

**THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT**

**BY-LAW NO. 85-18**

***BEING A COMPREHENSIVE ZONING BY-LAW FOR  
THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT***

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WHEREAS the Council of The Corporation of the Municipality of Sioux Lookout is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the *Planning Act*, R.S.O. 1990; and

WHEREAS the Council of The Corporation of the Municipality of Sioux Lookout passed By-law No. 84-18 adopting an Official Plan for the Municipality of Sioux Lookout, and

WHEREAS the Council of The Corporation of the Municipality of Sioux Lookout deems it advisable to pass By-law No. 85-18, being a new Comprehensive Zoning By-law for The Corporation of the Municipality of Sioux Lookout; and

WHEREAS a public meeting was held in accordance with the provisions of Section 34(12) of the *Planning Act*, R.S.O. 1990; and

WHEREAS in accordance with Section 34 (17) of the *Planning Act*, R.S.O. 1990, changes have been made to the By-law following the public meeting and Council has determined that no further notice is required to be given; and

WHEREAS the matters hereinafter are in conformity with the policies and designations contained in the new Official Plan of the Municipality of Sioux Lookout and the policies and designations contained in the in force and effect Official Plan.

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT ENACTS AS FOLLOWS:**

1. THAT By-law No. 23-11 (Being a Comprehensive Zoning By-law for the Corporation of the Municipality of Sioux Lookout) is hereby repealed.
2. THAT the Comprehensive Zoning By-law No. 85-18 for the Municipality of Sioux Lookout, with explanatory text and Schedules A, B, C, and D, attached hereto is hereby enacted.
3. THAT this By-law shall come into force following the date of its final passing, and shall take effect subject to the applicable provisions of The *Planning Act*, R.S.O. 1990, as amended.

**READ A FIRST, SECOND, AND THIRD TIME, AND PASSED THIS TWENTY-FIRST DAY OF NOVEMBER, 2018**



Doug Lawrance, Mayor



Brian P. MacKinnon, Municipal Clerk





# ***SIoux LOOKOUT ZONING BY-LAW***

Sioux Lookout Zoning By-law No. 85-18

Effective date: November 21, 2018



**SIoux LOOKOUT ZONING  
BY-LAW NO. 85-18**

**EFFECTIVE DATE:  
NOVEMBER 21, 2018**

PREPARED FOR:

THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT  
PO BOX 158, 25 FIFTH AVENUE  
SIOUX LOOKOUT ONTARIO P8T 1A4

BY:

MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED (MHBC)  
PLANNING, URBAN DESIGN & LANDSCAPE ARCHITECTURE  
113 COLLIER STREET  
BARRIE ONTARIO L4M 1H2

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## Section 1 ADMINISTRATION AND INTERPRETATION

### 1.1 TITLE

This By-law may be cited as the "Municipality of Sioux Lookout Zoning By-law".

### 1.2 SCOPE OF BY-LAW

#### 1.2.1 LANDS SUBJECT TO BY-LAW

The provisions of this By-law shall apply to all lands within the corporate limits of the Municipality of Sioux Lookout.

#### 1.2.2 COMPLIANCE WITH BY-LAW

No person shall change the use of any building, structure or land or erect or use any building or structure or occupy any land or building except in compliance with the conditions and provisions of this By-law. In addition, no person shall use any land or locate any building or structure such that uses, buildings or structures on other lands would no longer comply with the provisions of this By-law.

#### 1.2.3 EXISTING USES CONTINUED

Nothing in this By-law shall apply to prevent the use of any existing lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose or was lawfully in existence prior to the passing of this By-law, so long as it continues to be used for that purpose.

#### 1.2.4 COMPLIANCE WITH OTHER RESTRICTIONS

This By-law shall not reduce or mitigate any restrictions lawfully imposed by a government authority having jurisdiction for any such restriction.

### 1.3 INTERPRETATION OF BY-LAW

#### 1.3.1 DEFINITIONS

In this By-law, unless the context requires otherwise, the definitions set out in Section 3 shall apply. Where a term is not defined, its common usage shall apply.

#### 1.3.2 NUMBER

In this By-law, unless the context requires otherwise, words used in the singular number include the plural, and vice versa.

#### 1.3.3 "SHALL" IS MANDATORY

In this By-law, the word "shall" is mandatory.

#### **1.3.4 "USED" AND "OCCUPIED"**

In this By-law, the words "used" and "occupied" shall include "intended", "arranged", and "designed" to be used or occupied.

#### **1.3.5 MEASUREMENTS**

Measurements of length and area used in this By-law are given in metric units (e.g. metres, hectares).

#### **1.3.6 HOLDING ZONES**

Holding zones are created by adding a capital H in brackets - (H) - to the zone code on the zoning maps. This has the effect of allowing the uses set out in the corresponding text of the by-law at some time in the future. A Holding symbol is removed by an amendment to the zoning by-law once specified conditions, which are identified in the exception provisions, are met (e.g. such as conditions related to environmental, transportation, servicing matters).

#### **1.3.7 PRIMARY ZONES**

Primary zones are the basic structural unit of this Zoning By-law and identify a land use category with permitted uses and regulations. Primary zones are indicated by a set of symbols, for example R1 represents the Residential Type One Zone in this By-law.

#### **1.3.8 EXCEPTION ZONES AND TEMPORARY USE BY-LAWS**

Where a zone classification is followed by a dash and a number (e.g. RR - 1), this denotes an Exception Zone. Lands so zoned shall be subject to all of the provisions of the zone represented by the classification except as otherwise provided by the Exception provisions, which are listed as separate subsections within the parent zone.

In some cases, temporary use by-laws have been passed by the municipality to allow temporary uses pursuant to Section 39 of the *Planning Act*, R.S.O. 1990, C.P. 13. Temporary uses are shown on the zoning schedules as exceptions and details concerning the temporary use are included in the exception text within the specific zone category.

#### **1.3.9 SPLIT ZONING**

Where a lot is divided into more than one zone under the provisions of this By-law, each such portion of the lot shall be used in accordance with the zone provisions of this By-law for the applicable zone as if it were a separate lot.

The minimum lot area and lot frontage requirement of the most restrictive zone shall apply for the entire lot.

Where a lot contains multiple zones, one of which is the Environmental Protection Zone, the provisions of this section shall not apply.



### 1.3.10 CONFLICT

In the event of a conflict between this By-law and amendments thereto and any other general or special By-law of the Municipality, the most restrictive By-law shall prevail.

## 1.4 STRUCTURE

This Zoning By-law is composed of six (6) main sections:

Section 1	Administration and Interpretation
Section 2	Establishment of Zones
Section 3	Definitions
Section 4	General Provisions
Section 5	Zone Provisions
Section 6	Zoning Schedules

**SECTION 1 – ADMINISTRATION AND INTERPRETATION** sets out the area covered by the By-law, requirements for compliance, interpretation of wording, and other administrative matters. This By-law is subject to the *Interpretation Act*.

**SECTION 2 – ESTABLISHMENT OF ZONES** sets out the various zones of the Zoning By-law.

**SECTION 3 – DEFINITIONS** outlines the definitions of key terms used throughout the By-law in order to facilitate the interpretation of the document. Illustrations are also provided in Section 3 to illustrate a definition.

**SECTION 4 – GENERAL PROVISIONS** sets out uses and regulations that apply to all zones and matters such as parking and other provisions for land development. It also outlines those circumstances in which provisions of this By-law shall not apply.

**SECTION 5 – ZONE PROVISIONS** sets out the general intent of each zone, the permitted uses and the zoning regulations for development. Exceptions that set out specific uses and provisions that apply to certain parcels are included within the parent zones in Section 5.

**SECTION 6 – SCHEDULES** contains maps which specify the zones that apply to all properties within the municipality. This complements the text and forms part of this By-law, which sets out the specific uses and regulations that apply within each zone.

## **1.5 ZONING SCHEDULES**

### **1.5.1 ZONES**

For the purposes of this By-law, the zones may be referred to by the name (e.g. Residential Type One) or by the zone code (e.g. R1).

### **1.5.2 SCHEDULES**

Schedules A, B, C and D form part of this By-law. The extent and boundaries of all zones are shown on these Schedules.

### **1.5.3 DETERMINATION OF ZONE BOUNDARIES**

Where any uncertainty exists as to the location of the boundary of any of the said zones as shown on the Zoning Schedules, the following rules shall apply:

- i) A zone boundary shown approximately at a lot line, street or lane is considered to be at the boundary of the lot line, street or lane.
- ii) A zone boundary shown approximately in the centre line of a street or lane is considered to be at the centre line of the street or lane.
- iii) A zone boundary shown as following approximately a shoreline or the centre line of a watercourse is considered to be the present shore line or centre line and moves with any natural change in the watercourse.
- iv) Unless the location of a zone boundary is specified by dimensions on the Schedules, a zone boundary, which lies within a lot, shall be fixed by the scale of such schedule upon which it is shown.
- v) Unless otherwise indicated on the Zoning Schedules, streets, lanes or rights-of-way for railroads or transmission lines, shall be deemed to be in the same zone as the adjacent lands and where such streets, lanes or rights-of-way separate different zones, unless otherwise indicated on the zoning schedules, the centre lines of these shall constitute the boundary between the zones.
- vi) All land below the surface of a water body or watercourse as of the date of this By-law came into effect shall be deemed to be in the same zone as the zoning on the adjacent land.

## **1.6 ILLUSTRATIONS**

Illustrations are provided and form part of this By-law to clarify the intent of a definition.

## **1.7 REFERENCES TO STATUTES AND AGENCIES**

Where reference is made in this Zoning By-law to other documents, such as federal or provincial Acts, or other legislation, or to other documents that are not part of this By-law, it is understood that it is the latest approved version of the document that is being referenced unless otherwise specified.

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 hereafter, the said reference shall be deemed to include any and all successors to such public agency having jurisdiction over the matters to which the said reference applies.

## **1.8 PERMITS**

The requirements of this By-law shall be met before the Municipality issues a Building Permit, Certificate of Occupancy or a Municipal License/Permit.

## **1.9 ENFORCEMENT AND REMEDY OF VIOLATIONS**

### **1.9.1 ENFORCEMENT**

Any person convicted of a violation of this By-law is liable, at the discretion of the convicting Justice, on first conviction to a fine of not more than \$25,000 and on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which that person was first convicted in accordance with the *Planning Act*.

Any Corporation convicted of violation of this By-law is liable, at the discretion of the convicting Justice, on first conviction, to a fine of not more than \$50,000 and on a subsequent conviction to a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which that Corporation was first convicted, in accordance with the *Planning Act*.

Where any building or structure or any part thereof is to be erected, altered, reconstructed or extended, or any lot is being used or is to be used, in contravention of any requirement of this By-law, such contravention may be restrained by action at the instance of any rate-payer or of the Municipality pursuant to provisions of the *Planning Act*, 1990, C.P. 13, as amended, and/or any other legislation applicable.

### **1.9.2 REMEDY OF VIOLATIONS**

In the event that a person is found guilty of contravening this By-law and is directed to remedy any violation but fails to do so, the remedy may be carried out by the Municipality at the expense of the offender.

## **1.10 SEVERABILITY**

Should any clause, section, sub-section or provision of this By-law be held invalid by a court of competent jurisdiction, the validity of the remainder of this By-law shall not be affected.

## **1.11 REPEAL OF EXISTING BY-LAWS**

All previous by-laws of the Corporation passed pursuant to Section 34 of the *Planning Act* or its predecessors, are hereby repealed.

### **1.12 EFFECTIVE DATE**

This By-law shall take effect the day after the last date for the filing of objections where there are no objections received or where objections are received upon approval of the Local Planning Appeal Tribunal.

### **1.13 REQUEST FOR AMENDMENTS**

A request for an amendment to this By-law shall be accompanied by a completed copy of the appropriate application form and all required supporting studies and documents as requested by the Municipal staff or Council.

### **1.14 EXPROPRIATION AND/OR ROAD WIDENING**

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

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

### **1.15 LEGAL NON-COMPLYING LOTS, BUILDINGS AND STRUCTURES**

Where a building or structure is located on a lot having less than the minimum required lot area and/or less than the minimum required lot frontage and/or less than the minimum required setback, and/or front yard and/or side yard and/or rear yard required by this By-law, the said building or structure may be enlarged, reconstructed, replaced, repaired, and/or renovated provided that:

- a) The enlargement, replacement, reconstruction or renovation and/or repair does not reduce the front yard, and/or side yard, and/or rear yard or increase the amount of floor area or volume or height in a required yard;
- b) The building or structure is being used for a purpose permitted within the Zone in which it is located; and,
- c) All other applicable Provisions of this By-law are complied with.

#### **1.15.1 EXISTING BUILDINGS OR STRUCTURES ON SHORELINE ROAD ALLOWANCE OR RESERVE**

If a building or structure is partially or wholly located in the Shoreline Road Allowance/Reserve it may be repaired or renovated but in no case will this imply or permit the expansion or movement further into the allowance.



### **1.16 BUILDINGS ON UNDERSIZED LOTS**

Where a lot, having lesser lot area and/or lot frontage than required herein, existed on the date of passing of this By-law, or where such a lot is created by a public authority or correction of title, may be used and a permitted building or structure may be erected and/or used on such a smaller lot provided that all other applicable provisions of this By-law are complied with and provided that a sewage disposal system can be installed on the lands, if required.

### **1.17 CHANGES TO LOT SIZE**

Non-complying lots which have been increased in lot area and/or lot frontage following adoption of this By-law, may also be used in accordance with the provisions of this By-law.

### **1.18 LEGAL NON-CONFORMING USES**

#### **1.18.1 CONTINUATION OF EXISTING USES**

The provisions of this By-law shall not apply to prevent the use of any existing building or structure for any purpose prohibited by this By-law if such existing building or structure was legally used for such purpose, prior to the effective date of this By-law and provided that the building or structure continues to be used for that purpose.

#### **1.18.2 PERMITTED EXTERIOR EXTENSION, ALTERATION AND RECONSTRUCTION**

The exterior of any building or structure which was lawfully used prior to the effective date of this By-law for a use not permitted within the Zone in which it is located, shall not be enlarged, extended, or otherwise structurally altered, unless such building or structure is thereafter to be used for a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone unless these changes are necessary to provide for flood proofing or insulation of the building. This provision shall not prohibit normal or regular maintenance or replacement of exterior cladding.

#### **1.18.3 PERMITTED INTERIOR ALTERATION**

The interior of any building or structure which was lawfully used, prior to the effective date of the By-law, for a purpose not permitted within the Zone in which it is located, may be reconstructed or structurally altered for the existing purpose for which such building or structure was lawfully used.

#### **1.18.4 RESTORATION TO A SAFE CONDITION**

Nothing in this By-law shall apply to prevent the reconstruction of any existing non-conforming structure which is damaged by causes beyond the control of the owner, other than flooding. The existing structure may be reconstructed in the same location on which it existed on the date of the passage of this By-law even if such did not comply with one or more

of the provisions of this By-law, but the non-conformity may not be further increased.

Buildings damaged or destroyed as the result of natural flooding shall not be reconstructed except in accordance with the provisions of this By-law.

#### **1.18.5 CHANGE OF USE**

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

## Section 2 ESTABLISHMENT OF ZONES

### 2.1 ZONES

For the purposes of this By-law, the following Zones are established and they may be referred to by the name or by the symbol set opposite the name of the zone below:

R1	Residential Type One
R2	Residential Type Two
RM	Multiple Residential
RMH	Residential Mobile Home
RR	Rural Residential
RS	Residential Shoreline
HR	Hudson Residential
CL	Local Commercial
CD	Downtown Commercial
CH	Highway Commercial
CT	Tourist Commercial
MU	Mixed Use
M1	Light Industrial
M2	Heavy Industrial
MX	Extractive Industrial
MD	Waste Disposal
AP	Airport Industrial
I	Institutional
OS	Open Space
NR	Natural Resource
RU	Rural
HZ	Hazard Lands
EP	Environmental Protection

## Section 3 DEFINITIONS

To the greatest extent possible, the words in this By-law have their ordinary meanings and interpretation, unless otherwise defined in this By-law. Definitions are given in this By-law to aid in the understanding and implementation of the spirit, intent and meaning of this By-law.

### #

#### **100 YEAR FLOOD PLAIN**

The peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards that has a probability of occurrence of one percent during any given year.

### A

#### **ACCESSORY**

A use, separate building or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure.

#### **ABUT OR ABUTTING**

Directly and immediately contiguous, physically touching, or sharing a common wall, boundary or lot line.

#### **AGRICULTURAL BUILDING**

A building or structure customarily used in connection with a farm other than a residence.

#### **AGRICULTURAL USE**

The cultivation of the soil to produce crops and the raising of farm animals, which generally includes the following activities:

- i) the growing of crops;
- ii) nurseries, greenhouses, market gardens, orchards, vineyards, agro-forestry operations and maple syrup production;
- iii) the keeping and raising of livestock, fowl, fish, bees, fur or wool bearing animals;
- iv) farm-based home industry involving the production of value-added or value-retained products from produce grown or raised on-site;
- v) a farm produce outlet selling agricultural products produced on the premises;
- vi) uses of a farm-tourism nature that are secondary to and subordinate to the agricultural use such as seasonal festivals or events, recreational activities, or educational displays; or



- vii) any building or structure customarily used in connection with a farm, and as defined in the *Ontario Building Code* as a farm building; and
- viii) does not include a medical cannabis production facility.

#### **AIRPORT**

Any area of land to function as a facility for the arrival, departure, movement and servicing of aircraft, passengers and associated cargo, and includes any associated buildings, installations, open space and equipment. This may include the short-term accommodation of passengers and crew, as well as related commercial uses.

#### **ALTER**

When used in references to a building, structure or part thereof, means:

- i) To change any one or more of the external dimensions of such building or structure; or
- ii) To change the type of construction of the exterior walls or roof of such building or structure; or
- iii) To change the use of such building or structure; or
- iv) To change the number of uses or dwelling units contained therein.

#### **ALTER**

When used in reference to a lot, means:

- i) To change the boundary of such lot with respect to a street or lane; or
- ii) To change any dimension or area, relating to such lot, which is covered herein by a zone provision; or
- iii) To change the use of such lots; or
- iv) To change the number of uses located thereon.

#### **ANIMAL SHELTER**

Lands and buildings used for the keeping of animals, birds or other livestock and may include the premises of a veterinary surgeon.

#### **ART GALLERY**

A building, place or area where paintings, sculptures or other works of art are exhibited and/or sold.

#### **ASSEMBLY HALL**

A building, or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and may include a bingo hall, a banquet hall, private club or fraternal organization.

**ATTACHED**

A building otherwise complete in itself, which depends, for structural support or complete enclosure, upon a division wall or walls shared in common with adjacent building or buildings.

**AUCTION CENTRE**

A building or part thereof used for the retail sale of goods or articles, to members of the public, bidding the highest offer for those goods or articles during the sale proceedings.

**B****BAR**

A licensed drinking establishment, the principal business of which is to serve any sort of alcoholic beverages to the public for consumption on the premises, and includes a pub.

**BASEMENT**

One or more storeys of a building located below the first storey, as defined by the *Ontario Building Code*.

**BED AND BREAKFAST**

A single-detached dwelling or part of a detached dwelling which is used or maintained for the accommodation of the travelling or vacationing public, in which the owner resides and supplies lodgings with or without meals for hire or pay but does not include a group home.

**BILLET HOUSE**

A dwelling in which the homeowner provides accommodations (lodging and meals) for those individuals who are seeking educational opportunities within the Municipality or those associated with an organization, on a temporary basis or generally for the time period of the school year.

**BOARDING HOUSE**

A dwelling in which the proprietor supplies for a fee sleeping accommodation with board for exclusive of the proprietor, members of the proprietor's family and servants of the establishment but does not include a hostel. Lodging rooms shall have individual doors and locks, and shall not have separate washroom and kitchen facilities.

**BOATHOUSE**

An accessory building used for the storage of marine vessels or other forms of watercraft and boating equipment that is directly accessible by water at all times, but shall not include living space for human habitation or sleeping space.

**BOATPORT**

An accessory building or structure, which is not enclosed by any walls, and is designed and used only for the sheltering of marine vessels or other forms of water craft.

**BOAT SLIP**

A single parking space for a boat or other marine vessel, forming part of a dock, boathouse, boat port or other mooring facility.

**BUILDING**

A structure consisting of walls and a roof or a structural system serving the same purpose as defined in the *Ontario Building Code* and including carports.

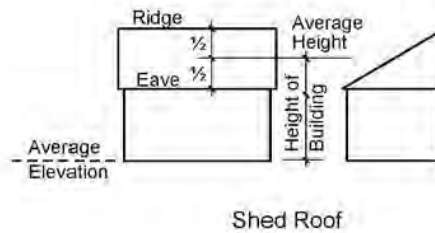
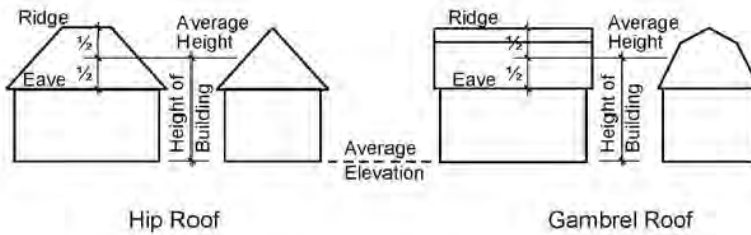
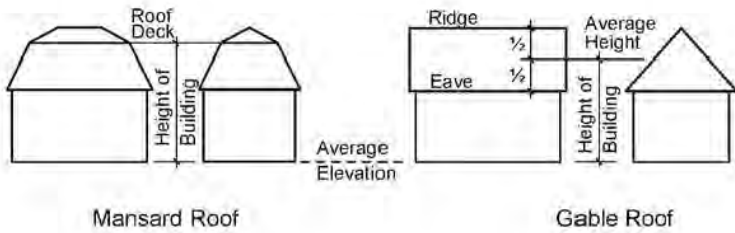
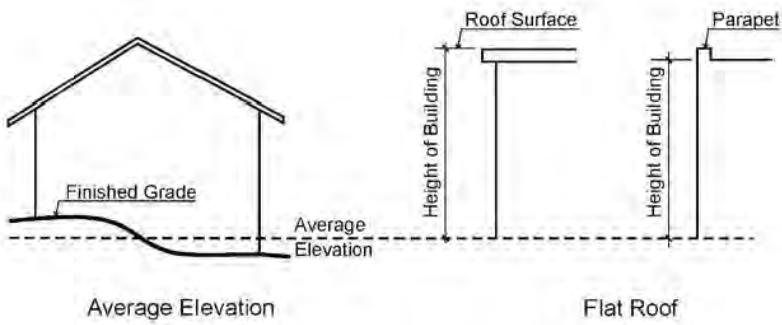
**BUILDING HEIGHT**

The vertical distance between the average elevation of the finished grade of the ground at the front wall of a building and a horizontal plane through to:

- i) the highest point of the roof in the case of a building with a flat roof; or
- ii) the average point between eaves and ridges in the case of a gable, gambrel, shed or hip roof; or
- iii) the underside of the roof deck in the case of a mansard roof.

