



ZONING BY-LAW

COCHRANE AND SUBURBAN PLANNING AREA



COUNCIL ADOPTION June 10th, 2014

CONSOLIDATION April 18th, 2018

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URBAN DESIGN





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THE CORPORATION OF THE TOWN OF COCHRANE

BY-LAW NUMBER 968-2013

BEING A BY-LAW TO ADOPT A ZONING BY-LAW FOR THE CORPORATION OF THE TOWN OF COCHRANE AND TO REPEAL BY-LAW NUMBER 710-2010

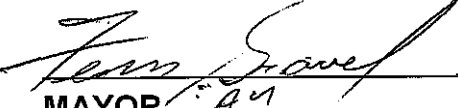
WHEREAS authority is found in Section 17 of the provisions of the *Planning Act*, RSO 1990, as amended, to pass this by-law;

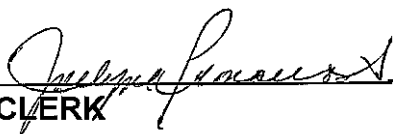
AND WHEREAS the Town of Cochrane deems it desirable to repeal By-law number 710-2010;

NOW THEREFORE the Council of the Town of Cochrane hereby enacts as follows:

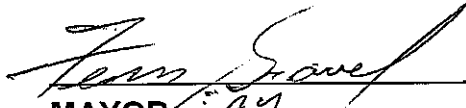
1. That the Town of Cochrane Comprehensive Zoning By-Law No. 968-2013, consisting of the attached text and schedules (maps) is hereby adopted.
2. That Town of Cochrane By-law Number 710-2010, as amended, is hereby repealed.
3. That this By-law shall take effect and come into force upon third and final reading thereof.


READ a first and second time this 10th day of September, 2013


MAYOR


CLERK

READ a third and final time this 10th day of June, 2014.


MAYOR


CLERK

THE CORPORATION OF THE TOWN OF COCHRANE

BY-LAW NUMBER 1300-2018

BEING A BY-LAW TO AMEND BY-LAW NUMBER 968-2013, AS AMENDED

WHEREAS the Council of the Municipality passed Zoning By-law No. 986-2013;

WHEREAS Council has amended By-law No. 968-2013 from time to time; and

WHEREAS it is deemed advisable and expedient to further amend By-law No. 968-2013:

WHEREAS Council has reviewed the Zoning By-law; and

WHEREAS Council wishes to make changes to Section 1.2 - Title of By-law;

WHEREAS Council wishes to make changes to Section 1.3 - Lands Subject to By-law;

WHEREAS Council wishes to make changes to Section 2 – Definitions;

WHEREAS Council wishes to make changes to Section 3 – General Provisions – All Zones; and

WHEREAS Council wishes to make changes to Section 4 - Zone Provisions.

NOW THEREFORE, the Council of the Municipality, in accordance with the provisions of the *Planning Act, RSO 1990*, as amended hereby enacts as follows:

1. **THAT** Section 1.2 - Title of By-law shall be amended to replace "Town of Cochrane Zoning By-law" with the following text:

"Cochrane and Suburban Planning Area Zoning By-law'."

2. **THAT** Section 1.3 – Lands Subjects to By-law shall be amended to replace "all those lands lying within the corporate limits of the Town of Cochrane which are identified as constituting the zoned area on Schedules A and B to this By-law." with the following text:

"all those lands lying within the corporate limits of the Cochrane and Suburban Planning Area (the Planning Area? which are identified as constituting the zoned area on Schedules A and B to this By-law. The Town of Cochrane is located in the Planning Area. The Planning Area is also comprised of lands in parts of the following unincorporated townships:

- *Township of Fournier lying east of the Frederick House River;*
- *Township of Brower lying west of the Abitibi River;*
- *Township of Kennedy lying west of the Abitibi River; and*
- *Township of Hanna including registered Plan M-57 Cochrane, Plan M-234 Cochrane, and Summer Resort Location MM. 18."*

3. **THAT** the following definition No. 29.1 shall be added to Section 2 – Definitions:

"Cochrane and Suburban Planning Area means the lands that are under the jurisdiction of the Cochrane and Suburban Planning Board and includes the Town of Cochrane and the unincorporated townships of Fournier, Brower, Kennedy, and Hanna including registered Plan M-57 Cochrane, Plan M-234 Cochrane, and Summer Resort Location MM. 18."

4. **THAT** the following definition No. 29.2 shall be added to Section 2 – Definitions:
"Cochrane and Suburban Planning Board means the planning authority that has jurisdiction over the Cochrane and Suburban Planning Area."

5. **THAT** the following definition No. 117.1 shall be added to Section 2 – Definitions:
"Planning Area - see 'Cochrane and Suburban Planning Area'."

