Where a part of a parking space is required in accordance with this By-Law for a use listed in Clause (b) or Clause (c) of this Subsection, such part shall be considered 1 parking space for the purpose of calculating the total parking requirements for the said use.
- (ii) Where a building, structure or lot accommodates more than one type of use as set out in Clause (b) or Clause (c) of this Subsection, the total parking space requirement for such building, structure or lot shall be the sum of the requirements for the separate uses thereof.
- (iii) Parking spaces required in accordance with this By-Law shall not include any parking space used or intended to be used primarily for the storage or parking of vehicles for hire or gain, display or sale.

(e) DIMENSIONS OF PARKING SPACES

A parking space required hereby shall have minimum rectangular dimensions of 2.8 metres by 5.5 metres (9 ft. X 18 ft.), except that:

- (i) the minimum width of a parking space accessory to a single dwelling shall be 2.5 metres; and

- (ii) where the principal access to a parking space is provided on the longest dimension of such parking space, the minimum dimensions of the said parking space shall be 2.5 metres by 6.7 metres.

(f) **LOCATION OF PARKING AREAS**

With the exception of the Commercial Zones, all required parking spaces shall be provided on the same lot occupied by the building, structure or use for which such parking spaces are required, and shall not form a part of any street or lane. Within the Commercial Zones, the required parking spaces may be supplied within 90 metres (288 ft.) of the main pedestrian access of the building, structure or use for which the parking spaces are required, provided a Site Plan Agreement is registered on title of the lands used for parking committing said parking spaces to the related commercial site.

(g) **YARDS WHERE PERMITTED**

Notwithstanding the yard and setback provisions of this By-Law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the area between the required road allowance and the required setback as follows:

Zone	Yard in Which Required Parking Area Permitted
Commercial, Institutional	All yards provided that no part of any parking area, other than a driveway, is located closer than 3 metres (9.8 ft.) to any street line, except in the C1 Zones or the RO Zones where parking shall not be permitted in the front yard.
Residential - single dwelling, semi-detached, duplex, triplex, converted, quadruplex, street townhouse	(a) The side yard and rear yard, except for a side yard immediately adjacent to a street, provided that no part of any parking area is located closer than one metre (3.3 ft.) to any street line; and (b) Driveways in the front yard or driveways in the side yard immediately adjacent to a street.
Multiple Residential Dwelling Townhouse	All yards provided that no multiple residential dwelling, part of any parking area, other than a driveway, is located closer than 6 metres (19.68 ft.) to any street line and no closer than one metre (3.3 ft.) to any side lot line.
Industrial	All yards provided that no part of any parking area, other than a driveway, is located closer than one metre (3.3 ft.) to any street line.

(h) **PARKING STRUCTURES**

Where a parking area located in a structure is accessory to a permitted use on a lot, then such structure shall conform to all the provisions for accessory uses set out in Subsection (1) of this Section.

(i) **ACCESS TO PARKING AREAS AND SPACES**

- (i) Access to parking areas shall be provided from an improved street by means of one or more unobstructed driveways at least 3 metres and not more than 6 metres in width for a driveway accessory to a single dwelling and not more than 10 metres in width for any other driveway, measured parallel to the said street, at any point on the lot closer to the said street than the street setback required therefrom. Provided further that no lot shall have more than 2 driveways for the first 30 metres of street line thereof plus 1 driveway for each additional 30 metres of street line.
- (ii) Driveways and parking aisles shall have a minimum unobstructed width of 6 metres where two-way traffic is permitted and 2.8 metres where only one-way direction of traffic flow is permitted and is clearly indicated by signs, pavement markings or both, except that the minimum width required for any driveway accessory to a single dwelling shall be 2.5 metres.
- (iii) Each required parking space shall be readily accessible at all times for the parking or removal of a vehicle and vehicular access to any such parking space shall be not impeded by any obstruction except as provided in Paragraph (iv) of this Clause except that this provision shall not apply to prevent the use as a parking space of any part of a driveway accessory to a single dwelling, provided that no parking space shall obstruct access to a parking area on any other lot.
- (iv) Nothing in this By-Law shall prevent the obstruction of a driveway by a gate, a well identified recognizable temporary barrier or similar obstruction used solely to restrict access to the said driveway and designed to be easily raised, swung aside or otherwise opened or removed when necessary to permit passage of a vehicle.
- (v) The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- (vi) Any driveways or parking aisles located within a required yard on a lot containing a mobile home park shall be separated from all interior lot lines or such lot by a planting strip not less than 1.5 metres in width.
- (vii) The minimum distance between a point of intersection of street lines, such point of intersection being determined in the manner set out in Section 2(319) and

Section 3(21) thereof, and a driveway providing access to a lot from an improved street, measured along the street line intersected by such driveway, shall be 8 metres.