(See illustrations of building heights diagram)

## Building height



Illustrations of Building Heights

## DEFINITIONS



#### **BUILDING SUPPLY AND LUMBER OUTLET**

A building or structure in which building or construction and home improvement materials are offered or kept for retail sale and may include the fabrication of certain materials related to home improvements.

#### **BULK FUEL DEPOT**

Lands, buildings and structures for the storage, distribution of fuels and oils but does not include retail sales except key lock operations.

## **C**

#### **CAMP SITE**

A parcel of land within a camping establishment that is maintained as a site for the location and temporary occupation of a tent, tent trailer or recreational vehicle, but not a mobile home.

#### **CAMPING ESTABLISHMENT**

Lands used for the parking and temporary use for at least five (5) campsites occupied by tents, trailers, motor homes, truck campers and recreational vehicles and accessory uses and facilities such as administrative offices, sanitary facilities, recreational facilities and an accessory convenience store.

#### **CAR WASH**

A building or structure containing facilities for the washing of motor vehicles for a fee.

#### **CELLAR**

A portion of a building below the first storey floor which is partly or wholly underground and which has more than one-half of its height, from finished floor to finished ceiling or to the underside of the floor joints of the first floor, the average finished grade level adjacent to the exterior walls of the building and having a floor to ceiling height of less than 1.8 metres.

#### **CEMETERY**

Land used or intended to be used for the burial of the deceased and dedicated for cemetery purposes, including crematories, mausoleums, mortuaries, and columbaria when operated in conjunction with and within the boundary of such cemetery and operated under the *Cemeteries Act*.

#### **CHIEF BUILDING OFFICIAL**

The official appointed by the Municipality of Sioux Lookout under the Building By-law or pursuant to the provisions of the *Ontario Building Code Act*.

**CLINIC**

A building or part of a building where a medical doctor, dentist or other legally qualified medical professional has a practice, and includes a medical or dental laboratory and an accessory retail store.

**COMMERCIAL STORAGE FACILITY**

Premises where individual enclosed areas are made available to the public for keeping or storing goods or commodities, but does not include any hazardous material or fuel storage.

**COMMUNICATION FACILITY**

Any tract of land, building or structure used for receiving and/or transmitting voice, picture or printed signals, or otherwise defined in the *Radio Communication Act*.

**COMMUNITY CENTRE**

Any tract of land or building, or buildings or any part of any buildings used for community activities, the control of which is vested in the Municipality, a local board or agent thereof and may include an auditorium, swimming pool, arena and fitness centre.

**COMMUNITY GARDEN**

A community garden is a single piece of land gardened collectively by a group of people.

**CONFERENCE CENTRE**

A place designed and used to accommodate gatherings of people for events such as trade shows, banquets, and political or other conventions.

**CONSERVATION**

The preservation, protection and improvement of the components of the natural environment through a comprehensive management and maintenance program administered by a public authority for individual or public use.

**CONTINUUM OF CARE FACILITY**

A facility providing supervised or supportive in-house care for those who need assistance with daily living, that may also provide on-going medical or nursing care or counseling and social support services and which may include services such as medical, counseling, and personal services.

**CONTRACTOR'S YARD**

A yard of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.

### **CONVENIENCE STORE**

A small-scale retail commercial establishment supplying groceries and other daily household necessities to the surrounding neighbourhood.

### **CORPORATION**

The Corporation of the Municipality of Sioux Lookout.

### **COUNCIL**

The Council of the Corporation of the Municipality of Sioux Lookout.

### **CRAFTSPERSON**

A person who produces a finished product within a dwelling or a building or structure accessory to a dwelling and without limiting the generality of the foregoing, may include an artist, a sculptor, a potter, a weaver, a seamstress, a knitter.

### **CRISIS CENTRE**

Crisis centre shall mean a single housekeeping unit licensed or funded by the Province of Ontario for the short term (averaging 30 days or less) accommodation of a maximum of nine persons, exclusive of staff, living under supervision and who, by reason of either emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being.

## **D**

### **DAY NURSERY**

A day nursery operated for pre-school age children within the meaning of the *Day Nurseries Act*, R.S.O., 1980, c.111 as amended.

### **DECK**

Deck shall mean a structure above the ground cantilevered from a dwelling unit or supported by the ground and open to the sky, located 0.6 metres or more above finished grade.

### **DEVELOPMENT**

The creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*, but does not include:

- i) Activities that create or maintain infrastructure authorized under an environmental assessment process;
- ii) Works subject to the *Drainage Act*; or
- iii) For the purposes of policy 2.1.4(a) of the Provincial Policy Statement, underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead those

matters shall be subject to policy 2.1.5(a) of the Provincial Policy Statement.

### **DOCK**

A structure for the mooring of boats, attached to or forming part of the mainland or used in conjunction with a use on the mainland.

### **DRIVE-THROUGH FACILITY**

An establishment that provides or dispenses products or services, through an attendant or an automated machine, to persons remaining in vehicles that are in designated stacking aisles. A drive-through facility may be in combination with other uses, such as a bank, restaurant or gas station.

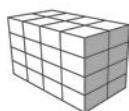
### **DRYLAND BOATHOUSE**

Means an accessory building used for the storage of marine vessels, other forms of watercraft and boating equipment, all-terrain vehicles and snowmobiles, which is not located within, nor does have water access to a waterbody. A dryland boathouse shall not include living space for human habitation or sleeping space.

### **DWELLING**

A building or part of a building occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently. A dwelling may include the following subtypes:

**ACCESSORY:** A use, separate building, or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure but not including a building or structure which is used as a dwelling unless specifically permitted.



**APARTMENT:** A separate building containing three or more dwelling units sharing a common corridor or stair well.

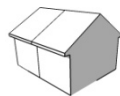


**DUPLEX:** The whole of a two-storey building divided horizontally into two separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

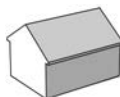
**GARDEN SUITE:** A one-unit detached residential structure containing bathroom and kitchen facilities that is accessory to an existing residential structure and that is designed to be portable.



**QUADRUPLEX:** The whole of a dwelling house that is divided vertically and/or horizontally which has two or more common party walls.



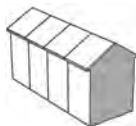
**SEMI-DETACHED:** The whole of a building divided vertically into two separate dwelling units.



**SINGLE-DETACHED:** A detached building containing one dwelling unit only, and may include a modular home but does not include a mobile home.



**STACKED:** A residential use building containing four or more dwelling units, where the units in each pair are divided horizontally, and the pairs are divided vertically, and in which each dwelling unit has an independent entrance.



**TOWNHOUSE:** A dwelling unit in a building divided vertically into no less than three nor more than eight dwelling units attached by common walls extended from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade.



**TRIPLEX:** The whole of a building divided horizontally into three separate dwelling units, each of which has an independent entrance either directly or through a common vestibule.

#### **DWELLING UNIT**

A combination of rooms in which a kitchen, living quarters and sanitary conveniences are provided for habitation for the exclusive use of the residents and with a private entrance from outside the building or from a common hallway or stairway inside. It may include a modular home constructed in accordance with the *Ontario Building Code* and C.S.A. A-277 Regulations.

#### **DWELLING UNIT, ACCESSORY**

A dwelling unit which is accessory to a permitted non-residential principal use.

#### **DWELLING UNIT, SECONDARY**

A self-contained dwelling unit created by either an interior renovation within an existing dwelling, or as an exterior addition, provided that one entire face of the addition is attached to the principal dwelling, and shall not be considered a second dwelling on the lot for the purposes of this By-law; or a self-contained dwelling unit located within an accessory building.

## E

### **EMERGENCY SERVICE**

Includes police, fire, ambulance, search and rescue services, and may include training facilities associated with the use.

### **ENCROACHMENT INTO A FLOOD PLAIN**

The advance or infringement of uses, plan, growth, fill, excavation, buildings, permanent structures, or development into a flood plain which may impede or alter the flow capacity of a flood plain.

### **ERECT**

To build, construct, reconstruct, alter or relocate including any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, or structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

### **ESTABLISHED BUILDING LINE**

The average distance from the road line to existing buildings measured not more than 100.0 metres on either side of the lot where the frontage has been built upon, as of the date of passing of this By-law.

### **EXISTING**

In existence as of the date of the final passing of this By-law.

## F

### **FINANCIAL ESTABLISHMENT**

A place that provides a range of financial services, which may include a bank, trust company or other financial institution, and automated bank machines as an accessory use.

### **FINISHED GRADE**

The average elevation of the finished surface of the ground at ground level measured on any side of a building or structure.

### **FIRST STOREY**

The storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.

### **FLOOD OR FLOODING**

A general and temporary condition of partial or complete inundation of normally dry land areas from:

- i) the overflow of floodwaters;
- ii) the unusual and rapid accumulation or runoff of surface waters from any source; and/or



- iii) the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable.

**FLOOD PLAIN OR FLOOD-PRONE ARE FOR RIVER, STREAM AND SMALL INLAND LAKE SYSTEMS**

The area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

**FLOOD PROOFING**

The combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave uprush and other water-related hazards along river streams and small inland lake systems.

**FLOOR AREA, GROSS**

The total floor area, as hereinafter defined, exclusive of any portion of the building or structure below finished grade measured between the exterior faces of the exterior walls which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, veranda or sunroom.

**FLOOR AREA, GROUND**

The maximum ground floor area of a building measured by the outside walls, excluding, in the case of a single-detached dwelling, any private garage, carport, porch, veranda or sunroom (unless such sunroom is habitable at all seasons of the year).

**FOOD TRUCK**

Any vehicle, trailer, cart or other structure not placed on a permanent foundation which is equipped for cartage, storage and the preparation of food stuffs, beverages, confections and such items are offered directly for consumption to the general public, and includes a chip wagon, mobile canteen and other refreshment vehicles.

**FORESTRY USE**

The general raising, harvesting and milling of wood.

**FREE-STANDING DECK**

An open, non-roofed accessory structure which is designed for lounging or sunbathing and is not attached to a building.

**FUNERAL HOME**

A building designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for internment or cremation.

**G****GARAGE, PRIVATE**

A detached accessory building or portion of a dwelling house which is designed or used for the storage of a private motor vehicle or household equipment incidental to the residential occupancy and which is fully enclosed and roofed and excludes a carport or other open shelter.

**GARDEN SUITE**

A one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. The term excludes a recreational vehicle.

**GAZEBO**

A freestanding roofed accessory structure which is not enclosed, except for screening or glass and which is utilized for the purposes of relaxation in conjunction with a residential dwelling but shall not include any other use or activity otherwise defined or classified in this By-law.

**GOLF COURSE**

A public or private area operated for the purpose of playing golf, and includes a par 3 golf course, clubhouse and recreational facilities, accessory driving ranges and miniature golf courses, and similar uses.

**GREENHOUSE**

A building or structure or portions thereof, where trees, shrubs and/or plants are grown for the purpose of retail or wholesale trade; and does not include a medical marihuana production facility.

**GROUP HOME**

A supervised residential use building for a maximum of ten persons, exclusive of staff who live as a group in a single household living arrangement, and where the residents require support or supervision on a daily basis, but excludes correctional facilities and crisis centres.

**GUEST CABIN**

A building accessory to and subordinate to a permitted residential use designed to provide additional sleeping quarters for occasional guests of the owner and without kitchen facilities.

## H

### **HEAVY EQUIPMENT AND VEHICLE SALES, RENTAL AND SERVICING**

A building or part of a building or structure in which heavy vehicles including farm vehicles or equipment, and transport trucks or trailers are offered or kept for sale or, rent, or service, but shall not include any other establishment defined or classified by this By-law.

### **HEAVY INDUSTRIAL USE**

Uses of a heavy industrial nature including:

- i) the manufacture or processing of products from raw materials;
- ii) the production or use of flammable, explosive or other hazardous materials;
- iii) the storage of these products and materials; or
- iv) a wrecking yard.

### **HEAVY VEHICLE**

A commercial motor vehicle as defined in the *Highway Traffic Act*, as amended or re-enacted from time to time, and includes a bus, fire apparatus, road-building machine or farm vehicle as defined in that Act, and all other types of construction equipment, but excludes a motor vehicle.

### **HIGH WATER MARK SETBACK**

The setback will be measured from the normal high water mark of a water body, which includes lakes and watercourses.

### **HOME INDUSTRY**

A gainful occupation including a carpentry shop, a craft shop, a metal working shop, a plumbing shop and electrical shop, a welding shop, conducted in whole or in part in an accessory building to a permitted dwelling unit.

### **HOME OCCUPATION**

Means an occupation conducted for gain or profit as a secondary use within a dwelling unit or within a building or structure accessory to a dwelling unit.

### **HOSPITAL**

Premises used as a private or public hospital under Province of Ontario legislation for the care or treatment of:

- i) persons afflicted with or suffering from sickness, disease or injury;
- ii) convalescent or chronically ill persons;
- iii) persons suffering from substance addictions; or
- iv) persons suffering from emotional or psychological disorders; and may include accessory uses such as a restaurant, or a hostel for

the short-term accommodation of patients' families during treatment or convalescence.

### **HOSTEL**

An establishment providing short-term, semi-private commercial or non-profit accommodation, which may include some limited accessory uses such as restaurants or meeting rooms.

### **HOTEL**

Premises used by a business establishment to cater to the needs of the travelling public by providing sleeping accommodation in rooms or suites, and may include an accessory restaurant and meeting rooms.

### **HUNTING AND FISHING CAMP**

A tourist establishment that provides accommodation throughout all or part of the year and that has facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or recreational purposes and may include liquor licensed premises, accessory retail facilities, and accommodation facilities for staff.

## **I**

### **IMPROVED PUBLIC ROAD**

A road or highway under the jurisdiction of the Province of Ontario or the Municipality or a private road within a registered Plan of Condominium which is maintained so as to allow normal vehicular access to adjacent properties and which, in the case of a municipal road is a road which has been constructed to municipal standards.

## **K**

### **KENNEL**

An establishment for the keeping, breeding and raising of more than four domesticated animals whether or not for profit or gain, but shall not apply to the keeping of animals in a veterinary establishment for the purpose of observation and or recovery necessary to veterinary treatment.

## L

### **LANDSCAPED OPEN SPACE**

The part of a lot located outdoors that is available or used for the placement of any or a combination of the following elements:

- i) soft landscaping consisting of vegetation such as trees, shrubs, hedges, ornamental plantings, grass and ground cover;
- ii) hard landscaping consisting of non-vegetative materials such as brick, pavers, rock, stone, concrete, tile and wood, excluding monolithic concrete and asphalt and any area used for parking, and including such features as a walkway, patio, deck or in-ground pool; and
- iii) architectural elements consisting of decorative fencing, walls, sculptures, gazebos, trellises, planters, benches and other similar features.

### **LAUNDROMAT**

A building or structure where the service or coin-operated laundry machines, using only water, detergents and additives, are made available to the public for the purpose of laundry cleaning.

### **LIBRARY**

A library, branch library or distribution station to which the provisions of the *Public Libraries Act* apply, as amended.

### **LIGHT EQUIPMENT SALES AND RENTAL ESTABLISHMENT**

A building or structure or part of a building or structure in which light machinery and equipment such as air compressors and related tools and accessories; augers; automotive tools; cleaning equipment; light compaction equipment; concrete and masonry equipment; electric tools and accessories; fastening devices such as staplers and tackers; floor and carpet tools; gasoline generators; jacks and hydraulic equipment; lawn and garden tools; ladders; moving equipment; painting and decorating equipment; pipe tools and accessories; plumbing tools and accessories; pumps; hoses; scaffolding; welding equipment; and, other similar tools and appurtenances are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

### **LIGHT INDUSTRIAL USE**

Uses of a light industrial nature, including:

- i) warehousing or distribution of goods, finished parts or finished products;
- ii) the manufacture from previously prepared materials of finished parts or finished products;

- iii) factory or assembly-line processes that involve the manufacture, processing, assembly or packaging of finished parts or finished products made from previously prepared materials; or
- iv) the repair or servicing of such products; or
- v) auto wrecking and/or salvage yard.

### LOADING SPACE

An off-street space on the same lot as the building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, lane or other appropriate means of access.

### LOT

A parcel or tract of land described in a deed or other legal document which is legally capable of conveying title and:

- i) Which is a whole lot within a Registered Plan of Subdivision, or lot within a Plan of Condominium other than a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50 of the *Planning Act*, S.O., 1990, c. P.13, as amended; or
- ii) Which is a legally separated parcel of land in existence on the date of passing of this By-law without the owner holding the fee or the equity or redemption in, or power or right to grant, assign or exercise a power of appointment with respect to any abutting land; or
- iii) The description of which is the same as in a deed which has received final consent to a conveyance pursuant to Section 50 of the *Planning Act*, S.O., 1990, c. P. 13, as amended.
- iv) Which is the whole remnant retained by an owner or owners after a conveyance is made with final consent pursuant to Section 40 of the *Planning Act*, S.O., 1990, c. P. 13, as amended, but for the purpose of this paragraph no parcel or tract of land ceases to be a lot by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Municipality of Sioux Lookout, Her Majesty in the Right of Ontario or Her Majesty in the Right of Canada; or,
- v) Which is the subject of an order of the Minister of Municipal Affairs pursuant to the provisions of Section 57 of the *Planning Act*, S.O., 1990, c. P.13, as amended.

A lot includes the following subtypes:

**CORNER:** A lot situated at the intersection of two or more streets, or at the intersection of a street and a railway right-of-way, or a lot abutting on one or more parts of the same street, in which an interior angle of less than one hundred and thirty-five (135) degrees is contained, between the front and side lot lines abutting by the said street or streets.



**INTERIOR:** A lot other than a corner lot.

**IRREGULAR:** A lot where any interior angle formed by any two lot lines is other than ninety (90) degrees.

**THROUGH:** A lot bounded on opposite sides by streets.

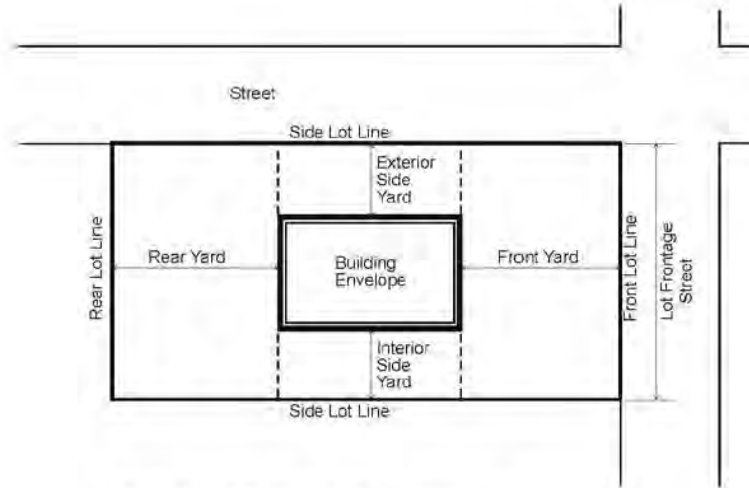


Illustration of Corner Lot (Parallel Lot Lines)

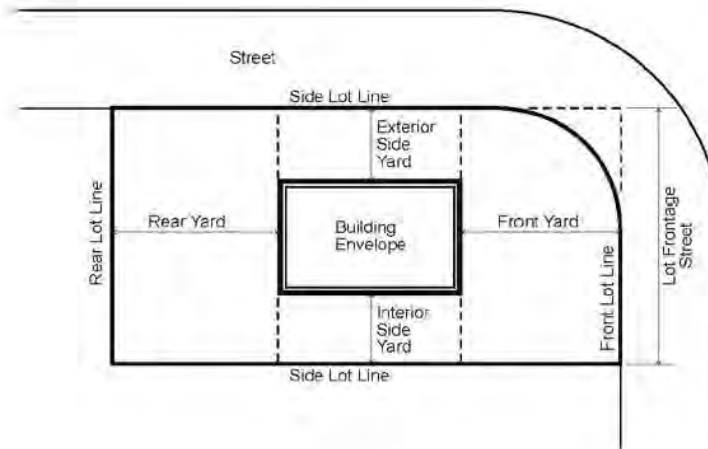


Illustration of Corner Lot (Curved Side)

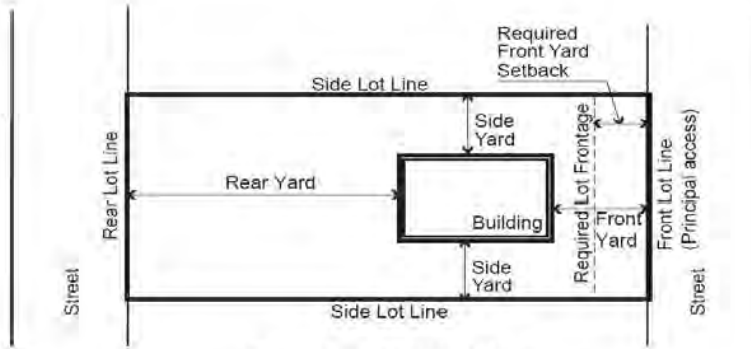


Illustration of Through Lot

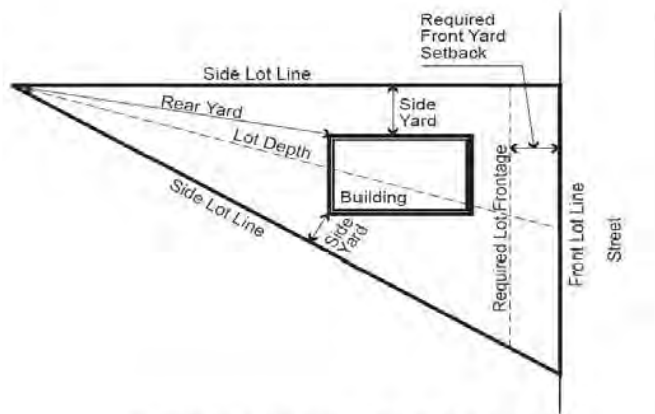


Illustration of Irregular Lot (No Rear Lot Line)

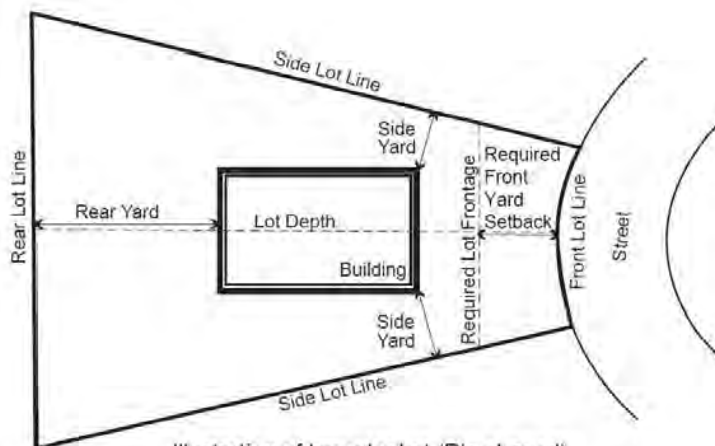


Illustration of Irregular Lot (Pie-shaped)

## DEFINITIONS

### **LOT AREA**

The total horizontal area within the lot lines of a lot or if an island, the area of land above the normal high water mark.