- 6. **THAT** Section 3.19 – Parking Regulations, Subsection 2) shall be amended to replace "Required parking spaces shall have minimum rectangular dimensions of 2.7 m by 6.0 m except that barrier-free spaces shall have minimum rectangular dimensions of 3.7 m by 6 m." with the following text:

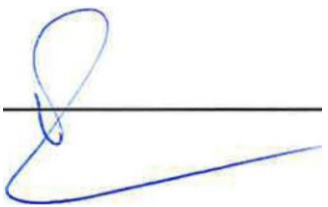
"Required parking spaces shall have minimum rectangular dimensions of 3.0 m by 6.0 m except that barrier-free spaces shall have minimum rectangular dimensions of 4.5 m by 6.0 m."

- 7. **THAT** Section 4.1.1 – R1 – Residential First Density Zone, Subsection 3) shall be amended to add a new provision l) "*Reduction for Minimum Front Yard Depth*" with the following text:

"Notwithstanding any other provisions in this By-law to the contrary, a 50% reduction for the minimum front yard depth for a properly with a single detached dwelling or a duplex dwelling will be permitted at the discretion of the Building Department, provided that the reduction is for additions or projections only, the required sight triangle is met, and there are no further projections."

- 8. That this By-law shall come into force and effect on the day that it is passed by Council, subject to the provisions of the *Planning Act*.
- 9. The Municipality's Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this By-law, in accordance with the *Planning Act*.

READ a first and second time this 17th day of April, 2018.

MAYOR 
Alice Mercier

READ a third time and finally passed this 17th day of April, 2018.

MAYOR 
Alice Mercier
CLERK

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1 INTRODUCTION AND INTERPRETATION

1.1 TITLE OF BY-LAW

This by-law may be cited as the “Cochrane and Suburban Planning Area Zoning By-law”. [By-law No. 1300-2018]

1.2 LANDS SUBJECT TO BY-LAW

The provisions of this By-law shall apply to all those lands lying within the limits of the Cochrane and Suburban Planning Area (“the Planning Area”) which are identified as constituting the zoned area on Schedules A and B to this By-law. The Town of Cochrane is located in the Planning Area. The Planning Area is also comprised of lands in parts of the following unincorporated townships:

- Township of Fournier lying east of the Frederick House River;
- Township of Brower lying west of the Abitibi River;
- Township of Kennedy lying west of the Abitibi River; and
- Township of Hanna including registered Plan M-57 Cochrane, Plan M-234 Cochrane, and Summer Resort Location MM.18. [By-law No. 1300-2018]

1.3 CONFORMITY WITH BY-LAW

No building or structure shall hereafter be erected or altered, nor shall the use of any building, structure or land hereafter be altered, in whole or in part, except in conformity with the provisions of this By-law.

1.4 COMPLIANCE WITH OTHER RESTRICTIONS

This By-law shall not be construed so as to reduce or mitigate any restrictions or regulations lawfully imposed by the municipality, or any other governmental authority having jurisdiction to make such restrictions or regulations.

1.5 SITE PLAN TO CONFORM

Nothing contained in any site plan control by-law or site plan agreement shall be construed as relieving any owner of lands within the zoned area from the obligation of complying fully with the provisions of this By-law.

1.6 INTERPRETATION OF BY-LAW

In this By-law, the definitions and interpretations set out in Section 2.0 shall apply, unless the context clearly requires otherwise, and any words not specifically defined in this By-law shall carry their customary meaning.

1.7 SINGULAR AND PLURAL WORDS AND GENDERS

In this By-law, unless otherwise specifically indicated, words used in the singular number include the plural and vice versa; and words used in the masculine gender include the feminine and vice versa.

1.8 “SHALL” IS MANDATORY

In this By-law, the word “shall” is mandatory and not directory.

1.9 “USE” AND “OCCUPY”

In this By-law, unless the context is clearly otherwise, the verb “use” shall include “design for use”, “arrange for use”, intend for use”, “permit to be used” and “erect for use”; and the verb “occupy” shall include “design for occupation”, “arrange for occupation”, “intend for occupation”, “permit to be occupied” and “erect for occupation”.

1.10 RESERVES

Where a lot line of a lot abuts a reserve established by a public agency to restrict or control access to an abutting public road from such lot, the said lot shall be deemed to abut the said road and such reserve shall be deemed to constitute part of the said lot for the purpose of determining compliance with this By-law, except that this provision shall not be construed as permitting access from such lot to the said road across such reserve.

1.11 CROWN RESERVES

Where the lot line of a lot abuts a Crown Reserve adjacent to a waterbody, such reserve shall be deemed to constitute part of the said lot for the purpose of determining compliance with this By-law except that no building permit shall be issued for any part of such reserve where the Ministry of Natural Resources has not approved such construction.

1.12 REFERENCE TO OTHER LEGISLATION AND AGENCIES

- 1) Where this By-law makes reference to legislation of the Government of Ontario or the Government of Canada, such references shall be deemed to include any and all amendments or successors thereto or regulations thereunder.
- 2) 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.