- (viii) Where a two-way driveway is divided into two one-way driveways by a curb, an area of landscaped open space or any other obstruction, such driveway shall, for the purpose of this Subsection, be considered a single driveway, albeit divided, provided that such driveway does not exceed 10 metres in total width, measured in accordance with Paragraph (i) of this Clause.
- (ix) Nothing in this Subsection shall apply to prevent the use of a right-of-way as a means of obtaining access to a parking area, provided the said right-of-way has been specifically established for such purpose, or to prevent the establishment of abutting driveways or parking aisles along a common lot line, provided the combined width of any abutting driveways does not exceed 10 metres measured in accordance with Paragraph (i) of this Clause.

(j) SURFACE AND DRAINAGE OF PARKING AREAS AND DRIVEWAYS

- (i) All parking areas and driveways shall be provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles, using such surfacing materials as any asphalt, concrete or other hard-surfaced material. In the Industrial Zones, crushed stone or gravel may be used.
- (ii) All parking areas and driveways shall be drained so as to prevent the pooling of surface water or the flow of surface water onto adjacent lots.
- (iii) The access point to parking areas shall be clearly defined by a curb of concrete or rolled asphalt.

(k) ADDITION TO EXISTING USE

Where a building or structure has insufficient parking spaces on the date of passing of this By-Law to conform to the requirements herein, this By-Law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition or a change of use provided, however, that any additional parking spaces required by this By-Law for such addition or change of use are provided in accordance with all provisions thereof respecting parking spaces and parking areas.

(l) OTHER PARKING REGULATIONS

- (i) Nothing in this By-Law shall prevent the erection of a shelter for use solely by parking attendants or security personnel in any part of a parking area, except

within a sight triangle, provided such shelter is not more than 4.5 metres in height and has a floor area of not more than 5 square metres.

- (ii) No gasoline retail outlet or automobile service station shall be located or maintained on any parking area except where specifically permitted by this By-Law.
- (iii) No trailer, motor home, or boat shall be stored in any part of a front yard, exterior side yard or a required interior side yard on a lot in a Residential Zone or in any part of a side yard on a lot in any zone other than a Residential Zone, except that this provision shall not apply to prevent the temporary parking of a trailer or boat on a permitted parking area. Temporary parking shall be restricted to seven consecutive days between May 1 and October 31. Parking of passenger vehicles shall be permitted in the front yard on that portion of the lot that is the driveway providing access to an attached or detached private garage or any approved unenclosed parking space within a side or rear yard.
- (iv) No commercial vehicle or motorized construction equipment shall be parked or stored on any part of a Residential Zone, except for commercial vehicles which:
 - 1. is owned or operated by the occupant of the said lot; or
 - 2. have dimensions not greater than 2.4 metres (7.9 ft.) of width, 2.4 metres (7.9 ft.) of height above ground, nor 6 metres (20 ft.) of length; or
 - 3. are parking or stored within a building or carport or within a yard other than a front yard, or exterior side yard, or a required interior side yard; or
 - 4. except for the purpose of making deliveries or otherwise providing services, on a temporary basis, to a Residential lot.
- (v) Motor vehicles and trailers lacking current valid license plates shall be parked or stored only within a private garage or other building, except that this provision shall not apply to a permitted vehicle sales or rental establishment or salvage yard.

(19) REDUCTION OF LOT AREA

(a) PROHIBITION

No person shall reduce the lot area, or make any changes in the dimensions, of a lot by the conveyance or alienation of any portion thereof or otherwise, except by a conveyance in accordance with Clause (b) of this Subsection, so that any building or structure on such lot shall have a lot coverage that exceeds, or a front yard depth, side

yard depth, rear yard depth, lot frontage, lot area or area of landscaped open space that is less than that permitted by this By-Law for the zone in which such lot is located.

(b) **LOTS REDUCED BY PUBLIC ACQUISITION**

Where the area of a lot is reduced by means of an acquisition of part of the lot by a public agency for the purpose of providing a public service, and where such acquisition causes the lot as reduced, or any building or structure existing lawfully on the lot on the date of such acquisition, to have a lot area, lot frontage, lot coverage, area of landscaped open space, setback, front yard depth, side yard depth or rear yard depth that does not conform to the requirements hereof for the zone in which such lot is located, then nothing in this By-Law shall apply to prevent the continued use of the lot as reduced as if no such acquisition had taken place, provided that:

- (i) no change is made in the dimensions, area or any other characteristics of the lot as reduced, subsequent to the date of such acquisition, that would increase the extent of the said nonconformity; and
- (ii) no building or structure or addition thereto is erected on the lot as reduced, subsequent to the date of such acquisition, except in accordance with all the provisions hereof for the zone in which such lot is located.