### **LOT COVERAGE**

The percent of the lot area covered by buildings or structures excluding parking areas, driveways, open decks and walkways.

### **LOT FRONTAGE**

The continuous horizontal distance of the front lot line between the side lot lines measures at right angles. Where the front lot line is not a straight line, or where the side lot lines are not parallel, the lot frontage shall be the horizontal distance of a line that is 7.5 metres back from and parallel to a continuous straight line, joining the two points where the side lot lines intersection with the front lot line.

### **LOT LINE**

Any boundary of a lot. Where a lot line changes direction by less than 45 degrees it shall be considered as one line. Where a lot line changes direction by more than 45 degrees it shall be considered a separate line. A lot line includes the following subtypes:

**EXTERIOR SIDE:** The side lot line, which abuts the road on a corner lot.

**FRONT:** The lot line that abuts a road, except:

- i) Where a lot has both frontage on a navigable waterway or lake (including an original shoreline reserve or road allowance) and abuts a road, the shoreline shall be considered the front lot line; or
- ii) Where a lot only has frontage on a navigable waterway or lake, including a lot abutting an original shoreline reserve or road allowance abutting a navigable waterway or lake, the lot line abutting the navigable waterway or lake shall be considered the front lot line;
- iii) In the case of a corner lot or through lot, the shortest lot line that abuts a road shall be deemed to be the front lot line and the longer lot line that abuts a road shall be deemed the exterior side lot line; or,
- iv) In the case of a corner lot or through lot with two lot lines of equal length abutting roads, the lot line that abuts the wider road shall be deemed to be the front lot line, but where the roads are of equal width, the line over which access to the property is gained shall be the front lot line; or,
- v) In the case where a lot abuts only a road cul-de-sac, all of the frontage on the road cul-de-sac shall be deemed to be the front lot line.

**REAR:** The lot line farthest from or opposite to the front lot line.

**SIDE:** A lot line other than a front or rear lot line. However, where a lot abuts a municipally maintained lane, the lot line abutting the lane shall be the rear lot line.

**LOWEST FLOOR**

The lowest floor of the lowest enclosed area, including basements.

## M

**MANUFACTURING, LIGHT**

The assembly or repair or fabrication of goods and materials utilizing materials which have been manufactured in another location and which does not produce waste water in excess of 4,500 litres per day, chemical by-products or utilize and area for outdoor storage of goods or materials except for equipment or vehicles which are for sale, lease or hire.

**MARINA**

A commercial establishment or premises, containing docking facilities or mooring facilities where boats, boat accessories or floatplanes are berthed, stored, serviced, repaired, constructed or kept for sale or rent and where facilities for the sale of marine and aviation fuels, accessory retail sales and a taxi and/or barging service are provided and where waste water pumping facilities may be provided.

**MARINA, DRYLAND**

A building, structure or place where boats and boat accessories are stored, serviced, repaired or kept for sale.

**MARINE FACILITY**

An accessory building or structure used to take boats into or out of a navigable waterway or to moor boats. This definition includes a launching ramp, boatlift, or dock but does not include any building used for human habitation.

**MEDICAL CANNABIS PRODUCTION FACILITY**

A federally-licensed facility used for the cultivation, processing, testing, destruction, packaging or shipping of cannabis used for medical purposes as permitted under the Federal Government's Cannabis for Medical Purposes Regulations or any subsequent legislation which may be enacted in addition to or in substitution thereof.

**MEDICAL OFFICE**

An office used for the practice of one or more health professionals.

### **MINERAL AGGREGATE OPERATION**

An operation that includes:

- i) lands under license or permit, other than for wayside pits and quarries, issued in accordance with the *Aggregate Resources Act*;
- ii) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of this and other municipal By-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- iii) associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

### **MINERAL MINING OPERATION**

Operations, land and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use, as regulated by the *Mining Act*.

### **MOBILE HOME**

A dwelling that is designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons in accordance with CSA Z-240 or A-241 standards, but does not include a travel trailer or tent trailer or trailer otherwise designed.

### **MOBILE HOME PARK**

An area of land owned by one personal or business entity used for the parking of mobile homes to be used as dwelling units and includes all accessory buildings necessary for the operation of the park.

### **MOBILE HOME SITE**

A parcel of land within a mobile home park that is serviced and used for the exclusive purposes of one mobile home.

### **MODULAR HOME**

Any dwelling that is designed in more than one unit, has a length to width ratio of not greater than 2.5 to 1, and is designed to be made mobile on a temporary basis, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a mobile home, recreational travel trailer or recreational motor vehicle as defined herein. A Modular Home shall meet CSA A-277 standards.

### **MOTEL**

One or more buildings for the purpose of catering to the needs of the traveling public by furnishing sleeping accommodation, provided that each guest room may be entered from a separate entrance to the outside.

### **MOTOR VEHICLE**

An automobile, truck, motorcycle, recreational vehicle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a heavy vehicle.

### **MOTOR VEHICLE BODY SHOP**

A building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be towing service and motor vehicle rentals for customers while the motor vehicle is under repair, but shall not include any other establishment otherwise defined or classified in this By-law.

### **MOTOR VEHICLE DEALERSHIP**

A building or structure where a franchised dealer displays motor vehicles for sale or rent and in conjunction with which there may be used motor vehicle sales or rentals, a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gas bar or a motor vehicle body shop, but shall not include any other establishment otherwise defined or classified in this By-law.

### **MOTOR VEHICLE GAS BAR**

One or more pump islands, each consisting of one or more motor vehicle fuel pumps, and a shelter, which shall include the sale of oils, antifreeze, gasoline additives, propane, natural gas and small accessories required for the operation of motor vehicles, boats and snowmobiles and shall not be used for repairs, oil changes or greasing.

### **MOTOR VEHICLE REPAIR GARAGE**

A building or structure where the exclusive service performed or executed on motor vehicles for compensation shall include the installation of exhaust system, repair of the electrical system, transmission repair, brake repair, radiator repair, tire repair and installation, rust proofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle service station and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired, but shall not include any other establishment otherwise defined or classified in this By-law.

### **MOTOR VEHICLE SERVICE STATION**

A building or structure where gasoline, propane, natural gas, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs, batteries and automotive accessories for motor vehicles and new retail goods are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, and where mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed. Such shall require public washrooms.



#### **MUNICIPAL, DISTRICT OR PROVINCIAL MAINTENANCE AND STORAGE YARD**

Any land, building and/or structure owned by the Corporation of the Municipality of Sioux Lookout, Public Utilities Commission or the Province of Ontario and used for the storage, maintenance and/or repair of material, equipment, machinery and/or motor vehicle used in connection with civic works.

#### **MUSEUM**

An institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection of artifacts of cultural or historical interest.

## **N**

#### **NON-COMPLYING**

A lot, building or structure that does not fulfill the requirements of the zone provisions of this By-law for the zone in which the lot, building, structure is located.

#### **NON-CONFORMING**

An existing use or activity of any land, building or structure which does not conform with the permitted uses or activities, permitted by this By-law for the zone in which such existing land, building or structure is located, so long as it continues to be used for that purpose.

#### **NORMAL HIGH WATER MARK**

The mark made by the action of water under natural conditions on the shore or bank of a watercourse or water body or as established by a survey.

#### **NURSERY OR GREENHOUSE, COMMERCIAL**

A building or structure, and lands associated therewith, for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation together with gardening tools and implements which are sold at retail from such building or lot to the general public.

## **O**

#### **OFFICE**

A building or part thereof designed, intended or used for the practice of a profession, the transaction and/or management of a business, or the conduct of public services and administration, but shall not include a clinic, methadone clinic, or a financial establishment.

### **OUTDOOR RECREATION**

The use of lands for recreational activities that do not require buildings, structures or major alteration of the landscape, including trails, private camp sites, horseback riding, hunting and fishing.

### **OUTDOOR STORAGE**

Any accessory storage outside of a principal or main building or structure on the lot.

## **P**

### **PARK, PRIVATE RECREATIONAL**

An open space or recreational area, other than a public park, operated on a commercial and/or private member basis, and which includes one or more of the following facilities or activities:

- i) Areas for walking, riding and cross-country skiing, snowmobiling, but does not include the racing of animals, motor vehicles, motor cycles or snowmobiles;
- ii) Accessory recreational or playground areas such as picnic areas, tennis courts, lawn bowling greens, outdoor skating rinks, athletic fields;
- iii) An accessory club house or storage building of a maximum of 75.0 square metres, and;
- iv) Parking lots accessory to the foregoing.

### **PARK, PUBLIC**

Any open space or recreational area, owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, regional and special parks or areas and may include one or more athletic fields, field houses, community centres, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, bathing stations, curling rinks, refreshment rooms, fair grounds, arenas, or similar uses.

### **PARKING LOT**

An area, building or structure used for the temporary parking of motor vehicles and includes any related aisles and parking spaces but shall not include any part of a driveway, a street or lane. This definition may include a parking garage.

### **PARKING SPACE**

A portion of a parking lot or parking garage used for the temporary parking or storage of a motor vehicle, exclusive of any aisles or driveways.

**PASSENGER TRANSPORTATION DEPOT**

Shall mean a building or premise where trains and commercial motor vehicles pick up and discharge fare paying passengers. Accessory uses may include a ticket office, luggage checking facilities and similar uses.

**PATIO**

A platform or surfaced area without a roof that is accessory to a dwelling or commercial use at grade.

**PEAT EXTRACTION**

An operation that includes associated facilities used in extraction, processing or transport of peat resources.

**PERSON**

An individual, association, firm, partnership, corporation, trust, organization, trustee or agent, and the heirs, executors or legal representatives of the person to whom the context can apply according to law.

**PERSONAL SERVICE BUSINESS**

Personal service business means a place where:

- i) a service is performed for the personal grooming and personal effects or clothing of the consumer, which may include a hair styling salon; tattoo and piercing parlour; spa; tanning salon; shoe repair shop; dry cleaning establishment; tailor shop or dressmaker shop; or massage therapy service but excluding a body rub parlour;
- ii) a consultation or information service is provided by a professional, other than a medical professional, including a travel agency or an interior decorator, or
- iii) other personal or business services are provided, which may include a printing, publishing, photocopying, picture framing or photofinishing service, including self-service operations.

**PLACE OF WORSHIP**

Churches, chapels, temples, parish halls and synagogues including offices for the administration of the religious institution, convents, seminaries, monasteries, rectories, parsonages and parish houses.

**PLANTING STRIP**

An open space free of buildings or structures which is used for the growing and maintenance of an un-pierced row of shrubs, trees or other natural vegetation.

**PORCH**

A deck with a full roof attached to and forming part of a building. An unenclosed porch shall mean a porch with screened walls, otherwise open to the elements. An enclosed porch shall mean a porch with

enclosed walls that may be glass or other building materials to prevent entry of wind or rain.

#### **PORTABLE ASPHALT PLANT**

A small, portable facility:

- i) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- ii) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

#### **PORTABLE CONCRETE PLANT**

A small, portable facility:

- i) with equipment designed to mix and/or crush cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- ii) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

#### **PRINCIPAL OR MAIN BUILDING**

Any building, which is carried on, the principal purpose for which the building lot is used and shall include a barn or silo used in conjunction with a farm.

#### **PRIVATE CLUB**

A non-profit, non-commercial organization, which carries on social, cultural, athletic and/or recreational activities.

#### **PRIVATE HOME DAY CARE**

A home-based business where temporary care and/or guidance is provided for five (5) or fewer individuals for a continuous period not to exceed 24 hours.

#### **PRIVATE ROAD**

A private right-of-way over private or public property or a forest access road over Crown Land which affords access to abutting lots and is not maintained by a public body.

#### **PROVINCIAL HIGHWAY**

A public improved road under the jurisdiction of the Ministry of Transportation.

#### **PUBLIC AUTHORITY**

Any Federal, Provincial, District or Municipal agencies, and includes any commission, board, authority or department established by such agency and shall include Ontario Hydro, and Bell Canada.

## R

### **RECREATION, OUTDOOR**

The use of lands for recreational activities that do not require buildings, structures or major alteration of the landscape, including trails, private camp sites, horseback riding, hunting and fishing.

### **RECREATIONAL ESTABLISHMENT**

Premises where entertainment is offered for gain or profit such as a motion picture or other theatre, public hall, billiard or pool rooms, an establishment offering three or more electronic games for public use, bowling alley, ice or roller skating rink, miniature golf course and all other similar places of amusement.

### **RECREATIONAL VEHICLE OR BOAT SALES AND SERVICE ESTABLISHMENT**

A building or place where new or used recreational vehicles, trailers, snowmobiles, boats and accessories are sold, rented or repaired.

### **RENOVATE**

Shall be defined as changes to an existing building or structure to be used for the same purpose.

### **REPAIR**

Shall be defined as maintaining the minimum standards for Health and Safety for any building or structure, or a building or structure that is utilized for human habitation on a permanent or seasonal basis as outlined in the *Ontario Building Code*.

### **RESOURCE MANAGEMENT USE**

The preservation, protection and improvement of the natural environment through comprehensive management and maintenance for public uses, both in the present and the future. Resource Management Uses also means the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource.

### **RESTAURANT**

A building or part of a building where food is prepared and offered for retail sale to the public for immediate consumption either on or off the premises. Where licensed, a restaurant may also serve alcohol.

**RETAIL STORE**

A place where consumer goods are displayed for sale or rent, or sold directly to the public for the purchaser's own use, and includes a garden centre, pharmacy and a post office.

**RETIREMENT HOME**

A residential use building containing rooming units or a combination of rooming and dwelling units, providing residence mostly to senior citizens who do not require assistance with daily living, and which may provide accessory health, personal service, and recreational services to serve the residents of the home.

**RIDING SCHOOL OR STABLE**

An area of land, which is used as an educational centre for horse training, handling, care, or for the lodging of horses.

**S****SALVAGE OR WRECKING YARD**

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

**SAUNA**

An accessory building or structure wherein facilities for the purpose of a sauna bath, either wet or dry, and may include a change/relaxation room, storage areas and a washroom but not a kitchen or sleeping facilities.

**SCHOOL**

A public school, a separate school, a university, a community college or a private school authorized by the Province of Ontario.

**SERVICE SHOP**

A building or part of a building, not otherwise defined or classified in this By-law, for the servicing or repairing of articles, goods or materials, as well as facilities for accessory retail sales.

**SETBACK**

The horizontal distance from the centre line of the street right-of-way, or defined physical feature measured at right angles to such centre line, to the nearest part of any building or structure on the lot.

**SEWAGE**

The wastewater and matter from any uses.

**SEWAGE SERVICES FACILITY**

Any works by a public authority for the collection, transmission, storage, treatment and disposal of sewage.

**SHORELINE ROAD ALLOWANCE**

Means a 20.0 metre wide allowance along the shore of a navigable waterway and designated road allowance originally reserved by the Crown along the shore of a navigable waterway, but does not include an allowance that has become a road or has been closed and conveyed.

**SHORELINE RESERVE**

A 20.0 metre reserve owned by the Crown along a navigable waterway.

**SHORT-TERM SERVICE-RELATED HOUSING**

Housing facilities that are available for short term accommodations operated by a non-profit organization that provide housing to individuals or families coming to the community for services such as healthcare.

**SOLID WASTE DISPOSAL SITE**

A facility providing for the long-term storage or destruction of municipal solid waste, and includes a landfill site or an incinerator.

**STACKING SPACE**

Is a space intended for motor vehicles in a queue for a drive-through or in a queue for the fueling space adjacent to a fuel pump or fuel bar.

**STORAGE CONTAINER**

The trailer portion of a tractor-trailer unit or transport truck without the running gear, or a rail or sea container which is traditionally used for the shipping and transportation of goods and materials.

**STOREY**

A storey is that part of a building between the surface of one floor and the ceiling above. However, a cellar does not count as a storey.

**STOREY, HALF**

A portion of a building situated above the first storey that is wholly or in part within the roof and when used with reference to a one and one half storey private garage, means that portion of the private garage situated between a sloping roof and a floor above the first storey below, of a private garage.

**STREET**

The portion of a road allowance that is maintained and open to motor vehicle travel on a year-round basis.



### **STREET LINE**

The limit of the street or road allowance and is the dividing line between a lot and street or road.

### **STREET-PRIVATE**

A right-of-way that is not under the jurisdiction of any public authority that provides a means of access from a street to a lot.

### **STRUCTURE**

Anything man-made with manufactured or processed materials that is self-supporting, fastened to or into the earth, or is attached to another structure and is greater than 0.5 metres in height.

### **SWIMMING POOL**

Any privately owned body of water located outdoors above or below finished grade on privately owned property, contained by artificial means, in which the depth of the water at any point can exceed 0.6 metres and used or capable of being used for the purpose of swimming, diving, or bathing, and shall include hydro-massage pools and hot tubs.

## **T**

### **TAXI STAND**

A lot or building used as a dispatch office and the parking of taxis and/or limousines when not engaged in transporting persons or goods.

### **TRAILER**

A vehicle that is at any time drawn upon a highway by a motor vehicle, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn and, for the purposes of this By-law, does not include a mobile home.

### **TRAILER, TRAVEL, OR TENT**

Any trailer which is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities and which has running gear and towing equipment permanently attached and a current license and is not permanently affixed to the ground.

### **TRANSPORTATION DEPOT**

Any building or land where buses, trucks or tractor-trailers are rented, leased, kept for hire, stored or parked for commercial purposes and for the purposes of this By-law shall also include a rail yard and an airport

## U

### USE

- i) Any purpose for which a building or other structure or a parcel of land may be designed, arranged, intended, maintained, or occupied; or,
- ii) Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a parcel of land.

### UTILITY INSTALLATION

The actual building plant, works, utility line, tower, transmitter, relay, receiver, pedestal or other equipment used to make or deliver a utility product, commodity or service, and includes a storm water management facility, wind turbine, wind turbine farm, solar panels, solar farm or similar facility.

## V

### VEHICLE, RECREATIONAL

A vehicle designed to provide temporary living accommodation but does not include a mobile home, tent trailer or other vehicle defined herein.

### VESSEL

A craft designed to float on the water including a boat or barge.

### VETERINARY HOSPITAL

The premises of a veterinary surgeon where animals are treated or kept.

## W

### WAREHOUSE

A building or part of a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include facilities for a wholesale or retail commercial outlet, provided that they do not exceed 10 percent of the gross floor area, but shall not include a transportation depot.

### WASTE PROCESSING AND TRANSFER FACILITY

A facility where waste is sorted, recycled, processed or temporarily stored prior to transfer off site and may include a source separated organics and biosolids processing and storage facility.

### **WATERCOURSE**

A water body or the natural channel for a permanent or intermittent stream of water, including a river, stream or lake, and which may include a navigable waterway.

### **WATER SERVICES OR FACILITY**

Any works by a public authority for the treatment, storage, supply or distribution of water.

### **WAYSIDE PIT OR QUARRY**

A temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

### **WORKSHOP**

A building or structure where manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a plumbing and electrical contractor's or a heating /air conditioning contractor's shop, a commercial welder's shop, or similar uses.

## **Y**

### **YARD**

Any open unoccupied space appurtenant to a building measured from the closest supporting structure of the building to the lot line. Yard includes the following subtypes:

**FRONT:** A yard extending across the full width of the lot between the front lot line and the nearest wall of any building or structure on the lot for which the yard is required. On islands where there is only one lot, all yards shall be considered as the front yard. On lots having frontage on a navigable waterway, the frontage on the navigable waterway is considered the front yard. Where there is a Crown Reserve or Shoreline Road Allowance the front yard requirement shall include the abutting Crown Reserve or Shoreline Road Allowance.

**EXTERIOR SIDE:** A side yard immediately adjoining a public street.

**INTERIOR SIDE:** A side yard other than an exterior side yard.

**REAR:** The least horizontal distance between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot, or the edge or rim of an excavation on the lot.

**SIDE:** A yard extending from the front yard to the rear yard between the side lot line and the nearest wall of any building on the lot for which the yard is required.

**YARD, REQUIRED**

The minimum yard required by the provisions of the By-law.

**Z****ZONE**

The category of use or activity of land, buildings, structures or activities permitted by this By-law.

**ZONE PROVISIONS**

The permissible uses, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum setback, gross floor area, the minimum landscaped open space, the maximum height of buildings, minimum parking requirements, and all other zone provisions are set out within the By-law for the respective zones.

## Section 4 GENERAL PROVISIONS

### 4.1 APPLICATIONS

The provisions of this section of the By-law shall apply to all lands within the Municipality of Sioux Lookout unless otherwise specified.

### 4.2 ACCESSORY BUILDINGS, STRUCTURES AND USES

#### 4.2.1 PERMITTED USES

Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use, provided the principal building, structure or use is already in existence on the lot, but shall not include the following:

- i) any occupation for gain or profit conducted within or accessory to a dwelling unit or on such lot associated therewith, except as is specifically permitted in accordance with this By-law; or
- ii) any building used for human habitation except in accordance with this By-law, as is specifically permitted.

Legal non-conforming uses shall be permitted to have accessory uses, buildings and structures in accordance with the provisions in this Section of the By-law and the provisions of the applicable zone.

In addition, in the case of lots fronting on a waterway, accessory buildings and structures may be constructed on the bed of the waterway appertaining to the lot in accordance with the provisions of the Boat Dock or Launching Ramp sections of this By-law.

#### 4.2.2 CLOTH, PLASTIC OR VINYL STORAGE STRUCTURES

Notwithstanding any other provision of this By-law, cloth, plastic or vinyl structures shall be restricted to the interior side yard or rear yard on a lot.

#### 4.2.3 YARD AND SETBACK REQUIREMENTS

Notwithstanding the yard and setback provisions of this By-law to the contrary, a detached private garage or other accessory building or structure may be erected and used in an interior side or rear yard, provided that the following requirements are met.

##### i) FRONT YARD AND EXTERIOR SIDE YARD

An accessory building or structure is not permitted in any required front or exterior side yard in a residential or commercial zone, where the yard abuts a road. In the case of a lot fronting on a waterway, the provisions of the Boat Dock or Launching Ramp sections of this By-law shall apply with respect to accessory buildings and structures.

**ii) INTERIOR SIDE YARD**

Where such accessory building or structure is located in an interior side yard, it shall not be closer than 1.5 metres to the interior side lot line.

**iii) REAR YARD**

Where such accessory building or structure is located in a rear yard, it shall not be closer than 1.5 metres to the rear lot line.

**iv) DISTANCE FROM MAIN BUILDING**

Where such accessory building or structure is located in a side or rear yard, it shall not be closer than 2.0 metres from the main building unless the accessory structure is constructed of non-combustible material.

**4.2.4 LOT COVERAGE AND HEIGHT**

The maximum permitted lot coverage of all accessory buildings and structures, with the exception of swimming pools, shall be 10 percent.

The maximum permitted size of a private garage in a residential zone shall be 80 square metres (provided it does not exceed 10 percent lot coverage).

For lots greater than 4,000.0 square metres, the maximum permitted size of a private garage shall be 235.0 square metres.

The height of any accessory building or structure shall not exceed one storey or 5.5 metres unless the building is a permitted accessory dwelling, in which case the maximum height shall be 12.0 metres.

Within a Commercial, Light Industrial or Institutional Zone, the total lot coverage of all accessory buildings or structures shall not exceed 15 percent of the lot area and shall have a minimum size of 25.0 square metres. The height of any accessory building or structure shall not exceed the height restrictions of the respective zone.

**4.2.5 BOAT DOCK OR LAUNCHING RAMP**

Notwithstanding the yard provisions of this By-law to the contrary, a boat launching ramp or a dock may be erected and used in any yard, or appertaining to a lot abutting or adjacent to a navigable waterway, except where specifically prohibited in the abutting zone provided such accessory structure is located no closer than 3.0 metres to the side lot line or a straight line projection of the side lot line where it meets the front lot line at the water. Unless specifically identified as a principal use, docks are only permitted as an accessory structure.

**4.2.6 IN-WATER BOATHOUSES AND BOATPORTS**

Notwithstanding the yard and setback provisions of this By-law to the contrary, one boathouse or one boatport may be constructed

appertaining to a lot abutting a navigable waterway in accordance with the following regulations:

- i) the boathouse or boatport does not exceed one storey in height or 5.0 metres;
- ii) the length of the boathouse or boatport does not exceed 10.2 metres from the normal high water mark;
- iii) the width of the boathouse does not exceed 15.0 metres or 25 percent of the width of the appertaining lot, whichever is lesser; and
- iv) the boathouse is located no closer than 1.5 metres to the side lot line or the 90 degree projection of the side lot line where it meets the tangent of the front lot line at the shoreline.

#### **4.2.7 DRYLAND BOATHOUSE**

Notwithstanding the yard and setback provisions of this By-law to the contrary, one dryland boathouse may be constructed in lieu of a boathouse or boatport in the front yard or within the required setback from the high water mark in accordance with the following regulations:

- i) the dryland boathouse does not exceed one storey in height or 5.0 metres.
- ii) the length of a dryland boathouse does not exceed 10.2 metres.
- iii) the width of a dryland boathouse does not exceed 15.0 metres or 25 percent of the width of the appertaining lot, whichever is lesser; and
- iv) the boathouse is located no closer than 1.5 metres to the side lot line.

#### **4.2.8 COMMUNITY GARDENS**

Community Gardens are permitted in all zones except the EP and HZ Zones either as an accessory use or a main use provided that all regulations of this By-law are complied with.

#### **4.2.9 GATEHOUSE IN INDUSTRIAL ZONE**

Notwithstanding the yard and setback provisions of this By-law, to the contrary, in an Industrial zone, a gatehouse not exceeding 9.0 square metres shall be permitted in a required front or side yard or in the area between the street line and the required yard.

#### **4.2.10 FREE STANDING DECKS**

Notwithstanding the yard and setback requirements of this By-law to the contrary, a free standing deck is permitted subject to the following:

- i) the maximum cumulative area of free-standing decks shall be 40.0 square metres;
- ii) free-standing decks may be setback 0.0 metres from the high water mark and must comply with the side yard setbacks for the zone in which they are located; and,



- iii) the maximum height of a free-standing deck shall be 1.2 metres as measured from the natural grade to the top of the decking on the side of the free-standing deck that is closest to the water.

#### **4.2.11 GAZEBOS AND SAUNAS**

Notwithstanding the yard and setback requirements of this By-law to the contrary, a gazebo and a sauna may be permitted in the front yard of a lot adjacent to a waterbody provided that:

- i) the maximum area is 24.0 square metres;
- ii) it is setback at least 4.0 metres from the normal or controlled high water mark;
- iii) it is setback at least 2.0 metres from any side lot line; and,
- iv) the height shall not exceed 4.5 metres.

#### **4.2.12 GROUND-MOUNTED SOLAR PANELS**

Notwithstanding the yard and setback requirements of the By-law to the contrary, ground-mounted solar panels may be permitted in any zone provided that:

- i) In residential zones:
  - a) it is setback at least 0.3 metres from a lot line; and
  - b) it may be located in a front yard within the RS, SR and RR Zones, but may not be located in an exterior side yard.
- ii) In non-residential zones:
  - a) in a yard abutting a residential zone, it is setback at least 0.3 metres from a lot line; and
  - b) in all other cases, there are no restrictions.

#### **4.2.13 GUEST CABINS**

Where a guest cabin is permitted on a lot, the following provisions shall apply:

- i) no cooking facilities are located in the building;
- ii) the building has an area of 24.0 square metres or less;
- iii) the building has a height not greater than 4.5 metres; and,
- iv) the building complies with all of the setbacks that apply to the principal building on the lot.
- v) A guest cabin shall not be permitted on a lot where a secondary dwelling unit exists in an accessory building.

#### **4.2.14 MEDICAL CANNABIS PRODUCTION FACILITY**

One medical marihuana production facility is permitted on a lot located within the CH, M1, M2, NR, AP or RU Zones provided all of the following criteria have been met:

- i) The owner of the property shall provide written authorization to the Municipality of Sioux Lookout of the use of the property as a Medical Cannabis Production Facility by the operator.
- ii) The owner of the property, at its sole cost, shall enter into an agreement with the Municipality of Sioux Lookout requiring that the owner shall, upon cessation of the medical cannabis production facility use, discontinue the occupancy and use of the

property in accordance with the issued production license until such time as change of use permits have been obtained; remove all equipment and material associated with the medical cannabis production facility; return the property and any affected adjacent properties to a condition where the property and adjacent properties may be used for an alternate lawful use; and any further and other acts that the Municipality of Sioux Lookout may require.

- iii) The licensed producer shall provide to the Municipality of Sioux Lookout a copy of a current and valid production licenses issued by Health Canada.
- iv) A medical cannabis production facility shall comply with all applicable zone standards.
- v) A medical cannabis production facility shall be at least 150 metres from a lot in an institutional or residential zone category or from any public school, private school, place of worship or day nursery.
- vi) The minimum separation distance between medical cannabis production facilities shall be at least 90 metres.
- vii) Despite the required minimum distances noted above, no medical cannabis production facility lawfully established under these provisions shall be deemed to be a violation under this section by the subsequent erection of a residential or institutional use constructed on another lot.
- viii) No outdoor signage or advertising shall be permitted, other than 911 addressing to allow for the location of the property.
- ix) Where a medical cannabis production facility use is located on a lot, no other use shall be permitted on the lot or within the building as a whole.

#### **4.2.15 OUTDOOR FURNACES**

Where an outdoor wood stove or furnace is established for heating of the primary building or structure, it shall be considered as part of such building or structure and shall conform to the provisions of the *Forest Fires Prevention Act*, as amended and all yard requirements of the applicable zone. Outdoor wood burning furnaces are subject to the following provisions:

- i) Shall be permitted only in the RR, RS, HR and RU Zones;
- ii) May only be installed on lots having an area of 0.8 hectares or greater;
- iii) Shall be supported by a non-combustible base or foundation that is designed according to the manufacturer's instructions to support the weight of the appliance;
- iv) The top of the chimney for an appliance using solid fuel and installed and erected outdoors shall be a minimum of 5.0 metres above the adjacent ground and shall be equipped with a spark arrestor and a rain cap;
- v) Shall be located at least 15.0 metres from any property line and from the principal dwelling;

- vi) Shall be located at least 3.0 metres from any trees or non-habitable structures; and
- vii) Shall not be located in a front yard.
- viii) Replacement of existing units may be permitted in their same location provided that the new unit meets, at minimum, the CAN/CSA B365-1 – Installation Standard and the CAN/CSA B415.1-10 – Emissions Standard.”

#### **4.2.16 STORAGE CONTAINERS**

The following provisions shall apply for storage containers:

- i) Storage containers shall only be allowed in the M1, CH, AP, RU and M2 Zones;
- ii) All approved storage containers shall be located subject to the Accessory Buildings Yard and Setback Requirements as defined in this By-law.

### **4.3 ACCESS ON IMPROVED PUBLIC ROAD, PRIVATE ROAD OR NAVIGABLE WATERWAY**

#### **4.3.1 IMPROVED PUBLIC ROAD**

No person shall erect any building or structure in any zone after the date of passing of this By-law, unless the lot upon which such building or structure is to be erected has frontage upon an improved public road, and such building or structure complies with the setback provisions of this By-law; or where there is existing lots located on a private road, and such building or structure complies with the permitted uses of this By-law.

The above provisions shall not apply to prevent the erection of a permitted building or structure on a lot in registered Plan of Subdivision where a properly executed Subdivision Agreement has been entered into with the Municipality, notwithstanding that the street or streets will not be assumed by the Municipality until the end of the maintenance period, nor shall it apply to prevent the enlargement, extension, renovation, reconstruction or other structural alteration of an existing building or structure, which is located on a lot which does not have frontage upon an improved public road, provided the use of such building or structure does not change and is permissible within the zone in which it is located.

#### **4.3.2 NAVIGABLE WATERWAY**

Notwithstanding the provisions of Section 4.3.1 above to the contrary, in a NR Zone or RU Zone where a lot abuts the shoreline of a navigable waterway only, such lot may be used for any use in accordance with the applicable provisions of the zone. Municipal services will not be available to water access lots.

### **4.4 ESTABLISHED BUILDING LINE IN RESIDENTIAL ZONE**

Notwithstanding any other provisions of this By-law to the contrary, where a dwelling is to be erected in a Residential zone, between existing

dwelling on the same street or shoreline, such dwelling may be built with a front yard and setback equal to the average yard of the adjacent dwellings on the same side of the street or shoreline.

#### 4.5 GARDEN SUITES

Garden suites shall be permitted, subject to the approval of the Northwestern Health Unit, on a temporary basis in the R1, R2, RR, RS, and RU Zones, subject to the following requirements:

- i) One garden suite may be authorized on a lot through a temporary Zoning By-law Amendment for a renewable period of up to 10 years.
- ii) A garden suite may not exceed 70.0 square metres in gross floor area.
- iii) The addition of a garden suite is subject to the lot coverage provisions of the zone in which it is located.
- iv) A garden suite shall be used solely for the temporary accommodation of persons who, because of age, infirmity or illness require and receive care and supervision from the occupants of the single detached dwelling located on the same lot therewith;
- v) A garden suite shall be one (1) storey, having a height not to exceed 4.6 metres;
- vi) A garden suite shall not be constructed or arranged as to constitute a travel trailer;
- vii) One (1) parking space shall be provided for the garden suite, in addition to the parking spaces required for the single-detached dwelling, in accordance with the following regulations:
  - a) Such parking space shall have minimum rectangular dimensions of 3.0 metres by 6.0 metres;
  - b) Such parking space shall be located on the same lot as the single-detached dwelling and garden suite;
  - c) Such parking space may be located in tandem with the parking spaces required for the dwelling unit.

As per the *Planning Act* regulations for garden suites, Council shall require the owner of the suite or any other person to enter into an agreement with the municipality dealing with such matters related to the temporary use of the garden suite as the council considers necessary or advisable, including:

- i) the installation, maintenance and removal of the garden suite;
- ii) the period of occupancy of the garden suite by any of the persons named in the agreement;
- iii) the monetary or other form of security that the council may require for actual or potential costs to the municipality related to the garden suite; and
- iv) connection to existing services (sewer, water, hydro, septic, well).

#### **4.6 GROUP HOMES AND CRISIS CENTRES**

Group homes and crisis centres are permitted in the R1, R2, RM, RR, and RU Zones subject to the following provisions:

- i) A group home or crisis centre shall occupy the entirety of a single-detached dwelling, or both units of a semi-detached or duplex dwelling that is permitted in the zone.
- ii) A new group home or crisis centre shall not be established on any lot that is closer than 200.0 metres to the lot on which another group home or crisis centre is located.
- iii) Despite subsections i) and ii) above, the minimum required separation distance need not extend across a highway, grade-separated arterial road, railway yard, navigable waterway or any other major barrier to pedestrian or vehicular movement, and in such cases is deemed to be fulfilled by the distance between that barrier and the affected property line or lines of the lot containing the group home or crisis centre.
- iv) Where the minimum required separation distance of one group home intersects the minimum required separation distance of another group home, both group homes are considered to comply with the minimum separation distance requirements, provided that the limits of the two separation areas do not touch a lot line of a lot containing another group home or crisis centre.
- v) The maximum number of residents permitted applies to the whole of the residential use building and not to individual units within the residential building in which the group home or crisis centre is located.
- vi) Despite subsections i) and ii) above, where there are two abutting lots, each of which contains or proposes to contain one group home or crisis centre, both homes are permitted, provided the total of both group homes or crisis centres does not increase the total number of residents in both homes beyond the ten (10) resident maximum required under the definition of group home.
- vii) An accessory dwelling unit or a garden suite shall not be permitted on the same lot as a group home or crisis centre.

#### **4.7 BILLET HOUSE**

A Billet House is permitted in the R1, R2, RS, RM, RR, and RU Zones subject to the following provisions:

- i) An accessory dwelling unit or a garden suite shall not be permitted on the same lot as a Billet House.
- ii) A billet house shall be subject to the parking requirements for dwelling in which it is located.
- iii) The maximum number of billet rooms shall be six (6).

#### 4.8 BOARDING HOUSE

A Boarding House is permitted in the R2 Zone subject to the following provisions:

- i) An accessory dwelling unit or a garden suite shall not be permitted on the same lot as a Boarding House.
- ii) The maximum number of boarding rooms shall be four (4).

#### 4.9 BED AND BREAKFAST

In all Zones where a bed and breakfast is a permitted use, the following shall apply:

- iii) The operation of a bed and breakfast shall be incidental and secondary to the main use as a dwelling unit;
- iv) The number of guest rooms shall not exceed three (3).
- v) The operation of a bed and breakfast shall not change the character or in any way alter the exterior appearance of the dwelling;
- vi) The bed and breakfast shall be operated only by a person or persons whose principal residence is the dwelling unit containing the bed and breakfast;
- vii) The operation of a bed and breakfast is not permitted in conjunction with the rental of accommodations to roomers or boarders; and
- viii) One (1) non-illuminated identification sign with a maximum size of 0.185 square metres mounted on the wall of the dwelling is permitted.
- ix) A minimum of one (1) parking space for each guest room shall be required.
- x) A bed and breakfast shall not be permitted within a mobile home.

#### 4.10 HOME OCCUPATION

Where a home occupation is a permitted use, the following provisions shall apply:

- i) The occupation shall be lawfully conducted entirely within a dwelling and/or entirely within a building or structure accessory to a dwelling;
- ii) It must be clearly incidental and secondary to the dwelling;
- iii) Such home occupation whether located within a dwelling or entirely within a building or structure accessory to a dwelling shall not be more than 35 percent of the gross floor area, not including the basement of the dwelling, to a maximum gross floor area of 100.0 square metres.
- iv) It must not change the character or in any way alter the exterior appearance of the dwelling, except by the placement of a sign;
- v) The sale of goods on the premises shall be permitted as part of a home occupation, provided that the sale of goods is incidental and subordinate to the service provided by the home occupation;

- vi) Private Home Day Care is a permitted use within a dwelling unit as a home occupation in all zones that permit a dwelling unit; however, is not a permitted use in a non-conforming dwelling unit;
- vii) A maximum of one (1) person not residing in the dwelling may assist or be employed provided a minimum of three (3) off-street parking spaces is proved and a minimum of 50 percent of the required front yard is provided and maintained as landscaped open space.
- viii) There shall be no outside storage of goods or materials in conjunction with the home occupation use.
- ix) A home occupation shall not include a restaurant or kennel.

#### **4.11 HOME INDUSTRY**

Where a home industry is permitted in a building accessory to a single-detached dwelling, the following provisions shall apply:

- i) A maximum of one (1) person other than an occupant of the dwelling may be engaged in the home industry at any time.
- ii) Such home industry may be located in part of a dwelling or in any accessory building located on a lot on which a dwelling is in existence, provided the total gross floor area utilized by the home industry does not exceed a maximum of 150.0 square metres.
- iii) There shall be no display, other than a non-illuminated sign having a maximum surface area of 1.0 square metres, to indicate to persons outside that any part of the dwelling or dwelling unit is being used for a purpose other than residential.
- iv) There shall be no outside storage of goods, material, vehicles or articles used in the home industry.
- v) Only currently licensed motor vehicles, associated with the home industry may be parked or stored on the lot within an interior side or rear yard. Only one commercial vehicle having a maximum wheelbase of 5.0 metres and a maximum payload of one ton parked outside on the lot.
- vi) Such home industry shall be clearly accessory to the main residential use and shall not change the residential character of the dwelling or the lot.

#### **4.12 FOOD TRUCKS**

Where a food truck is permitted, the following provisions shall apply:

- a) A food truck shall be located within 50.0 metres of a washroom facility.
- b) A food truck shall be a minimum of 2.0 metres from the front lot or exterior side lot line.
- c) A food truck shall be setback a minimum or 3.0 metres from a lot line abutting a residential zone and 1.5 metres from any other lot interior or rear lot line.

#### **4.13 WATER LOTS**



All lands situated below the surface of a waterbody or watercourse (i.e. a water lot) shall be zoned according to the zone on the adjacent land. Notwithstanding the permitted uses of the parent zone to the contrary, the only permitted uses of any lands under water shall be marine facilities and boathouses accessory to permitted uses on the appertaining lands. The regulations for permitted uses shall not apply to lands under water. Approvals from the Ministry of Natural Resources and Forestry and/or the Department of Fisheries and Oceans Canada may be required for marine facilities and boathouses.

## 4.14 LOADING SPACE REQUIREMENTS

### 4.14.1 LOADING SPACE REQUIREMENTS

Loading spaces are required under this By-law in accordance with the Loading Space Requirement Table. The owner of every building or structure erected for any purpose involving the receiving, shipping, loading or unloading of persons, animals, goods, wares, merchandise or raw materials shall provide and maintain loading spaces on the lot accordingly.

<i><b>Table 1</b></i>	<i><b>Minimum Gross Floor Area of Building</b></i>	<i><b>Minimum number of loading spaces required</b></i>
	0 – 300 square metres	0
	301 – 2,300 square metres	1
	2,301 – 7,400 square metres	2
	Over 7,400 square metres	3

### 4.14.2 ALL LOADING SPACES SHALL BE DESIGNED, CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE FOLLOWING PROVISIONS:

- i) Each loading space shall have a minimum width of 3.5 metres, a minimum length of 9.0 metres and a minimum vertical clearance of 4.2 metres, and each space shall be visibly designated and marked;
- ii) Driveways used for ingress and egress shall be clearly marked.
- iii) The loading space(s) shall be located in the interior side or rear yard unless such space or spaces are removed from the street line a minimum distance of 15.0 metres.
- iv) Driveways, loading spaces, and related aisles and turning areas shall be maintained with a stable surface that is treated to prevent the raising of dust. Such loading facilities shall, before being used, be surfaced with asphalt, concrete or brick and shall include

provisions for drainage facilities. In Industrial zones, a crushed stone or gravel surface shall be permitted.

#### **4.14.3 ADDITIONS TO OR CHANGE IN USE OF EXISTING BUILDINGS**

The loading space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the gross floor area, as it existed at such date, is not increased by more than 300.0 square metres. If an addition is made to the building or structure, which increases the gross floor area, then additional loading spaces shall be provided as required by this Section, in accordance with the provisions of the loading Space Requirement Table for such addition.