(20) **SETBACK/FRONT YARD EXEMPTION IN BUILT-UP AREAS**

The minimum setback required on a lot that is between two adjacent lots on which are located existing buildings not more than 90 metres apart shall be the average of the established building lines on the said adjacent lots, provided that no setback requirement calculated in accordance with this Clause shall exceed the applicable setbacks required of the appropriate zone provisions.

(21) **SIGHT TRIANGLES**

(a) **PROHIBITION OF OBSTRUCTIONS**

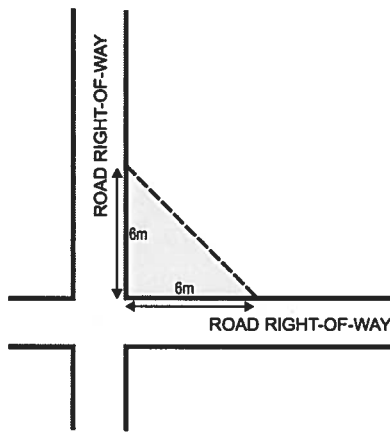
Notwithstanding any other provisions hereof to the contrary, within any area defined herein as a sight triangle, no building or structure shall be erected, no vehicle shall be parked, no land shall be graded and no landscaping materials shall be permitted to grow above the height of 0.6 metres above the elevation of the centreline of the said street, in such manner as to impede or obstruct the vision of persons driving vehicles on an abutting street.

(b) EXTENT OF SIGHT TRIANGLES

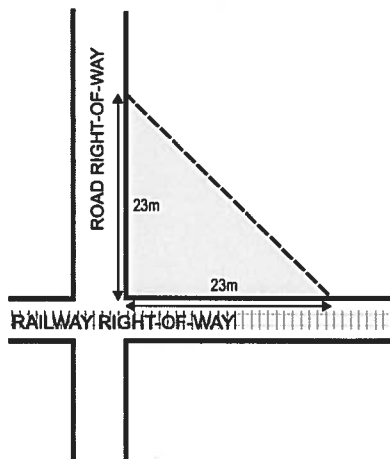
For the purpose of calculating the extent of a sight triangle, the distance between the point of intersection of the two lot lines and their respective points of intersection with the line constituting the third side of the triangle shall be 6 metres; 23 metres where a street intersects a railway right-of-way at grade in an area with speed limits of 50 kilometres per hour or less; and 50 metres where a street intersects a railway right of way at grade in an area with speed limits greater than 50 kilometres per hour, or such greater distance as may be required from time to time by the Canadian Transportation Commission (see illustration).

ILLUSTRATION OF VISIBILITY TRIANGLES

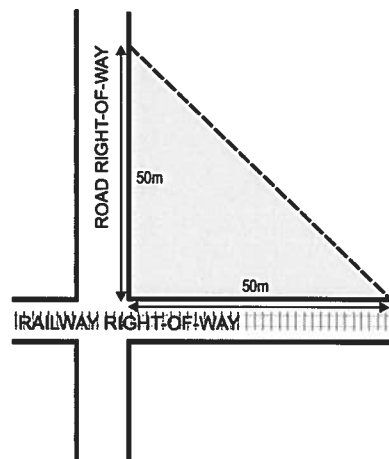
ROAD INTERSECTION:



ROAD/RAILWAY INTERSECTION:



(a) SPEED LIMIT = 50 KM/H OR LESS



(b) SPEED LIMIT > 50 KM/H

NOTE: THE ABOVE ILLUSTRATIONS ARE FOR CLARIFICATION AND CONVENIENCE ONLY AND DO NOT FORM PART OF THIS BY-LAW

(22) SWIMMING POOLS**(a) PRIVATE OPEN SWIMMING POOLS**

Notwithstanding any other provision of this By-Law to the contrary, the following provisions shall apply with respect to the erection or use of any private open swimming pool not enclosed or otherwise located within a building:

- (i) No private open swimming pools or related structures shall be permitted anywhere within the zoned area except:
 - 1. in an interior side yard or rear yard on a lot containing a permitted dwelling unit; or
 - 2. in any yard other than a required yard on a lot containing a permitted motel or private club.
- (ii) No interior wall surface of any open swimming pool, nor any related structure other than a fence, shall be located closer than 1.5 metres to any lot line or closer to any street than the setback required therefrom.
- (iii) No water circulating or treatment equipment such as pumps or filters shall be located closer than 3 metres to any lot line.
- (iv) No part of any open swimming pool shall be greater than 2 metres in height above grade, exclusive of related structures which shall not exceed 5 metres in height.
- (v) Every open swimming pool shall be enclosed in accordance with the Corporation's By-Law governing the erection and maintenance of fences and gates around private outdoor open swimming pools.