#### **4.15 FLOOD PLAIN DEVELOPMENT**

With the exception of docks, boat lifts, boathouses and boat ramps, no person shall undertake development or permit another person to undertake development in or on the areas within the jurisdiction of the municipality that are within the 100 year flood plain, and within river or stream valleys, whether or not they contain a watercourse. Areas include hazardous lands, wetlands, shorelines, and areas susceptible to flooding, and associated allowances, within the watershed in the jurisdiction of the municipality.

Proposed developments must meet all requirements of this By-law, including this section.

##### **4.15.1 100 YEAR FLOOD PLAIN**

100 year flood plain areas include:

- i) Lands along the shoreline of Minnitaki Lake to an elevation of 360.34 metres above sea level (GSC datum);
- ii) Lands along the shoreline of Abram Lake to an elevation of 359.74 metres above sea level (GSC datum);
- iii) Lands along the shoreline of Pelican Lake to an elevation of 359.24 metres above sea level (GSC datum);
- iv) Lands along the shoreline of Lost Lake to an elevation of 358.40 metres above sea level (GSC datum);
- v) Lands along other watercourses, such as rivers and streams, and not included above, will be dealt with on a site specific basis.

##### **4.15.2 ELEVATION AND FLOOD PROOFING**

New construction of any structure, together with building services and sanitary facilities, shall have the lowest floor, including the basement floor, elevated above the 100 year flood plain, or;

- i) Is watertight with walls substantially impermeable to the passage of water;
- ii) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- iii) Be designed by a professional engineer or architect, licensed and registered in the Province of Ontario.

#### **4.15.3 UTILITIES**

All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from systems into floodwaters. On-site waste disposal systems shall be constructed such that its lowest level is at or above the 100 year flood plain.

#### **4.16 MULTIPLE ZONES ON ONE LOT**

Where a lot is divided into more than one zone, each portion of the lot must be used in accordance with the provisions of the applicable zone; however, the zone boundary is not to be treated as a lot line. Where two or more provisions are equally applicable, all provisions must be complied with or, where it is not possible to comply with all the provisions applicable, the most restrictive provisions must be complied with. This provision does not apply to lands that are subject to a Holding (H) Provision.

#### **4.17 NUMBER OF DWELLING UNITS ON A LOT**

Unless otherwise permitted in this By-law, no more than one dwelling unit shall be permitted on any lot.

Notwithstanding any other provision of this By-law to the contrary, a secondary dwelling unit may be permitted subject to the provisions set out in the Secondary Dwelling Units Section of this By-law.

#### **4.18 NOXIOUS TRADE**

Except as may otherwise be specifically permitted under this By-law, no use shall be permitted which, from its nature or the materials used therein, is defined as a noxious trade, business or manufacturer under the *Health Protection and Promotion Act*, R.S.O., 1990, as amended, and the Regulations passed thereunder.

#### **4.19 BOAT, RECREATIONAL VEHICLE AND TRAILER STORAGE**

Parking and storage of boats, recreational vehicles, trailers and similar vehicles shall only be permitted in the following zones:

- Residential Type 1 (R1)
- Residential Type 2 (R2)
- Multiple Residential (RM)
- Residential Mobile Home (RMH)
- Rural Residential (RR)
- Residential Shoreline (RS)
- Hudson Residential (HR)
- Rural (RU)

Subject to the following provisions:

- i) In the RR and RS Zones a recreational vehicle or trailer may be used for human habitation for no more than 90 days in any calendar year on a vacant lot.
- ii) In all other zones a recreational vehicle or trailer may be used for human habitation for no more than 90 days if there is an existing principal dwelling.
- iii) Boats, recreational vehicles and trailers shall be stored in the rear or interior side yard and must meet the setbacks for an accessory building. One (1) boat and one (1) recreational vehicle or trailer may be stored in the front yard if located on a driveway.

## 4.20 PARKING REQUIREMENTS

### 4.20.1 PARKING SPACE REQUIREMENTS

The owner of land or of a building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain parking spaces for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises, from time to time.

Parking spaces are required under this By-law, in accordance with the Parking Space Requirement Table. Where the calculation of required spaces exceeds a whole space by more than 0.25, the required number of spaces shall be the next whole number. In the case of a retail business, on-street parking shall be factored into the parking calculation. One parking space per 6.0 metres of frontage less driveways will be allocated to a property.

<b>Table 2 - Parking Space Requirement</b>	
<b>Use</b>	<b>Minimum number of parking spaces required</b>
<b>Residential Uses</b>	
Apartment dwelling	1 per dwelling unit
Bed and breakfast	1 per dwelling unit plus 1 per guest room
Boarding house	0.5 per boarding unit
Continuum of care facility	0.25 per rooming unit or 4 beds plus 1 per 100.0 square metres of gross floor area used for medical, health or personal services
Crisis centre	1 per 100.0 square metres of gross floor area
Duplex	1 per dwelling unit
Group home	1 per 100.0 square metres of gross floor area
Guest cabin	None
Mobile home park / mobile home site	1 per mobile home site plus 5 for each accessory commercial or recreational use building

**Table 2 - Parking Space Requirement**

<b>Use</b>	<b>Minimum number of parking spaces required</b>
Retirement home	0.5 per dwelling unit or 4 beds plus 1 per 100.0 square metres of gross floor area used for medical, health or personal services
Secondary dwelling	1 per dwelling unit
Semi-detached dwelling	1 per dwelling unit
Single-detached dwelling	1 per dwelling unit
Stacked dwelling	1 per dwelling unit
Triplex dwelling	1 per dwelling unit
Townhouse dwelling	1 per dwelling unit
Quadruplex	1 per dwelling unit
<b>Non Residential Uses</b>	
Agricultural use	2 per farm plus 3 per 100.0 square metres of floor area of farm produce outlet
Airport	0.5 per 100.0 square metres of gross floor area used for passenger terminal or aircraft hangar
Art gallery	2 per 100.0 square metres of gross floor area
Auction centre	2.2 per 100.0 square metres of gross floor area
Campground	1 per camping site within campground
Car wash	None
Cemetery	None
Clinic	5 spaces per medical professional
Commercial storage facility	0.8 per 100.0 square metres of gross floor area
Communication facility	2.3 per 100.0 square metres of gross floor area
Community centre	4 per 100.0 square metres of gross floor area
Conference centre	10 per 100 square metres of assembly area
Contractor's yard	0.8 per 100.0 square metres of gross floor area
Convenience store	3.4 per 100.0 square metres of gross floor area
Day nursery	2 per 100.0 square metres of gross floor area
Emergency service	1 per 100.0 square metres of gross floor area
Financial establishment	3.4 per 100.0 square metres of gross floor area
Forestry use	None except where an office is associated with the use, the office parking space requirement shall apply
Funeral home	7 per 100.0 square metres of gross floor area
Golf course	1 per 100.0 square metres of gross floor area plus 4 per hole

<b>Table 2 - Parking Space Requirement</b>	
<b>Use</b>	<b>Minimum number of parking spaces required</b>
Heavy equipment and vehicle sales, rental and servicing	0.75 per 100.0 square metres of gross floor area
Heavy industrial use	0.8 per 100.0 square metres of gross floor area
Home industry	1 per home industry in addition to residential dwelling type requirement
Home occupation	1 per home occupation in addition to residential dwelling type requirement
Hospital	1.4 per 100.0 square metres of gross floor area
Hostel	0.5 per guest room plus one space per 10.0 square metres of gross floor area devoted to public uses such as dining rooms, licensed beverage rooms and banquet rooms
Hotel	1 per guest room plus one space per 10.0 square metres of gross floor area devoted to public uses such as dining rooms, licensed beverage rooms and banquet rooms
Hunting and Fishing Camp	1 per guest unit plus one space per 10.0 square metres of gross floor area devoted to public uses such as dining rooms, licensed beverage rooms and banquet rooms
Kennel	1 per kennel with 4 or less dog runs 4 per kennel with more than 4 dog runs
Library	2 per 100.0 square metres of gross floor area
Light equipment sales and rental establishment	2.5 per 100.0 square metres of gross floor area
Light industrial use	0.8 per 100.0 square metres of gross floor area
Marina	1 per boat slip plus any required parking spaces required hereby for associated uses, including but not limited to, a Restaurant and a Retail Store
Medical Cannabis Production Facility	0.8 per 100.0 square metres of gross floor area
Medical Office	1 per 23 square metres of gross floor area
Mineral aggregate operation	None
Mineral mining operation	None

**Table 2 - Parking Space Requirement**

<b>Use</b>	<b>Minimum number of parking spaces required</b>
Motel	1 per guest room plus 1 space per 100.0 square metres of gross floor area for accessory office areas
Motor vehicle body shop	3 per service bay
Motor vehicle dealership	Sales/showroom area: 2 per 100.0 square metres of gross floor area Service area: 2 per service bay Other areas: 1 per 100.0 square metres of gross floor area
Motor vehicle gas bar	Greater of 1 per 100.0 square metres of gross floor area or 2 per service bay
Motor vehicle service station	Greater of 1 per 100.0 square metres of gross floor area or 2 per service bay
Municipal, District or Provincial Maintenance and Storage Yard	2.3 per 100.0 square metres of gross floor area
Museum	2 per 100.0 square metres of gross floor area
Office	2.3 per 100.0 square metres of gross leasable floor area
Open storage	None
Park	Sports field – the greater of 1 per 4 fixed seats or 4 per sports field Other cases - none
Parking lot	None
Personal service business	3.4 per 100.0 square metres of gross leasable floor area
Assembly hall	10 per 100.0 square metres of gross floor area
Place of worship	10 per 100.0 square metres of gross floor area
Portable asphalt plant	None
Portable concrete plant	None
Recreational establishment	4 per game surface plus 10 per 100.0 square metres of gross floor area used for dining assembly or common area
Recreational vehicle or boat sales establishment	Sales/showroom area: 2 per 100.0 square metres of gross floor area Service area: 2 per service bay Other areas: 1 per 100.0 square metres of gross floor area
Restaurant	10 per 100.0 square metres of gross floor area



**Table 2 - Parking Space Requirement**

<b>Use</b>	<b>Minimum number of parking spaces required</b>
Retail store	3.4 per 100.0 square metres of gross leasable floor area
Riding school or stable	10 spaces
School	Elementary School: 1.5 per classroom (includes portables) Secondary School: 4 per classroom (includes portables) Post-secondary institution: 1 per 100.0 square metres of gross floor area
Service shop	3.4 per 100.0 square metres of gross floor area
Sewage facility	None
Solid waste disposal facility	None
Taxi stand	Three (3)
Passenger transportation depot	0.8 per 100.0 square metres of gross floor area
Transportation depot	0.8 per 100.0 square metres of gross floor area
Utility installation	0.8 per 100.0 square metres of gross floor area
Veterinary hospital	4 per 100.0 square metres of gross floor area
Warehouse	0.8 per 100.0 square metres of gross floor area
Waste processing and transfer facility	2.4 per 100.0 square metres of accessory office space
Wayside pit or quarry	None

Uses permitted in this By-law other than those listed in Table 2, shall have a minimum of 1 parking space per 35.0 square metres of gross floor area.

#### **4.20.2 MINIMUM VISITOR PARKING**

Visitor parking shall be provided on the same lot for apartment and stacked dwellings. The minimum visitor parking shall be 0.2 spaces per dwelling unit. One (1) visitor parking space shall be provided on the same lot for triplex and quadruplex dwellings.

#### **4.20.3 DESIGN OF PARKING AREAS AND SPACES**

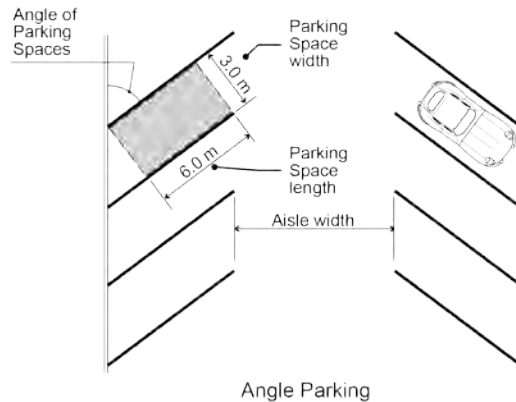
All off street parking areas and spaces shall be designed, constructed and maintained in accordance with the Table 3 –Provisions for Parking Spaces below and the following provisions:

- Except in the case of single-detached, semi-detached, duplex dwellings, multiple attached, stacked, no parking spaces may access directly onto a public road.
- Each regular or angled parking space shall have a minimum width of 3.0 metres and a minimum length of 6.0 metres and shall be visibly designated and marked.

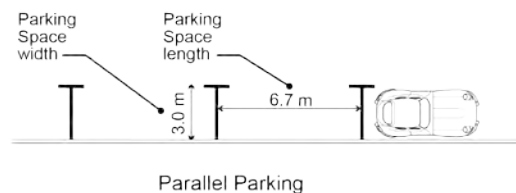
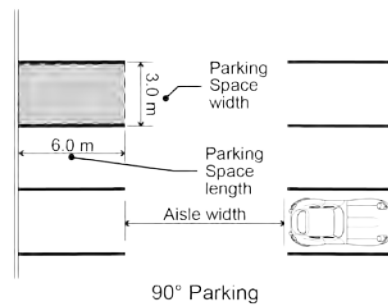
- iii) Each parallel parking space shall have a minimum width of 3.0 metres and a minimum length of 6.7 metres.
- iv) Any off-street parking area providing more than four (4) parking spaces shall be designed with adequate drainage facilities and may be maintained with a hard, stabilized and dust-preventative surface, as determined through Site Plan Control.
- v) Each parking space shall have a minimum width of 3.0 metres and have a minimum area of 17.1 square metres. The length of any parking space and the width of the adjacent aisle shall be in accordance with the following:

**Table 3 - Provisions for Parking Spaces**

<b>Angle of Parking Spaces</b>	<b>Parking Space Width (minimum)</b>	<b>Parking Space Length (minimum)</b>	<b>Aisle Width (minimum)</b>
90°	3.0 metres	6.0 metres	6.9 metres
60°	3.0 metres	6.0 metres	6.9 metres
45°	3.0 metres	6.0 metres	5.2 metres
30°	3.0 metres	6.0 metres	3.7 metres
Parallel	3.0 metres	6.7 metres	3.0 metres



**Parking Space Provisions**

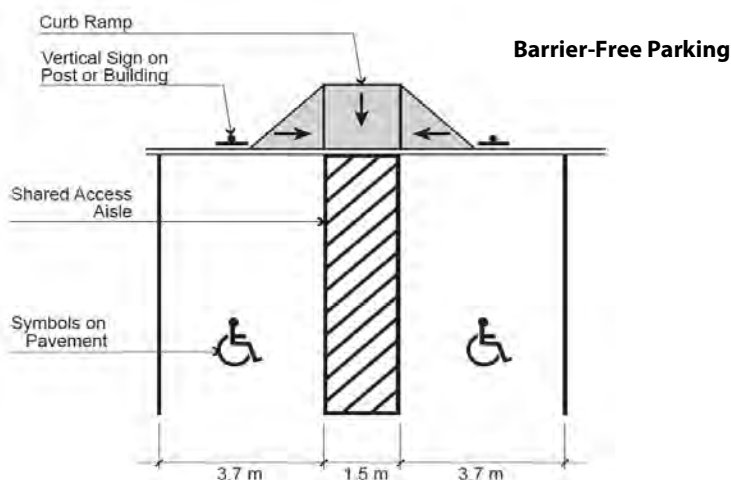


**Illustration of Parking Space Definitions**

#### 4.20.4 BARRIER-FREE PARKING SPACES

Barrier-free parking spaces shall be provided at the rate specified in the Table 4 – Barrier-Free Parking Requirements, and shall meet all specifications of the *Ontario Building Code* regarding Barrier-Free Parking Design including, at a minimum:

- Each barrier-free parking space shall have a minimum width of 3.7 metres and a minimum length of 7.0 metres;
- If two adjacent spaces are designated for the disabled, then the total width of both spaces together shall be 6.4 metres if a 1.5 metres wide access aisle separates the two spaces;
- If no access aisle separates the spaces, the total width of the two (2) spaces shall be 7.4 metres;
- Barrier-free parking spaces shall be located on level ground within close proximity and access to the building entrance;
- Barrier-free parking spaces shall be clearly marked and reserved for the exclusive use of physically disabled persons.



<b>Table 4 - Barrier-Free Parking Requirements</b>	
<b>Capacity of Public Parking Area (Number of parking spaces)</b>	<b>Minimum number of barrier free spaces</b>
1-10	0
11-25	1
26-50	2
51-75	3
76-100	4
More than 100	3% of total to a maximum of 10 spaces

#### 4.20.5 QUEUING LANE REQUIREMENTS

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

Where multiple queuing lanes are required on a lot, the queuing space requirements shall be provided for each individual queuing lane in compliance with the Queuing Space Requirements Section of this By-law.

Queuing lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers and shall be independent of the balance of the parking area.

The minimum queuing space requirements within a designated queuing lane shall be set out in Table 5 – Queuing Space Requirements.

<b>Table 5 – Queuing Space Requirements</b>	
<b>Use Associated with Drive-Through Facility</b>	<b>Minimum Required Spaces</b>
Financial establishment	3
Restaurant	11
Motor Vehicle Gas Bar	3
Car wash	2 per bay
All Other Uses	3

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

#### 4.20.6 MORE THAN ONE USE ON A LOT

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

#### 4.20.7 PARKING AREA LOCATION ON LOT

Notwithstanding the yard and setback provisions of this By-law to the contrary, surface parking areas shall be permitted in the required yards except that, where a commercial zone abuts a residential zone or a lot used for residential purposes, parking shall not be located in the required yard.

Within a R1 Zone, in the front yard or exterior side yard, the maximum width of a driveway or parking area shall be 7.0 metres.

#### **4.20.8 ADDITIONS TO, OR CHANGES IN, THE USE OF EXISTING BUILDINGS AND STRUCTURES**

The parking space requirements referred to herein shall not apply to any building or structure in existence at the date of passing of this By-law provided the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the floor area, then parking spaces for the addition shall be provided in accordance with the parking requirements of this By-law. Where a change in use of the building or structure occurs, parking spaces shall be provided in accordance with the requirements of this By-law.

Notwithstanding the above, the parking space requirements referred to herein shall not apply to a change in use to any building or structure located in the CD Zone, provided there are no additions to the building.

#### **4.20.9 USE OF PARKING SPACES AND AREAS**

Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only and for vehicles used in an operation incidental to the permitted uses in respect of which such parking spaces and areas are required or permitted.

Notwithstanding the foregoing, the owner or occupant of any lot, building or structure in any R1 or R2 Zone may use the lot building or structure for the parking, storing or housing of not more than one commercial motor vehicle or trailer provided that such vehicle does not have a wheelbase in excess of 5.0 metres or exceed a ten (10) ton load capacity.

#### **4.20.10 CASH-IN-LIEU OF PARKING**

Council may allow a developer to pay to the municipality in lieu of providing such spaces as required by this section, a sum of money calculated at the rate per parking space as determined by the municipality, which sum shall be payable on such terms and conditions as Council may determine.

#### **4.21 PEAT EXTRACTION, PITS AND QUARRIES**

##### **4.21.1 ESTABLISHMENT OF PEAT EXTRACTION OPERATIONS, PITS AND QUARRIES**

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

#### 4.21.2 WAYSIDE PITS AND QUARRIES

Wayside pits and quarries are permitted in any zone for the duration of the construction of a public road or similar project with the consent of the Municipality.

#### 4.21.3 RESIDENTIAL BUILDING SETBACKS FROM EXTRACTIVE INDUSTRIAL ZONES

Despite any other provisions to the contrary, in the RU and RR Zones, no new buildings consisting of a dwelling or dwelling units may be constructed any closer than 210.0 metres to a MX Zone.

#### 4.22 PERMITTED YARD ENCROACHMENTS

Despite any other provision to the contrary, the following features are permitted to encroach into a required yard in accordance with Table 6 – Permitted Yard Encroachments. This section does not apply to:

- i) Accessory buildings otherwise addressed in the Accessory Building Yard and Setback Requirements Section of this By-law;
- ii) The encroachment of any listed feature into the minimum required setback from watercourses or water bodies; or
- iii) The encroachment of any listed feature into any required sight triangle.

<i>Table 6 - Permitted Yard Encroachments</i>		
<i>Feature</i>	<i>Required Yard</i>	<i>Maximum Extent of Encroachment</i>
awnings, clothes poles, garden trellises, retaining walls less than 1.0 metres above finished grade, fences, signs or similar features	interior side or rear yard	No limit
swimming pools and water circulating equipment	side or rear	No closer than 3.0 metres to any side or rear lot line
fire escapes	any yard	No more than 1.0 metres into any required yard
ornamental features (e.g. sills, belt courses, cornices, eaves, chimneys, pilasters, or other ornamental features)	any yard	No more than 0.6 metres into any required yard
uncovered porches, decks, steps, balconies	any yard	No more than 2.5 metres and no closer



**Table 6 - Permitted Yard Encroachments**

<b>Feature</b>	<b>Required Yard</b>	<b>Maximum Extent of Encroachment</b>
and patios		than 1.2 metres to any lot line
covered porches, decks, steps, balconies and patios	any yard	No more than 1.5 metres and no closer than 1.2 metres to any lot line

#### **4.23 PERMITTED PROJECTIONS ABOVE THE HEIGHT LIMIT**

The maximum height limits do not apply to the structures listed below or to any other similar structures that may require a height in excess of maximum height limits in order to serve their intended purpose, unless otherwise specified in this By-law and provided these structures are erected only to such height or area as is necessary to accomplish the purpose they are to serve:

- i) barn, silo, or other farm-related buildings or structures
- ii) bridge
- iii) chimney or smokestack
- iv) clock tower, church spire, steeple or belfry
- v) construction equipment during the construction process
- vi) mechanical and service equipment or penthouse, elevator or stairway penthouses
- vii) flag pole
- viii) hydro and other utility transmission and distribution towers
- ix) landscaped areas, roof-top gardens and terraces and associated safety guards and access structures
- x) ornamental dome, skylight, cupola or parapet
- xi) solar panels or solar collectors
- xii) utility poles
- xiii) television, radio or telecommunication antenna, excluding a satellite dish or tower antenna accessory to a permitted use in a residential zone
- xiv) water tower
- xv) wind turbine and tower on a lot greater than 0.8 hectares in area.

#### **4.24 PLANTING STRIPS**

##### **4.24.1 LOCATION**

On any lot in a MU, CL, CD, CH, CT, M1, M2, MX, MD, RM or I Zone that abuts an interior side or rear lot line of a residential use, a 3.0 metre-wide planting strip adjoining the shared lot line or portion thereof shall be provided.

#### **4.24.2 PLANTING STRIP MATERIALS**

Planting strips shall consist of a continuous, un-pierced hedgerow of trees, evergreens or shrubs, or solid fencing not less than 1.5 metres high, immediately adjacent to the lot line, or portion thereof, where such planting strip is required. The remainder of the planting strip shall be used for no other purpose than the planting of ornamental shrubs, flowering shrubs, flower beds, grass or a combination thereof.

#### **4.24.3 DRIVEWAYS AND WALKWAYS**

In all cases where ingress and egress driveways, boat launching ramps or walkways extend through a required planting strip, it shall be permissible to interrupt the planting strip within 2.0 metres of the edge of such driveway or within 1.5 metres of the edge of such walkway.

#### **4.24.4 LANDSCAPED OPEN SPACE**

A planting strip or fence referred to in this Section may form a part of any landscaped open space required by this By-law and may form part of a required yard.

### **4.25 PUBLIC USES**

#### **4.25.1 UTILITY INSTALLATIONS**

- i) A utility installation is permitted in all zones other than EP, MX or HZ Zones subject to the following provisions:
  - a) The form and appearance of any building containing the utility installation must blend in with surrounding development and must comply with zone setback provisions;
  - b) No offices, maintenance uses or indoor or outdoor storage facilities are permitted except where otherwise allowed in the zone; and
  - c) No dust, smoke, noise or odour may be produced that is likely to be dangerous or obnoxious.
- ii) Despite any provisions of this By-law, utility installations that are subject to the requirements of the *Environmental Assessment Act* are permitted in all zones, and are not subject to the provisions of this Section.
- iii) A utility installation need not comply with the minimum lot area and minimum lot frontage specified for the zone in which it is located.
- iv) Hydro distribution and transmission and telecommunications towers providing service from utility operators may exceed the height limit applicable to the zone, but must be no higher than is necessary to operate effectively and safely.
- v) Parking shall be provided on the basis of the actual gross floor area of the utility installation.
- vi) Despite subsection (a), poles, pedestals, drop lines, cables, pipelines, kiosks, cabinets and other similar equipment used to

provide services from a utility installation to a use, building or structure are not considered to constitute a utility installation and are not subject to the provisions this Section.

- vii) Despite subsection (a), electrical substations are not permitted within the EP or HZ Zones.

#### **4.26 REDUCTION OF REQUIREMENTS**

No person shall change the purpose for which any land, building or structure is used or erect any building, or structure, or addition to any existing building or structure, or reduce the area of any lot, if the effect of such action is to cause the original adjoining, remaining or new building, structure or lot to be in contravention with this By-law.

#### **4.27 RESTRICTIONS ON DWELLING UNITS IN NON-RESIDENTIAL BUILDINGS**

Notwithstanding any other provision of this By-law to the contrary, no dwelling unit shall be located within a portion of a non-residential building which has gasoline or other flammable fluids or hazardous materials stored in bulk for commercial purposes or in conjunction therewith, and without limiting the generality of the foregoing, a dwelling unit shall not be permitted within a building used for a motor vehicle service station, a motor vehicle repair garage, a motor vehicle body shop or a marine service shop.

#### **4.28 ACCESSORY DWELLING UNITS IN COMMERCIAL BUILDINGS**

Notwithstanding any other provision of this By-law, accessory dwelling units that are in the same building as a permitted commercial use in the CL, CD, CH and CT Zones are permitted provided:

- i) The accessory dwelling unit has a means of access to the outside that is separate from the access of another accessory dwelling unit or any commercial use.

#### **4.29 SECONDARY DWELLING UNITS WITHIN A SINGLE-DETACHED DWELLING**

Any secondary dwelling unit shall be developed in accordance with the following provisions:

- i) A maximum of one (1) secondary dwelling unit shall be permitted within single-detached dwellings located in all residential zones, provided that:
  - a) It does not change the streetscape character along the street where it is located;
  - b) It is not a stand-alone, principal unit capable of being severed;
  - c) It only exists with, and must be contained within the same building as, its principal dwelling unit; and
  - d) A building permit is required prior to the establishment of a secondary dwelling unit and must follow the requirements of the *Ontario Building Code*.

- ii) The doorway entrance that leads to a secondary dwelling unit is limited to locations on the ground floor only, except where building and fire codes dictate otherwise.
- iii) Parking for the secondary dwelling unit shall be provided in accordance with the parking provisions in this By-law.
- iv) Notwithstanding any other provision in this By-law, the required parking space for a secondary dwelling unit may be stacked behind the required parking space of the principle dwelling in the driveway. The creation of the secondary dwelling unit must not eliminate a required parking space for the principal dwelling unit.
- v) The secondary dwelling unit shall not exceed 56.0 square metres of any portion of the single-detached dwelling that is located at or above grade. Except for the entrance, any secondary dwelling unit located entirely in the basement may occupy the entire basement regardless of size.
- vi) Where a secondary dwelling unit is located on a lot, no rooming units are permitted on the lot.
- vii) Secondary dwelling units must not be limited by, nor included in, any density control requirement, including for example, number of dwelling units and unit per hectare counts.

A secondary dwelling unit is not permitted in a non-conforming single detached dwelling.

#### **4.30 SECONDARY DWELLING UNITS WITHIN ACCESSORY BUILDINGS**

Secondary dwelling units shall only be permitted within accessory buildings located in the RR and RU Zones; and the RS and R2 Zone where the lot complies to the minimum requirements of the Zoning By-law. Any secondary dwelling unit within an accessory building shall be developed in accordance with the following provisions:

- i) Only one (1) secondary dwelling unit shall be permitted per lot, provided that the lot contains an existing dwelling unit and the existing dwelling unit does not contain any secondary dwelling units.
- ii) The appropriate authority has approved the private sewage disposal system to service the total sewage flow on the lot.
- iii) A secondary dwelling unit shall not exceed 40 percent of the gross floor area of the primary dwelling unit up to a maximum of 56.0 square metres.
- iv) One additional dedicated parking space above the requirements of this By-law for the related zone shall be provided for the secondary dwelling unit.
- v) The accessory building must comply to the minimum front yard requirement of the principal dwelling.
- vi) The secondary dwelling unit shall only be permitted in accessory structures that comply to the minimum yard requirements for the principal building of the zone in which it is located. Within the R2

Zone the minimum setback from the rear lot line shall be 3.0 metres.

- vii) For the RR Zone and the RU Zone, a secondary dwelling unit is only permitted on a lot with a minimum lot area of 0.8 hectares.
- viii) A secondary dwelling unit shall be permitted in the upper half storey of a one and one half storey private garage.
- ix) A secondary dwelling unit shall be permitted on the first floor (not permitted on the first floor if there is a secondary dwelling unit in the upper half storey) of a private garage and shall have a maximum floor area of 56.0 square metres.

#### 4.31 SERVICES REQUIRED

No person shall erect or use a building or structure for a residential use on any lands in the R1, R2 or RM Zones unless municipal sewage disposal and water supply services are available to the lot.

#### 4.32 SIGHT TRIANGLES

On a corner lot fronting on two Municipally-maintained roads, no motor vehicle, as defined in the *Highway Traffic Act*, shall be parked, no building or structure which would obstruct the vision of drivers of motor vehicles shall be erected, and no land shall be used for the purposes of growing shrubs or trees in excess of 1.0 metres in height within a triangular area bounded by the roadways and a line joining points on the roadways at a distance of 9.0m from the point of intersection. Such triangular space may hereinafter be referred to as a "sight triangle". Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.

On lands zoned CD or that abuts roadways where the posted speed limit is 40 km/h or less, the site triangle may be reduced to 6.0 metres.

#### 4.33 SPECIAL SETBACKS

##### 4.33.1 RAILWAYS

Within a R1, R2 or CD Zone no building or structure used for human habitation shall be located closer than 20.0 metres on the limit of a railway right of way to the main line of the CNR Railway. In all other zones the minimum setback shall be 30.0 metres.

##### 4.33.2 WASTE DISPOSAL AREAS

No habitable building or structure shall be located closer than 500.0 metres from an active landfill within the MD Zone.

#### **4.33.3 WATERCOURSES**

Unless otherwise permitted by this By-Law, the leaching bed for a sewage system shall not be located within 30.0 metres of the normal or controlled high water mark of any watercourse or lake.

Unless otherwise permitted by this By-Law, no building shall be located within 20.5 metres of the normal or controlled high water mark of any watercourse or lake.

#### **4.33.4 PROVINCIAL HIGHWAYS**

Where a lot abuts a Provincial Highway no single dwelling shall be located within 8.0 metres of a highway property limit or 26.0 metres from the highway centerline, whichever is greater.

Despite any other yard or setback requirement of this By-law to the contrary, no commercial, industrial or multiple unit residential building or structure shall be located within 14.0 metres from the highway property limit or 32.0 metres from the highway centerline whichever is greater.

#### **4.33.5 ROAD**

Where a lot abuts or contains a road other than a Provincial Highway, a setback of 6 metres is required from the road for any building or structure.

#### **4.33.6 AIRPORT**

Airports shall be protected from incompatible land uses and development by:

- i) Prohibiting new residential development and other sensitive land uses in areas near the airport above 30 NEF/NEP, as set out on maps (as revised from time to time) that have been reviewed by Transport Canada.
- ii) Considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long term function of the airport.
- iii) Discouraging land uses which may cause a potential aviation safety hazard.
- iv) All potential development of lands on the airport and in the Bigwood Lake area shall be reviewed and approved by the Airport Manager or designate.

#### **4.34 TEMPORARY USES PERMITTED**

A tool shed, construction trailer, scaffold or other building or structure incidental to construction is permitted in all zones within the Municipality on the lot or in the case of a dock, appurtenant to where it is situated but only for so long as it is necessary for the work in progress and until the work is completed or abandoned. For the purpose of this Section,

abandoned shall mean the discontinuation of work for more than 90 consecutive days and/or the failure to maintain a current Building Permit.

Notwithstanding any other provision of this By-law to the contrary, where a dwelling is destroyed, and a Building Permit for reconstruction of the dwelling has been issued by the Municipality for the subject lands, the owner and family may occupy a tent trailer or recreational vehicle on a temporary basis but only during the period, which the dwelling is being reconstructed.

#### **4.35 THROUGH LOTS**

Where a lot, which is not a corner lot, has lot frontage on more than one (1) street, the setback and front yard requirements contained herein shall apply on each street or waterway in accordance with the provisions of the zone or zones in which such lot is located.

## Section 5 ZONE PROVISIONS

### 5.1 RESIDENTIAL TYPE ONE (R1) ZONE

No person shall within a Residential Type One (R1) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

#### 5.1.1 PERMITTED USES

- bed and breakfast
- billet house
- community garden
- crisis centre
- group home
- home occupation
- secondary dwelling unit
- single-detached dwelling

#### 5.1.2 PROVISIONS FOR PERMITTED USES

Mechanism	Provision
i) Minimum Lot Area	670.0 square metres
ii) Minimum Lot Frontage	18.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	8.0 metres
b. Interior Side Yard	1.5 metres
c. Exterior Side Yard	5.0 metres
d. Rear Yard	8.0 metres
iv) Maximum Lot Coverage	40%
v) Minimum Landscaped Open Space	20%
vi) Maximum Building Height	10.5 metres

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#### R1-1 (R1-1) ZONE

Notwithstanding the uses permitted in the Residential Type One (R1) Zone, Permitted Uses in the R1-1 Zone are limited to:

- i) Single Dwelling
- ii) Single Dwelling with Accessory Dwelling Unit not to exceed 600.0 square feet, or 30 percent of the building footprint, whichever is less
- iii) Home Occupation

Accessory Dwelling Unit: "A separate dwelling unit, which is contained in a building, which was originally designed as a single dwelling and continues to be occupied by the owner".

Zoning R1-1 applies to Lots 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27 and 28 on Plan 23M 944, Autumnwood Drive and Aspen Drive, Municipality of Sioux Lookout. By-law No. 42-09.



<i>Mechanism – R1-1 Exception</i>	<i>Provision</i>
i) Minimum Lot Area	670.0 square metres
<b>ii)</b> Minimum Lot Frontage	18.0 metres
<b>iii)</b> Minimum Yard Requirements	
e. Front Yard	8.0 metres
f. Interior Side Yard	3.0 metres
g. Exterior Side Yard	3.0 metres
h. Rear Yard	8.0 metres
<b>iv)</b> Maximum Lot Coverage	40%
<b>v)</b> Minimum Landscaped Open Space	20%
<b>vi)</b> Maximum Building Height	10.5 metres
<b>vii)</b> Minimum Gross Floor Area	102.23 square metres

### **5.1.3.2 RESIDENTIAL TYPE ONE EXCEPTION TWO (R1-2) ZONE**

Notwithstanding the uses permitted in the Residential Type One (R1) Zone, to the contrary, within the Residential Type One Exception Two (R1-2) Zone an Outdoor Furnace shall also be permitted. The Outdoor Furnace shall be subject to the provisions of Section 4.2.13, items iii) through viii).

## **5.2 RESIDENTIAL TYPE TWO (R2) ZONE**

No person shall within a Residential Type Two (R2) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

### **5.2.1 PERMITTED USES**

- bed and breakfast
- billet house
- boarding house
- community garden
- crisis centre
- duplex dwelling
- group home
- home occupation
- quadruplex
- secondary dwelling unit
- semi-detached dwelling
- single-detached dwelling
- triplex
- townhouse not to exceed 4 units (amended by By-law No. 24-14)

## 5.2.2 PROVISIONS FOR PERMITTED USES

Mechanism	Provision
i) Minimum Lot Area	
a. Uses: bed and breakfast, boarding house, duplex, group home and single-detached dwelling	540.0 square metres
b. Uses: semi-detached dwelling, townhouse and triplex	250.0 square metres per unit
c. Uses: quadruplex	920.0 square metres
ii) Minimum Lot Frontage	
a. Uses: bed and breakfast, boarding house, duplex, triplex, group home and single-detached dwelling	15.0 metres
b. Uses: semi-detached dwelling and townhouse	7.0 metres per unit
iii) Minimum Yard Requirements	
a. Front Yard	8.0 metres
b. Interior Side Yard	1.5 metres
c. Exterior Side Yard	5.0 metres
d. Rear Yard	8.0 metres
iv) Maximum Lot Coverage	50%
v) Minimum Landscaped Open Space	20%
vi) Maximum Building Height	12.0 metres
vii) Minimum interior side yard setback is deemed to be 0.0 metres between individual units that are permitted to be vertically attached.	

Amended by By-law No. 24-14.

## 5.2.3 EXCEPTIONS

### 5.2.3.1 RESIDENTIAL TYPE TWO EXCEPTION ONE (R2-1) ZONE

Notwithstanding the uses permitted in the Residential Type Two (R2) Zone, an office no greater than 25 percent of the floor area of an existing dwelling for the keeping of records for a one-vehicle mobile taxi business known as Sandy's Taxi is permitted on Lot 70, Plan M 220 in the Municipality of Sioux Lookout (known locally as 11 King Street). By-law No. 63-09.

### 5.2.3.2 RESIDENTIAL TYPE TWO EXCEPTION TWO (R2-2) ZONE

Notwithstanding the uses permitted in the Residential Type Two (R2) Zone, a Massage Therapy Practice, exceeding 25 percent of the floor area of the existing dwelling, is permitted in the existing dwelling on Lot 496, Plan M 220 in the Municipality of Sioux Lookout (known locally as 7 Fourth Avenue South). By-law No. 70-12.

#### **5.2.3.3 RESIDENTIAL TYPE TWO EXCEPTION THREE (R2-3) ZONE**

Notwithstanding the uses permitted in the Residential Type Two (R2) Zone to the contrary, with respect to the remainder of Lot 38 on plan M 360, Fuller Street and Second Avenue Area, and within the Residential Type Two Exception Three Zone (R2-3), the only permitted uses shall be:

- community garden
- single-detached dwelling
- townhouse not to exceed 4 units per building (total permitted 8 units) By-law No. 23-14.

#### **5.2.3.4 RESIDENTIAL TYPE TWO EXCEPTION FOUR (R2-4) ZONE**

Notwithstanding the uses permitted in the Residential Type Two (R2) Zone to the contrary, within the Residential Type Two Exception Four (R2-4) Zone a residential dwelling with up to seven units shall also be permitted. The Minimum Gross Floor Area per unit shall be 26 square metres. By-law No. 54-17.

#### **5.2.3.5 RESIDENTIAL TYPE TWO EXCEPTION FIVE (R2-5) ZONE**

Notwithstanding the uses permitted in the Residential Type Two (R2) Zone to the contrary, within the Residential Type Two Exception Five (R2-5) Zone a residential dwelling with up to six units shall also be permitted. The Minimum Gross Floor Area per unit shall be 51.0 square metres. By-law No. 11-18.

### **5.3 MULTIPLE RESIDENTIAL (RM) ZONE**

No person shall within a Multiple Residential (RM) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

#### **5.3.1 PERMITTED USES**

- apartment building
- bed and breakfast
- billet house
- community garden
- crisis centre
- day nursery
- duplex dwelling
- group home
- home occupation
- quadruplex
- retirement home
- semi-detached dwelling
- short-term service-related housing
- single-detached dwelling
- stacked dwelling
- townhouse dwelling
- triplex

#### **5.3.2 PROVISIONS FOR PERMITTED USES**

Single-detached dwellings, semi-detached, duplex, and triplex dwellings, boarding houses and group homes shall meet the Provisions for permitted uses in the R2 Zone.

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	
a. Uses: apartment building	200.0 square metres plus 93.0 square metres per unit after 4 units
b. Uses: quadruplex and townhouse	250.0 square metres per unit
ii) Minimum Lot Frontage	30.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	10.0 metres
b. Interior Side Yard	5.0 metres
c. Exterior Side Yard	8.0 metres
d. Rear Yard	15.0 metres
iv) Maximum Lot Coverage	50%
v) Minimum Landscaped Open Space	20%
vi) Maximum Building Height	20.0 metres
vii) Minimum interior side yard setback is deemed to be 0.0 metres between individual units that are permitted to be vertically attached.	

### 5.3.3 EXCEPTIONS

#### 5.3.3.1 MULTIPLE RESIDENTIAL EXCEPTION (RM-1) ZONE

Notwithstanding the uses permitted in the Multiple Residential (RM) Zone to the contrary, with respect to the property municipally known as 159 King Street, the following provisions shall apply to the Multiple Residential Exception (RM-1) Zone:

- i) Supportive Housing shall be included as an additional permitted use.
- ii) Supportive Housing shall mean: a residential use offering housing opportunities for individuals in an apartment setting with learning opportunities and assistance for meal preparation.
- iii) Minimum Parking Requirement: 0.5 spaces per unit.

In all other respects the provisions of the Multiple Residential (RM) Zone shall apply.

### 5.4 RESIDENTIAL MOBILE HOME (RMH) ZONE

No person shall within a Residential Mobile Home (RMH) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

#### 5.4.1 PERMITTED USES

- community garden
- mobile home dwelling
- mobile home park

#### 5.4.2 PROVISIONS FOR PERMITTED USES FOR MOBILE HOME PARK

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	
a. On municipal sewer and water service	10,000.0 square metres
b. On private sewer and water service	80,000.0 square metres
ii) Minimum Lot Frontage	60.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	7.5 metres
b. Interior Side Yard	7.5 metres
c. Exterior Side Yard	7.5 metres
d. Rear Yard	9.0 metres
iv) Maximum Lot Coverage	50%
v) Minimum Landscaped Open Space	20%
vi) Maximum Building Height	12.0 metres

#### 5.4.3 PROVISIONS FOR INDIVIDUAL SITES (I.E. MOBILE HOME DWELLING)

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Site Area	200.0 square metres
ii) Minimum Setbacks within a Site	1.5 metres

### 5.5 RURAL RESIDENTIAL (RR) ZONE

No person shall within a Rural Residential (RR) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

#### 5.5.1 PERMITTED USES

- bed and breakfast
- billet house
- community garden
- crisis centre
- group home
- home occupation
- home industry
- mobile home dwelling
- secondary dwelling unit
- single-detached dwelling

### 5.5.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	8,000.0 square metres
ii) Minimum Lot Frontage	40.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	18.0 metres
b. Interior Side Yard	6.0 metres
c. Exterior Side Yard	15.0 metres
d. Rear Yard	15.0 metres
iv) Maximum Lot Coverage	10%
v) Minimum Landscaped Open Space	30%
vi) Maximum Building Height	9.0 metres

### 5.5.3 EXCEPTIONS

#### 5.5.3.1 RURAL RESIDENTIAL EXCEPTION ONE (RR-1) ZONE

In addition to the uses permitted within the Rural Residential (RR) Zone, within the Rural Residential Exception One (RR-1) Zone, an accessory building with a maximum ground floor area of 300.0 square metres shall be permitted, in accordance with the following:

- i) Minimum Interior Side Yard: 20.0 metres.
- ii) Minimum Exterior Side Yard (Sturgeon Meadows North Road): 30.0 metres.
- iii) The accessory building shall only be used for accessory residential uses and storage of heavy equipment.
- iv) A minimum Planting Strip of 25.0 metres be maintained adjacent to the exterior side lot line and that a Planting Strip of 15.0 metres be maintained adjacent to the northern and eastern lot line. By-law No. 69-16.