(b) LOT COVERAGE EXEMPTION

Notwithstanding any other provisions of this By-Law to the contrary, no open swimming pools or any related structures shall be considered part of the lot coverage of a lot, but where a swimming pool is enclosed with a building or where a structure appurtenant to a swimming pool constitutes a building as defined herein, such building shall comply with any lot coverage requirements set out herein for the zone in which such building is located, but shall be exempt from the lot coverage requirements for accessory uses set out in Section 3(1) hereof.

(c) INDOOR SWIMMING POOLS

Any swimming pool located within a building as defined herein shall comply with the provisions for accessory uses set out in Section 3(1) hereof, where such swimming pool

is located within an accessory building, or with the zone requirements set out herein for the zone in which such swimming pool is located, where such swimming pool is located within a main building.

(d) PUBLIC SWIMMING POOLS

Any public swimming pool and any related buildings or structures shall comply with the zone requirements set out herein for the zone in which such swimming pool is located.

(e) COMPLIANCE WITH SWIMMING POOL BY-LAWS

All swimming pools shall comply with any by-laws of the Corporation specifically regulating swimming pools.

(23) USES PERMITTED IN ALL ZONES

(a) PUBLIC AND INSTITUTIONAL USES

Nothing in this By-Law shall apply to prevent or otherwise restrict in any way any of the following:

- (i) the use of land for a street or a public railway, including any installations, structures appurtenant thereto, or as a site for a public memorial or ornamental structure including, but not so as to limit the generality of the foregoing, a statue, a monument, a cenotaph or a fountain;
- (ii) the installation or maintenance of a watermain, sanitary sewer main, storm sewer main, pumping station, gas main, pipeline, lighting fixture or overhead or underground electrical, cable television, telegraph or telephone line or associated tower or transformer, together with any installations or structures appurtenant thereto, provided that any lot or structure so used shall be designed, landscaped and maintained in general harmony with the neighbouring uses; or
- (iii) the use of any lot in any zone as a public park or for an existing cemetery, an existing place of worship or any existing public building, structure or use, including, but not so as to limit the generality of the foregoing, a public school, a municipal office building, a community centre or a public library and a public works garage, in accordance with the General Provisions of this By-Law set out in Section 3 hereof and with the Zone Requirements for Institutional Zones set out in Section 22 (3) hereof.

(b) CONSTRUCTION USES

Nothing in this By-Law shall prevent the use of any part, other than a sight triangle, of any lot in any zone for the erection of a legal temporary sign not greater than 3 square

metres in area, the excavation of soil or earth or the erection or use of any temporary building or structure where such sign, excavation, building or structure is directly incidental to, and necessary for, construction work on the same lot or work relating to a public utility or a street including, but not so as to limit the generality of the foregoing, a construction trailer, a tool shed, or a scaffold, but only for so long as such building or structure is necessary for the work in progress and until the work is completed or abandoned, and only while a valid building permit for the said construction remains in force, where applicable and in accordance with the Corporation's Sign By-Law.

(c) WAYSIDE PITS

(24) USES RESTRICTED IN ALL ZONES

(a) NOXIOUS USES PROHIBITED

Notwithstanding any other provision hereof to the contrary, no use shall be permitted anywhere within the zoned area which, from its nature, materials used therein or emissions issuing therefrom, is declared to be a noxious trade, business or manufacture under the *Public Health Act*, as amended from time to time.

(b) RESTRICTED USES

The following uses are prohibited throughout the zoned area, either alone or in conjunction with other uses, unless specifically listed as a permitted use in a specific zone:

- (i) adult entertainment parlours;
- (ii) arcades;
- (iii) the making or establishment of pits and quarries;
- (iv) the tanning or storage of uncured hides or skins;
- (v) the boiling of blood, tripe, bones or soaps for commercial purposes;
- (vi) the manufacturing of glue or fertilizers from dead animals or from human or animal waste;
- (vii) an abattoir, stockyard, livestock exchange, or dead stock depot, except where specifically listed herein as a permitted use in a specific zone;
- (viii) the extracting of oil from fish;