### 5.6 RESIDENTIAL SHORELINE (RS) ZONE

No person shall within a Residential Shoreline (RS) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

#### 5.6.1 PERMITTED USES

- bed and breakfast
- billet house
- guest cabin
- home industry
- home occupation
- secondary dwelling unit
- single-detached dwelling

### 5.6.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	8,000.0 square metres
ii) Minimum Lot Frontage	40.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	20.0 metres
b. Interior Side Yard	5.0 metres
c. Exterior Side Yard	10.0 metres
d. Rear Yard	15.0 metres
iv) Maximum Lot Coverage	10%
v) Minimum Landscaped Open Space	20%
vi) Maximum Building Height	9.0 metres
viii) Notwithstanding the provisions of this by-law to the contrary, where a lot abuts an original shoreline reserve or shoreline road allowance, the shoreline reserve or shoreline road allowance may be included as a portion of the front yard requirement.	
ix) The minimum landscaped open space shall include a minimum of 10.0 metres along the shoreline.	

### 5.6.3 EXCEPTIONS

#### 5.6.3.1 RESIDENTIAL SHORELINE EXCEPTION ONE (RS-1) ZONE

Notwithstanding the uses permitted in the Residential Shoreline (RS) Zone to the contrary, within the Residential Shoreline Exception One (RS-1) Zone (Lots 1 to 5 on Plan 23M-952, in Blue Heron Subdivision), the only permitted uses shall be:

- i. single-detached dwelling
  - ii. home occupation
  - iii. secondary dwelling
- By-Law No. 24-14.

#### 5.6.3.2 RESIDENTIAL SHORELINE EXCEPTION TWO (RS-2) ZONE

Despite Section 4.7.2 iii) a) and d) of Zoning By-law 29-01, the following setbacks will apply to Part 4, Plan 23R 4043 and Location SN 176, Municipality of Sioux Lookout:

- i. The minimum front yard setback shall be 15.2 metres.
- ii. The minimum side yard setback shall be 3.0 metres.
- iii. The minimum rear yard setback shall be 7.6 metres.

#### 5.6.3.3 RESIDENTIAL SHORELINE EXCEPTION THREE (RS-3) ZONE

Despite Section 5.6.2 i) a) and iii) d) the following lot area and setback will apply to the Residential Shoreline Exception Three (RS-3) Zone:

- i. The minimum lot area shall be 474.12 square metres.
- ii. The minimum rear yard setback shall be 6.52 metres.

Notwithstanding the uses permitted in the Residential Type Two (R2) Zone to the contrary, the only permitted use in the RS-3 Zone shall be:

- i. 70.47 square meters (758 square feet) single detached dwelling.  
By-law No. 26-13.

#### **5.6.3.4 RESIDENTIAL SHORELINE EXCEPTION FOUR (RS-4) ZONE**

Notwithstanding the uses permitted in the Residential Shoreline (RS) Zone to the contrary, within the Residential Shoreline Exception Four (RS-4) Zone an accessory building shall be permitted prior to a principal building being present on the property; and the minimum interior side yard setback for one accessory building shall be 1.0 metres. By-law No. 57-18.

#### **5.6.3.5 RESIDENTIAL SHORELINE EXCEPTION FIVE (RS-5) ZONE**

Notwithstanding Section 5.7.2 i) and 5.7.2 ii) the following will apply to M Range 5 PT Lot 6 PT RD ALLOW RP 23R8242 Parts 5 and 6 RP 23R11466 Parts 1, 3, 4 and 5 PCL 39159, municipally known as 30 Desson Road, Municipality of Sioux Lookout (ZBLA 08-2016, By-law No. 88-16):

- i. The minimum lot area shall be 0.7 hectares.
- ii. The minimum lot frontage shall be 40 metres.

### **5.7 HUDSON RESIDENTIAL (HR) ZONE**

No person shall within a Hudson Residential (HR) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

#### **5.7.1 PERMITTED USES**

- bed and breakfast
- community garden
- home occupation
- mobile home dwelling
- secondary dwelling unit
- single-detached dwelling
- taxi stand

#### **5.7.2 PROVISIONS FOR PERMITTED USES**

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	8,000 square metres
ii) Minimum Lot Frontage	40.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	8.0 metres
b. Interior Side Yard	1.5metres
c. Exterior Side Yard	5.0 metres
d. Rear Yard	8.0 metres
iv) Maximum Lot Coverage	40%
v) Minimum Landscaped Open Space	30%
vi) Maximum Building Height	10.5 metres



## 5.8 LOCAL COMMERCIAL (CL) ZONE

No person shall within a Local Commercial (CL) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

### 5.8.1 PERMITTED USES

- accessory dwelling units
- convenience store
- day nursery
- food truck
- personal service business

### 5.8.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	
a. On full municipal services	400.0 square metres
b. On municipal water only	2,000.0 square metres
c. On private services	4,000.0 square metres
ii) Minimum Lot Frontage	
a. On full municipal services	12.0 metres
b. On municipal water only	20.0 metres
c. On private services	60.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	8.0 metres
b. Interior Side Yard	
i. Abutting a commercial zone	nil
ii. Abutting another zone	5.0 metres
c. Exterior Side Yard	5.0 metres
d. Rear Yard	
i. Abutting a residential zone	10.5 metres
ii. Abutting another zone	7.5 metres
iv) Maximum Lot Coverage	40%
v) Minimum Landscaped Open Space	20%
vi) Maximum Building Height	10.5 metres
vii) Accessory dwelling units may be permitted on a lot, provided that the accessory dwelling unit is located above the first storey, or to the rear of the commercial use, in accordance with Section 4.28 of this By-law.	
viii) In any yard abutting a residential zone, a landscaping strip shall be required. The area of the landscaping strip may be included in the requirement for landscaped open space.	
ix) A convenience store shall be limited to a maximum of 200.0 square metres gross floor area.	

## 5.9 DOWNTOWN COMMERCIAL (CD) ZONE

No person shall within a Downtown Commercial (CD) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

### 5.9.1 PERMITTED USES

- accessory dwelling units
- art gallery
- assembly hall
- bar
- clinic
- greenhouse (accessory use)
- crisis centre
- day nursery
- drive-through facility
- financial establishment
- food truck
- funeral home
- hotel
- laundromat
- motor vehicle dealership
- motor vehicle gas bar
- office
- parking lot
- passenger transportation depot
- personal service business
- private club
- recreational establishment
- restaurant
- retail store
- service shop
- taxi stand

### 5.9.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	400.0 square metres
ii) Minimum Lot Frontage	nil
iii) Minimum Yard Requirements	
a. Front Yard	nil
b. Interior Side Yard	nil
c. Exterior Side Yard	nil
d. Rear Yard	5.0 metres
iv) Maximum Lot Coverage	75%
v) Maximum Building Height	20.0 metres
vi) Accessory dwelling units may be permitted on a lot, provided that the accessory dwelling unit is located above the first storey, or to the rear of the commercial	

use, in accordance with Section 4.28 of this By-law.

vii) In any yard abutting a residential zone, a planting strip shall be required.

### 5.10 HIGHWAY COMMERCIAL (CH) ZONE

No person shall within a Highway Commercial (CH) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

#### 5.10.1 PERMITTED USES

- accessory dwelling units
- auction centre
- bar
- building supply and lumber outlet
- car wash
- clinic
- commercial nursery or greenhouse
- commercial storage facility
- contractor's yard
- convenience store
- drive-through facility
- dryland marina
- food truck
- hotel
- laundromat
- light equipment sales and rental establishment
- marina
- medical cannabis production facility
- motel
- motor vehicle dealership
- motor vehicle gas bar
- motor vehicle service station
- office
- outdoor storage
- recreational establishment
- recreational vehicle or boat sales and service establishment
- restaurant
- taxi stand
- workshop

#### 5.10.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	
a. On full municipal services	1,400.0 square metres
b. On partial or private services	4,000.0 square metres
ii) Minimum Lot Frontage	30.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	10.0 metres

b. Interior Side Yard	5.0 metres
c. Exterior Side Yard	10.0 metres
d. Rear Yard	10.0 metres
iv) Maximum Lot Coverage	35%
v) Minimum Landscaped Open Space	15%
vi) Maximum Building Height	20.0 metres
vii) Accessory dwelling units may be permitted on a lot, provided that the accessory dwelling unit is located above the first storey, or to the rear of the commercial use, in accordance with Section 4.28 of this By-law.	
viii) A convenience store shall be limited to a maximum of 200.0 square metres in gross floor area.	

## 5.11 TOURIST COMMERCIAL (CT) ZONE

No person shall within a Tourist Commercial (CT) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

### 5.11.1 PERMITTED USES

- accessory dwelling units
- accessory single-detached dwelling
- assembly hall
- camping establishment
- hotel
- hunting and fishing camp
- marina
- motel
- outdoor recreation
- recreational establishment
- restaurant

### 5.11.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	10,000.0 square metres
ii) Minimum Lot Frontage	50.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	30.0 metres
b. Interior Side Yard	15.0 metres
c. Exterior Side Yard	15.0 metres
d. Rear Yard	10.0 metres
iv) Maximum Lot Coverage	50%
v) Minimum Landscaped Open Space	20%
vi) Maximum Building Height	12.0 metres

vii) A maximum of one (1) accessory single-detached dwelling; or accessory dwelling units may be permitted on a lot, provided that the accessory dwelling unit is located above the first storey, or to the rear of the commercial use, in accordance with Section 4.28 of this By-law.

viii) In any yard abutting a residential zone, a landscaping strip shall be required. The area of the landscaping strip may be included in the requirement for landscaped open space.

## **5.12 MIXED USE (MU) ZONE**

No person shall within a Mixed Use (MU) Zone, use any land or erect, alter or use any building or structure, except in accordance with the following:

### **5.12.1 PERMITTED USES**

- apartment dwelling
- bar
- clinic
- communications facility
- community centre
- conference centre
- day nursery
- drive-through facility
- dryland marina
- dwelling unit(s)
- financial establishment
- food truck
- funeral home
- home occupation
- hotel
- laundromat
- library
- marina
- motor vehicle gas bar
- motor vehicle service station
- office
- personal service business
- quadruplex
- recreational establishment
- retail store
- retirement home
- restaurant
- school
- service shop
- taxi stand
- townhouse dwelling
- triplex
- workshop

### 5.12.2 PROVISIONS FOR PERMITTED USES

Triplex, quadruplex, townhouse and apartment dwellings shall meet the regulations for permitted uses in the RM Zone. All other uses shall meet the following regulations:

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	400.0 square metres
ii) Minimum Lot Frontage	Nil
iii) Minimum Yard Requirements	
a. Front Yard	
i. Abutting a residential zone	3.0 metres
ii. Other cases	Nil
b. Interior Side Yard	Nil
c. Exterior Side Yard	
i. Abutting a residential zone	3.0 metres
ii. Other cases	Nil
d. Rear Yard	6.0 metres
iv) Maximum Lot Coverage	75%
v) Maximum Building Height	20.0 metres
vi) Permitted uses on land zoned as Airport Industrial, or Light Industrial (within the Sioux Lookout Municipal Airport boundary), or the lands zoned as Mixed-Use north of Bigwood Lake shall be subject to the Airport section of this By-law.	

### 5.12.3 EXCEPTIONS

#### 5.12.3.1 MIXED USE EXCEPTION ONE HOLDING (MU-1 (H)) ZONE

Notwithstanding the uses permitted in the Mixed Use (MU) Zone the following uses are permitted on Part 1, Plan 23R-4051, Municipality of Sioux Lookout, situated on Highway 516 across from the Municipal Airport and fronting on Bigwood Lake: By-law No. 47-13.

- bar
- commercial storage facility
- conference centre
- drive-through facility
- financial establishment
- hotel
- laundromat
- motor vehicle gas bar
- motor vehicle service station
- recreational establishment
- restaurant
- retail store

- service shop
- taxi stand
- workshop
- light industrial use
- commercial, with the exception of accessory dwelling unit and institutional uses
- highway commercial, with the exception of accessory dwelling unit

#### **PROVISIONS FOR PERMITTED USES FOR THE MU-1 ZONE**

i) Maximum building heights within the Mixed Use Exception One Holding (MU- 1 (H)) Zone shall be governed by the operational airport obstacle limitation surfaces as defined in the current Airport Operations Manual.

ii) Notwithstanding the regulations for permitted uses in the Mixed Use Exception One Holding (MU-1 (H)) Zone to the contrary, the Airport Manager reserves the right to reject development applications or restrict land uses which are deemed a hazard to aviation safety either through the primary use or as a by-product of the use.

iii) Notwithstanding the regulations for permitted uses in the Mixed Use Exception One Holding (MU-1 (H)) Zone to the contrary, only structures or objects required for air navigation purposes may penetrate the operational airport obstacle limitation surfaces, subject to the approval of Transport Canada, NAV CANADA, and the Airport Manager.

iv) Notwithstanding the regulations for permitted uses in the Mixed Use Exception One Holding (MU-1 (H)) Zone to the contrary, development applications in contrary to the current Airport Land Use Plan may be approved on a temporary or interim basis by the Airport Manager until such time that the Airport Land Use Plan has been revised.

#### **HOLDING PROVISION**

The Holding provision (H) applying to the lands within the MU-1 (H) Zone may be removed by By-law in whole or in part when the following conditions have been fulfilled:

- i) An Environmental Impact Statement has been completed to the satisfaction of the Municipality in consultation with the Ministry of Natural Resources and Forestry.
- ii) A Site Plan Agreement has been completed with the Municipality.
- iii) A Noise and Vibration Study has been completed to the satisfaction of the Municipality in consultation with the Ministry of Environment, Conservation and Parks.

Until such time as the Holding provision is removed the lands within the MU-1 (H) Zone shall be used only as they were used as of the date of passing of this By-law or in accordance with the provisions of the Environmental Protection (EP) Zone.

### 5.12.3.2 MIXED USE EXCEPTION TWO HOLDING (MU-2 (H)) ZONE

Notwithstanding the uses permitted in the Mixed Use (MU) Zone to the contrary, within the Mixed Use Exception Two (MU-2) Zone, on Parts of Part 1, 23R 9564, Parts 1 and 2, Plan 23R 9640 and Part 1, Plan 23R 7287, Hillcrest Drive, only the following uses are permitted:

- i) Bar
- ii) Clinic
- iii) Communications facility
- iv) Community centre
- v) Conference centre
- vi) Day nursery
- vii) Drive-through facility
- viii) Financial establishment
- ix) Funeral home
- x) Hotel
- xi) Laundromat
- xii) Library
- xiii) Motor vehicle gas bar
- xiv) Motor vehicle service station
- xv) Office
- xvi) Personal service business
- xvii) Recreational establishment
- xviii) Retail store
- xix) Retirement home
- xx) Restaurant
- xxi) School
- xxii) Service shop
- xxiii) Taxi stand
- xxiv) Workshop
- xxv) Car wash
- xxvi) Recreational vehicle & boat sale establishment
- xxvii) Building supply & lumber outlet
- xxviii) Commercial storage facility
- xxix) Warehouse
- xxx) Light equipment sales & rental

In all other respects the provisions of the Mixed Use (MU) Zone shall apply. By-law 30-16.

### 5.13 LIGHT INDUSTRIAL (M1) ZONE

No person shall within a Light Industrial (M1) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

#### 5.13.1 PERMITTED USES

- building supply and lumber outlet
- commercial storage facility
- communications facility



- contractor's yard
- dryland marina
- light equipment sales and rental establishment
- light industrial use
- medical cannabis production facility
- motor vehicle repair garage
- motor vehicle body shop
- office
- outdoor storage
- restaurant
- retail store
- taxi stand
- utility installation
- veterinary hospital
- workshop

### 5.13.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	
a. On municipal sewage services	400.0 square metres
b. On private sewage services	4,000.0 square metres
ii) Minimum Lot Frontage	30.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	10.0 metres
b. Interior Side Yard	5.0 metres
c. Exterior Side Yard	10.0 metres
d. Rear Yard	10.0 metres
iv) Maximum Lot Coverage	65%
v) Minimum Landscaped Open Space	20%
vi) Maximum Building Height	12.0 metres
vii) A retail store may only be permitted as an accessory use to a principal permitted use and may not exceed 35 percent of the gross floor area of the principal use.	
viii) In any yard abutting a residential zone, a landscaping strip shall be required. The area of the landscaping strip may be included in the requirement for landscaped open space.	
ix) Permitted uses on land zoned as Airport Industrial, or Light Industrial (within the Sioux Lookout Municipal Airport boundary), or the lands zoned as Mixed-Use north of	

Bigwood Lake shall be subject to the Airport section of this By-law.

### **5.13.3 EXCEPTIONS**

#### **5.13.3.1 LIGHT INDUSTRIAL EXCEPTION ONE (M1-1) ZONE**

Notwithstanding the uses permitted in the Light Industrial (M1) Zone to the contrary, within the Light Industrial Exception One (M1-1) Zone, only the following uses are permitted:

- i) Commercial Storage Facility
- ii) Dry Land Marina
- iii) Light Equipment Sales and Rental Establishment
- iv) Light Industrial Use
- v) Office
- vi) Workshop

For the purposes of the Light Industrial Exception One (M1-1) Zone, a Dry Land Marina shall be defined as:

A commercial establishment which provides boat services or supplies primarily to boaters and boat-related commercial uses including, but not necessarily restricted to, a boat and motor sales or rental establishment, boat storage and boat and motor repairs and may also include sales storage and repairs of other recreational vehicles such as snowmobiles and ATV's.

In all other respects the provisions of the Light Industrial (M1) Zone shall apply. By-law No. 22-16.

### **5.14 HEAVY INDUSTRIAL (M2) ZONE**

No person shall within a Heavy Industrial (M2) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

#### **5.14.1 PERMITTED USES**

- accessory retail store
- building supply and lumber outlet
- bulk fuel depot
- commercial storage facility
- communications facility
- contractor's yard
- heavy equipment and vehicle sales, rental and servicing
- heavy industrial use
- light equipment sales and rental establishment
- light industrial use
- medical cannabis production facility
- motor vehicle repair garage
- motor vehicle body shop
- municipal, district or provincial maintenance and storage yard
- office

- outdoor storage
- portable asphalt plant
- portable concrete plant
- taxi stand
- transportation depot
- utility installation
- veterinary hospital
- workshop

#### 5.14.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	
a. On municipal sewage services	1,400.0 square metres
b. On private sewage services	10,000.0 square metres
ii) Minimum Lot Frontage	30.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	10.0 metres
b. Interior Side Yard	5.0 metres
c. Exterior Side Yard	10.0 metres
d. Rear Yard	10.0 metres
iv) Maximum Lot Coverage	60%
v) Minimum Landscaped Open Space	20%
vi) Maximum Building Height	12.0 metres
vii) A retail store may only be permitted as an accessory use to a principal permitted use and may not exceed 25 percent of the gross floor area of the principal use.	
viii) An office is only permitted as an accessory use to a principal permitted use.	
ix) All outdoor storage uses shall be buffered by a landscaping strip, or enclosed with a solid fence having a minimum height of 2.4 metres.	

#### 5.15 EXTRACTIVE INDUSTRIAL (MX) ZONE

No person shall within an Extractive Industrial (MX) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

##### 5.15.1 PERMITTED USES

- mineral mining operation
- mineral aggregate operation
- peat extraction
- portable asphalt plant

- portable concrete plant
- wayside pit or quarry

### 5.15.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	10,000.0 square metres
ii) Minimum Lot Frontage – where lot has frontage on a public road	100.0 metres
iii) Minimum Yard Requirements (from limit of extraction or buildings or structures)	
a. Front Yard	30.0 metres
b. Interior Side Yard	15.0 metres
c. Exterior Side Yard	30.0 metres
d. Rear Yard	15.0 metres
iv) Maximum Lot Coverage	60%
v) Minimum Landscaped Open Space	10%
vi) Maximum Building Height	12.0 metres
vii) The minimum setback from a residential lot shall in all cases be 120.0 metres.	
viii) All yards except those yards abutting a residential zone shall contain a planting strip of at least 15.0 metres in width. In yards abutting a residential zone, the planting strip shall be at least 30.0 metres in width.	

## 5.16 WASTE DISPOSAL (MD) ZONE

No person shall within a Waste Disposal (MD) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

### 5.16.1 PERMITTED USES

- salvage or wrecking yard
- sewage services facility
- solid waste disposal site
- waste processing and transfer facility

### 5.16.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	10,000.0 square metres
ii) Minimum Lot Frontage	100.0 metres
iii) Minimum Yard Requirements	

a. Front Yard	30.0 metres
b. Interior Side Yard	20.0 metres
c. Exterior Side Yard	30.0 metres
d. Rear Yard	30.0 metres
iv) Maximum Lot Coverage	75%
v) Minimum Landscaped Open Space	20%
vi) Maximum Building Height	10.0 metres

### 5.17 AIRPORT INDUSTRIAL (AP) ZONE

No person shall within an Airport Industrial (AP) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

#### 5.17.1 PERMITTED USES

- airport
- bulk fuel depot
- commercial storage facility
- conference centre
- contractor's yard
- heavy equipment and vehicle sales, rental and servicing
- hotel
- light industrial use
- medical cannabis production facility
- motel
- outdoor storage
- portable asphalt plant
- portable concrete plant
- restaurant
- transportation depot

#### 5.17.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	
a. On municipal services	1,400.0 square metres
b. On private services	10,000.0 square metres
ii) Minimum Lot Frontage	30.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	10.0 metres
b. Interior Side Yard	5.0 metres
c. Exterior Side Yard	10.0 metres
d. Rear Yard	23.0 metres
iv) Maximum Lot Coverage	60%
v) Minimum Landscaped Open Space	20%

- vi) All yards except those yards abutting a residential zone shall contain a planting strip of at least 15.0 metres in width. In yards abutting a residential zone, the planting strip shall be at least 30.0 metres in width.
- vii) Maximum building heights within the Airport Industrial (AP) Zone shall be governed by the operational airport obstacle limitation surfaces as defined in the current Airport Operations Manual.
- viii) Notwithstanding the regulations for permitted uses in the Airport Industrial (AP) Zone to the contrary, the Airport Manager reserves the right to reject development applications or restrict land uses which are deemed a hazard to aviation safety either through the primary use or as a by-product of the use.
- ix) Notwithstanding the regulations for permitted uses in the Airport Industrial (AP) Zone to the contrary, only structures or objects required for air navigation purposes may penetrate the operational airport obstacle limitation surfaces, subject to the approval of Transport Canada, NAV CANADA, and the Airport Manager.
- x) Notwithstanding the regulations for permitted uses in the Airport Industrial (AP) Zone to the contrary, development applications in contrary to the current Airport Land Use Plan may be approved on a temporary or interim basis by the Airport Manager until such time that the Airport Land Use Plan has been revised.
- xi) Permitted uses on land zoned as Airport Industrial, or Light Industrial (within the Sioux Lookout Municipal Airport boundary), or the lands zoned as Mixed-Use north of Bigwood Lake shall be subject to the Airport section of this By-law.

### 5.18.3 EXCEPTIONS

#### 5.18.3.1 AIRPORT INDUSTRIAL EXCEPTION ONE HOLDING (AP-1 (H)) ZONE

Notwithstanding the uses permitted in the Airport Industrial Zone (AP) the following uses are permitted on Part 8, Plan 23R-8346 and the Remainder of Parcel 28818, Municipality of Sioux Lookout, situated on Highway 516 across from the Municipal Airport and fronting on Bigwood Lake: By-law No. 48-13.

- airport
- bar
- bulk fuel depot
- conference centre
- drive-through facility
- financial establishment
- hotel
- laundromat
- motor vehicle gas bar
- motor vehicle service station
- recreational establishment
- restaurant

- retail store
- service shop
- taxi stand
- transportation depot
- workshop
- light industrial use
- commercial, with the exception of residential and institutional
- highway commercial, with the exception of residential

### 5.18 INSTITUTIONAL (I) ZONE

No person shall within an Institutional (I) Zone, use any land or erect, alter or use any building or structure except for one or more of the following uses:

#### 5.18.1 PERMITTED USES

- cemetery
- clinic
- community centre
- community garden
- continuum of care facility
- day nursery
- food truck
- emergency service
- hospital
- library
- medical office
- office
- place of worship
- school
- utility installation

#### 5.18.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
i) Minimum Lot Area	
a. On full municipal services	440.0 square metres
b. On municipal water service only	4,000.00 square metres
c. On private services	10,000.00 square metres
ii) Minimum Lot Frontage	
a. On full municipal services	18.0 metres
b. On municipal water service only	30.0 metres
c. On private services	60.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	8.0 metres

b. Interior Side Yard	5.0 metres
c. Exterior Side Yard	5.0 metres
d. Rear Yard	8.0 metres
iv) Maximum Lot Coverage	35%
v) Minimum Landscaped Open Space	10%
vi) Maximum Building Height	20.0 metres

### 5.19 OPEN SPACE (OS) ZONE

No person shall within an Open Space (OS) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

#### 5.19.1 PERMITTED USES

- cemetery
- community garden
- food truck
- golf course
- outdoor recreation
- private recreational park
- public park

#### 5.19.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
	20,000.0
i) Minimum Lot Area	square metres
ii) Minimum Lot Frontage	60.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	7.5 metres
b. Interior Side Yard	7.5 metres
c. Exterior Side Yard	7.5 metres
d. Rear Yard	7.5 metres
iv) Maximum Lot Coverage	5%
v) Minimum Landscaped Open Space	50%
vi) Maximum Building Height	12.0 metres

### 5.20 NATURAL RESOURCE (NR) ZONE

No person shall within any Natural Resource (NR) Zone use any land, erect, alter or use any building or structure except in accordance with the following provisions:

#### 5.20.1 PERMITTED USES

- agricultural uses
- conservation
- commercial nursery or greenhouse



- outdoor recreation
- portable asphalt plant
- portable concrete plant
- forestry use
- medical cannabis production facility
- public park
- resource management activities

#### 5.20.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
	20,000.0
i) Minimum Lot Area	square metres
ii) Minimum Lot Frontage	60.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	15.0 metres
b. Interior Side Yard	15.0 metres
c. Exterior Side Yard	15.0 metres
d. Rear Yard	15.0 metres
iv) Maximum Lot Coverage	5%

#### 5.20.3 EXCEPTIONS

##### 5.20.3.1 NATURAL RESOURCE EXCEPTION ONE (NR-1) ZONE

Notwithstanding the uses permitted in the Natural Resource (NR) Zone to the contrary, within the Natural Resource Exception One (NR-1) Zone, described as Part of Lot 25, Concession II and III, Municipality of Sioux Lookout, the following uses shall be permitted:

1. 8-bay garage
2. storage buildings
3. paint shop
4. welding shop
5. office
6. recyclable transfer station for fibre and paper, glass, metal, plastics, aluminum and batteries

By-law No. 37-07

#### 5.21 RURAL (RU) ZONE

No person shall within any Rural (RU) Zone use any land, erect, alter or use any building or structure except in accordance with the following provisions:

##### 5.21.1 PERMITTED USES

- agricultural use
- animal shelter
- billet house
- conservation

- commercial nursery or greenhouse
- crisis centre
- group home
- home industry
- home occupation
- kennel
- medical cannabis production facility
- portable asphalt plant
- portable concrete batching plant
- forestry use
- public park
- resource management activities
- riding school or stable
- single-detached dwelling
- veterinary hospital

#### 5.21.2 PROVISIONS FOR PERMITTED USES

<i>Mechanism</i>	<i>Provision</i>
	20,000.0
i) Minimum Lot Area	square metres
ii) Minimum Lot Frontage	50.0 metres
iii) Minimum Yard Requirements	
a. Front Yard	15.0 metres
b. Interior Side Yard	15.0 metres
c. Exterior Side Yard	15.0 metres
d. Rear Yard	15.0 metres
iv) Maximum Lot Coverage	5%

#### 5.22 HAZARD LANDS (HZ) ZONE

No person shall, within any Hazard Lands (HZ) Zone erect, alter or use any building or structure except in accordance with the following provisions:

##### 5.22.1 PERMITTED USES

- agricultural use
- conservation
- golf course
- marine facility
- outdoor recreation
- resource management activities

##### 5.22.2 PROVISIONS FOR PERMITTED USES

No buildings or structures including accessory buildings or structures with the exception of marine facilities, pump houses, and buildings and structures for flood and erosion control are permitted in the Hazard Lands (HZ) Zone.

### **5.22.3 EXCEPTIONS**

#### **5.22.3.1 HAZARD LANDS EXCEPTION ONE (HZ-1) ZONE**

Notwithstanding the uses permitted in the Hazard Lands (HZ) Zone to the contrary, within the Hazard Lands Exception One (HZ-1) Zone (Lots 1 to 5 on Plan 23M-952, in Blue Heron Subdivision), the only permitted uses shall be:

- conservation; and
- marine facilities

### **5.23 ENVIRONMENTAL PROTECTION (EP) ZONE**

No person shall, within any Environmental Protection (EP) Zone erect, alter or use any building or structure except in accordance with the following provisions:

#### **5.23.1 PERMITTED USES**

- conservation use
- outdoor recreation
- resource management activities

#### **5.23.2 PROVISIONS FOR PERMITTED USES**

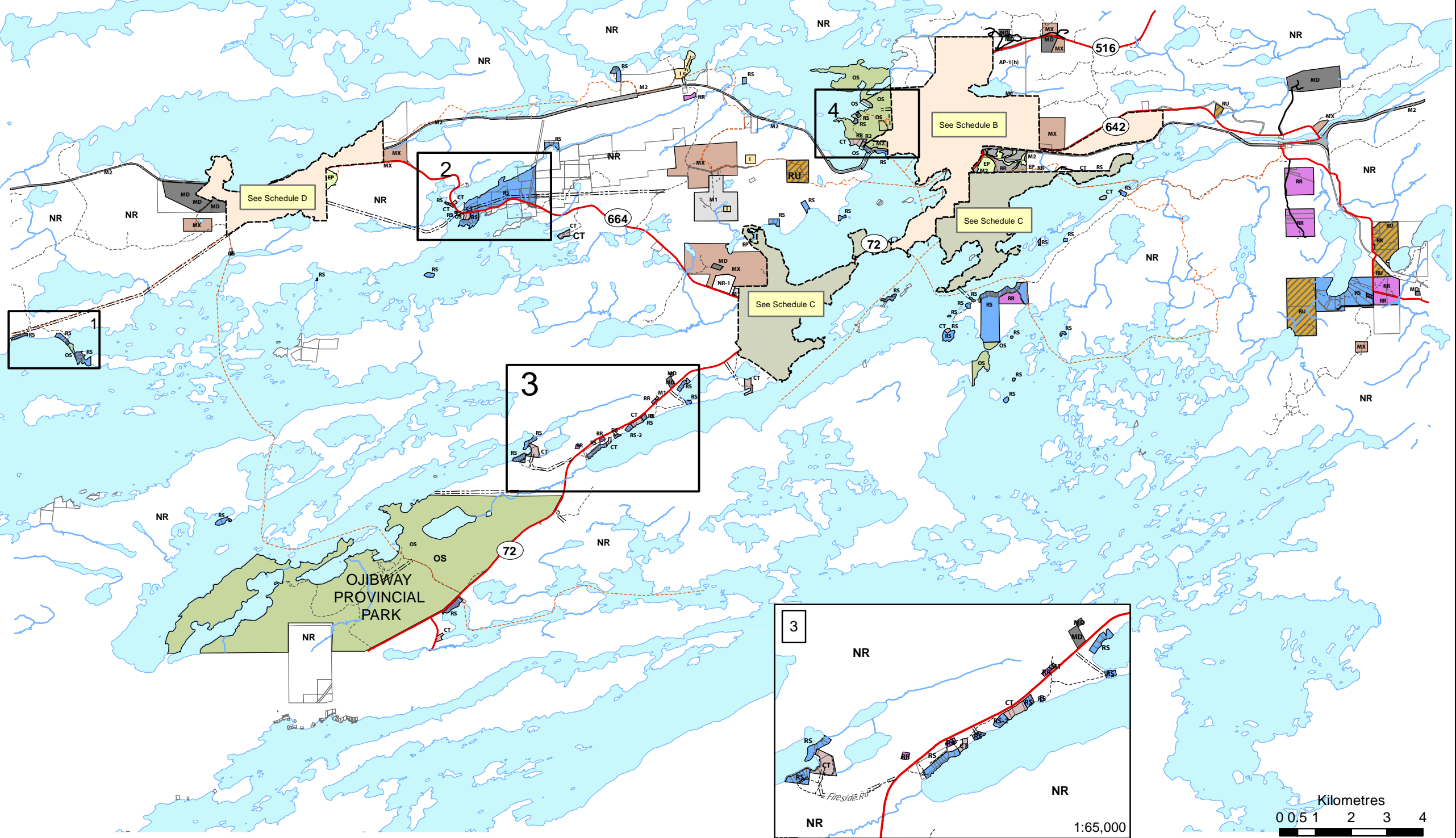
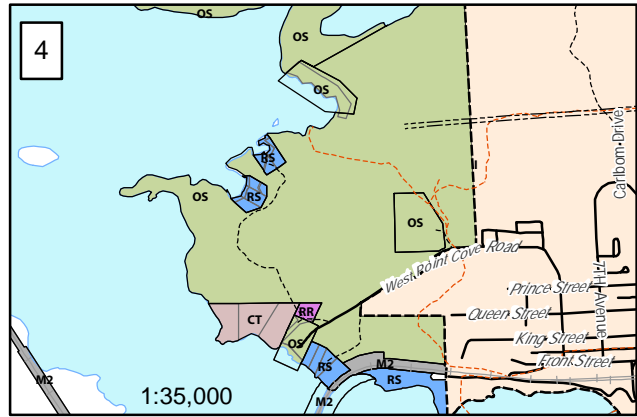
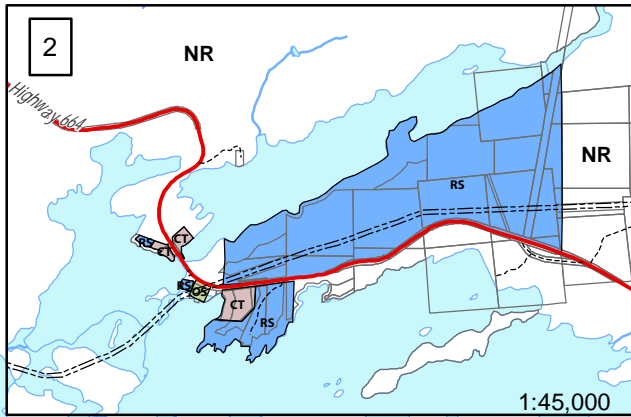
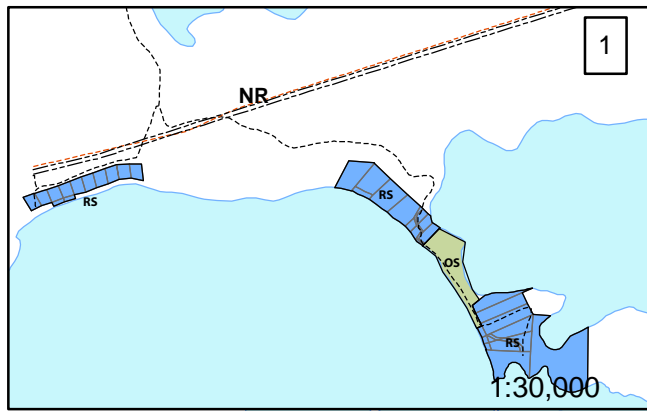
No buildings or structures including accessory buildings or structures with the exception of buildings and structures for flood and erosion control are permitted in the Environmental Protection (EP) Zone.

## Section 6 SCHEDULES

This Section includes the four (4) Zoning Schedules (Maps) for the entire Municipality of Sioux Lookout, labeled:

- Schedule A – Sioux Lookout;
- Schedule B – Urban Sioux Lookout Settlement Area;
- Schedule C – Drayton Area; and
- Schedule D – Hudson Settlement Area.

Schedule A includes key inset maps of selected areas to show greater detail. In addition, Schedule A divides the Municipality into three (3) areas for easy reference and illustrates the extent of these areas on Schedules B, C, and D.



# MUNICIPALITY OF SIOUX LOOKOUT

## ZONING BY-LAW SCHEDULE A - SIOUX LOOKOUT

NOVEMBER 2018



### Legend

- Provincial Highway
- Municipality Maintained Road
- Other Road
- +— Railway Corridor
- = Utility Corridor
- Snowmobile Trails
- Watercourse
- Parcel
- Waterbody
- Settlement Area
- Drayton Area

### Zoning

- (h) Holding
- # Exception
- R1, Residential Type One
- R2, Residential Type Two
- RR, Rural Residential
- RMH, Residential Mobile Home
- RM, Multiple Residential
- RS, Residential Shoreline
- CD, Downtown Commercial
- CT, Tourist Commercial
- CH, Highway Commercial
- MU, Mixed Use
- I, Institutional
- M1, Light Industrial
- M2, Heavy Industrial
- MD, Waste Disposal
- AP, Airport Industrial
- MX, Extractive Industrial
- EP, Environmental Protection
- OS, Open Space
- NR, Natural Resource
- RU, Rural





# MUNICIPALITY OF SIOUX LOOKOUT

## ZONING BY-LAW SCHEDULE B - URBAN SIOUX LOOKOUT SETTLEMENT AREA

NOVEMBER 2018



### Legend

- Provincial Highway
- Municipality Maintained Road
- Other Road
- Railway Corridor
- Utility Corridor
- Snowmobile Trails
- Watercourse
- Parcel
- Waterbody
- See Schedule A for Rural Area
- Settlement Area
- Drayton Area

### Zoning

- (h) Holding
- # Exception
- R1, Residential Type One
- R2, Residential Type Two
- RR, Rural Residential
- RMH, Residential Mobile Home
- RM, Multiple Residential
- RS, Residential Shoreline
- CD, Downtown Commercial
- CH, Highway Commercial
- MU, Mixed Use
- I, Institutional
- M1, Light Industrial
- M2, Heavy Industrial
- MD, Waste Disposal
- AP, Airport Industrial
- MX, Extractive Industrial
- EP, Environmental Protection
- OS, Open Space
- NR, Natural Resource

SEE SCHEDULE A

SEE SCHEDULE A

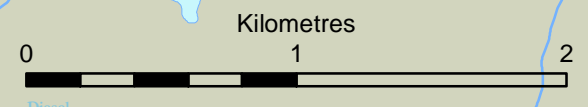
SPECIAL POLICY AREA  
TRANS-LOAD FACILITY

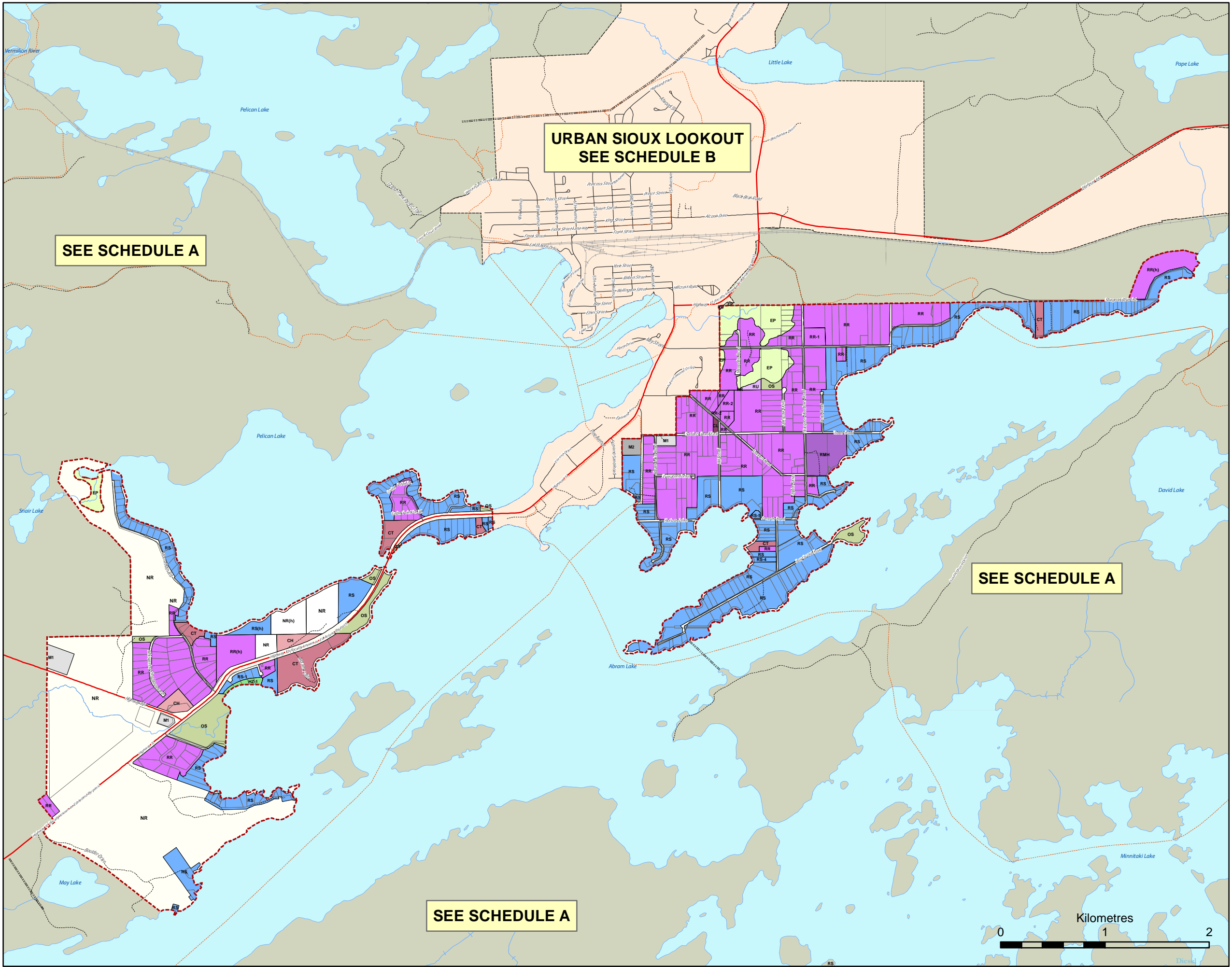
SEE SCHEDULE A

DRAYTON AREA  
SEE SCHEDULE C

DRAYTON AREA  
SEE SCHEDULE C

SEE SCHEDULE A





# MUNICIPALITY OF SIOUX LOOKOUT

## ZONING BY-LAW SCHEDULE C - DRAYTON AREA

NOVEMBER 2018



### Legend

- Provincial Highway
- Municipality Maintained Road
- Other Road
- Railway Corridor
- Utility Corridor
- Snowmobile Trails
- Watercourse
- Parcel
- Waterbody
- See Schedule A for Rural Area
- Settlement Area
- Drayton Area

### Zoning

- (h) Holding
- # Exception
- R1, Residential Type One
- R2, Residential Type Two
- RR, Rural Residential
- RMH, Residential Mobile Home
- RM, Multiple Residential
- RS, Residential Shoreline
- CD, Downtown Commercial
- CT, Tourist Commercial
- CH, Highway Commercial
- MU, Mixed Use
- I, Institutional
- M1, Light Industrial
- M2, Heavy Industrial
- MD, Waste Disposal
- AP, Airport Industrial
- MX, Extractive Industrial
- EP, Environmental Protection
- OS, Open Space
- NR, Natural Resource



# MUNICIPALITY OF SIOUX LOOKOUT

## ZONING BY-LAW SCHEDULE D - HUDSON SETTLEMENT AREA

NOVEMBER 2018



### Legend

- Provincial Highway
- Municipally Maintained Road
- Other Road
- Railway Corridor
- Utility Corridor
- Snowmobile Trails
- Watercourse
- Parcel
- Waterbody
- See Schedule A for Rural Area
- Settlement Area

### Zoning

- (h) Holding
- # Exception
- HR, Hudson Residential
- RR, Rural Residential
- RS, Residential Shoreline
- CD, Downtown Commercial
- CH, Highway Commercial
- CT, Tourist Commercial
- MU, Mixed Use
- M1, Light Industrial
- M2, Heavy Industrial
- MD, Waste Disposal
- MX, Extractive Industrial
- EP, Environmental Protection
- OS, Open Space
- NR, Natural Resource