- (ix) a track for the racing or testing of automobiles, motorcycles, snowmobiles or any other motorized vehicles;
- (x) a salvage yard;
- (xi) a recycling facility, composting facility, waste treatment facility, waste management/resource recovery facility, waste transfer station, or any disposal site for solid wastes;
- (xii) the refining, storage or use in manufacturing of coal oil, rock oil, fuel oil, natural gas, propane, burning fluids, naphtha, bensole, benzine, gasoline, dynamite, dualin, nitroglycerine, gun powder, petroleum or any other combustible, inflammable, volatile or otherwise dangerous liquids, gasses or solid materials except where specifically permitted hereby or in conjunction with a permitted industrial use. This provision shall not apply to prevent the above ground storage of such substances by a farmer, where such storage is incidental and accessory to an agricultural use, or the use of natural gas, propane or fuel oil for domestic purposes, such as heating and cooking, in conjunction with a residential use or for commercial or industrial uses;
- (xiii) an occupied vehicle for human habitation other than a mobile home where specifically permitted;
- (xiv) a campground, except as a temporary use within a public park, with the approval of the Corporation;
- (xv) an airport;
- (xvi) the keeping or raising of any livestock or poultry on any lot or in any building or structure except where agriculture is a permitted use. This provision shall not prevent the keeping of up to three of any type of household pets such as dogs, cats, gerbils, birds, etc.;
- (xvii) any use which causes the emission of corrosive gasses, toxic gasses or radioactive gasses or, into any zone other than an Industrial Zone, of electromagnetic fields, heat, glare, dust, dirt, fly ash or smoke, or which does not comply with emission regulations as may be established from time to time by the Province of Ontario, the Government of Canada, or any agencies thereof;
- (xviii) use any land or building, except those lands within the Highway Commercial (C3) Zone or the Heavy Industrial (M2) Zone for the repair or servicing of any motor vehicle unless such motor vehicle is owned by and registered in the name of an owner or occupant of such land or building;

- (xix) carry out any but minor repairs and servicing such as the changing of tires or oil, outside of a garage or other suitable building, on any motor vehicle within the Corporation, except on lands lawfully occupied and used as a motor vehicle service station, body shop, commercial garage or radiator shop;
- (xx) any establishment used as an adult entertainment parlours as defined in this By-Law.

(25) YARD ENCROACHMENTS AND OBSTRUCTIONS PERMITTED

(a) PROJECTION INTO REQUIRED YARDS

No part of any required yard or required court shall be obstructed by any building or structure or part thereof except one or more of the following:

- (i) accessory buildings or structures specifically permitted in a required yard elsewhere in this By-Law;
- (ii) architectural adornments including, but not necessarily restricted to, sills, belt courses, chimneys, bay windows, cornices, eaves, gutters, parapets and pilasters, projecting not more than 0.5 metres into any required yard;
- (iii) roofless functional and ornamental structures including, but not necessarily restricted to, drop awnings, clothes poles, ornamental fountains, statues, monuments, picnic tables, benches, cenotaphs, memorials, planters, garden trellises, fences, boundary and retaining walls, hedgerows and legal signs projecting into any required yard;
- (iv) stoops, sundecks, porches, verandahs, balconies, balconies on top of porches or verandahs, uncovered terraces, and exterior steps providing access between finished grade and either the basement or the first storey of a building, where such structures project not more than 1.5 metres into a required front yard, a required rear yard or a required exterior side yard;
- (v) unenclosed fire escapes which do not project more than 1.5 metres into a required rear yard or a required side yard;
- (vi) unenclosed ramps for physically handicapped persons into any required yard;
- (vii) underground structures such as basements or parking structures into any required yard; and
- (viii) heat pumps, air conditions, and/or air exchangers 1.5 metres (4.9 ft.) into any required yard provided the projection is no closer than 0.5 metres (1.6 ft.) to the lot line.

(b) PROJECTION BEYOND LOT LINES

No part of any building or structure on a lot shall project beyond any lot line or street line of such lot.

(c) RAILWAY SPUR

Notwithstanding the yard and setback provisions of this By-Law to the contrary, a railway spur shall be permitted within any required yard.

(26) YARD REQUIREMENTS, EXTERIOR SIDE YARD CONDITION

Notwithstanding the minimum exterior side yard requirements of this By-Law, when a corner lot is sited so that its rear lot line abuts an adjacent interior side yard, the exterior side yard shall be subject to the regulations of a front yard. When a corner lot is sited so that its rear lot line abuts an adjacent rear lot line, the exterior side yard shall be subject to the regulations of an interior side yard.

(27) YARD REQUIREMENT SATELLITE DISHES

No satellite dish shall be located within the front or the required exterior side yard.