1.13 ZONE SCHEDULES PART OF BY-LAW

The Schedules attached to this By-law are hereby made a part of this By-law as fully and to all intents and purposes as though recited in full herein.

1.14 INTERPRETATION OF ZONE SCHEDULES

The extent and boundaries of all zones are set out on the Zone Maps comprising Schedule “A” and “B” to this By-law and shall be interpreted in accordance with the following provisions:

- 1) Boundaries of zones shall be construed, wherever possible, to be concurrent with lot lines, property boundaries, street lines, high water marks, top of bank, boundaries of right-of-ways for railways, hydro-electric transmission corridors or pipelines, boundaries of registered plans or municipal boundaries existing on the date of passing of this By-law.
- 2) Where the location of a boundary of a zone on Schedule “A” or “B” to this By-law or on a schedule to any amendment to this By-law is not clearly shown on such schedule or cannot be determined in accordance with clause (a) of this subsection, the location of such zone boundary shall be measured on such zone schedule at the scale of such schedule and shall be deemed to be the centre point of the line on such schedule which denotes the said boundary.
- 3) Where a zone boundary is shown on a Schedule “A” or “B” to this By-law, the zone symbol within the boundary shall apply to all lands within such boundary.

2 DEFINITIONS

For the purpose of this By-law, the definitions and interpretations given in this Section shall govern:

- 1) **Abut or Abutting** means directly and immediately contiguous, physically touching, or sharing a common wall or lot line.
- 2) **Accessory**, when used to describe a use, building, structure or activity, means a use, building, structure or activity which is normally incidental, secondary, subordinate and exclusively devoted to a main use, building, structure or activity and located on the same lot therewith.
- 3) **Agricultural Use** means an area of land used for:
 - a) the cultivation or tillage of soil;
 - b) the growing and harvesting of vegetables, fruits, grains, seed crops, berries, trees, sod, flowers or landscaping materials;
 - c) the erection and use of a greenhouse;
 - d) the grazing, breeding, raising, boarding or training of livestock of all kinds;
 - e) dairying;
 - f) syrup collecting;
 - g) beekeeping; or
 - h) any other operation normally associated with farming, with or without accessory buildings, structures or uses including, without limiting the generality of the foregoing, the use and storage of equipment or machinery needed to accomplish the foregoing activities, and a farm sales outlet.

Agriculture use shall not be construed to include commercial activities related to agriculture such as abattoirs, growing mushrooms, tanneries and retail sale outlets, or manufacturing and processing activities involving farm crops or animal products such as cheese factories, grain mills or retail seed sales.

- 4) **Airport** means an area of land used primarily for the takeoff and landing of aircraft, with or without terminal facilities, flight control structures, fuel storage facilities, offices and aircraft storage, supply, maintenance and repair facilities as accessory uses thereto.

- 5) Alter or Change means:
- a) when used in reference to a building or structure, or part thereof,
 - i) to change any one or more of the external dimensions of such building or structure,
 - ii) to make any change in the supporting members or to the type of construction of the exterior walls or roof of such building or structure,
 - iii) to alter the use of such building or structure,
 - iv) to change the location of such building or structure;
 - b) when used in reference to a lot,
 - i) to change the lot area, lot depth, lot frontage, water frontage or lot coverage of such lot,
 - ii) to change the width, depth or area of any yard, court, setback, landscaped open space or parking area of such lot,
 - iii) to change the location of any boundary of such lot, whether such alteration is made by conveyance or alienation of any such portion of such lot or otherwise, or
 - iv) to alter the use of such lot;
 - c) when used in reference to a use,
 - i) to discontinue and replace, in whole or in part, a use specifically defined in this By-law with any other use specifically defined in this By-law or with any use not specifically defined in this By-law;
 - ii) in the case of an industrial use, to change the mode of operation of such industrial use or the type of commodity being produced or processed,
 - iii) in the case of a residential use, to change the number of dwelling units or guest rooms in a dwelling or rooming house, or to change the number of mobile home dwellings in a mobile home park, or
 - iv) in the case of a use not specifically defined in this By-law, to change in any way the type or scale of such use.
- 6) Attached means when referring to an accessory building, attached horizontally to a main building on the same lot; or when referring to a main building, attached horizontally to another main building either on the same lot or on an adjacent lot.
- 7) Auto Body Shop means a vehicle repair shop engaged primarily in the repairing or painting of vehicle bodies.
- 8) Automotive Use means a building, structure or lot, or part thereof, where vehicles are sold, rented, serviced, fuelled, maintained, repaired or cleaned for compensation and/or remuneration and includes, without limiting the generality of the foregoing, any use defined in this by-law as a form of "automotive use" but does not include any other use defined in this by-law.

- 9) Automobile Service Station means an automotive use where fuels, lubricants, batteries and accessories are offered for retail sale and may include an accessory convenience store, and that contains facilities for the minor repairs, maintenance or cleaning of vehicles indoors, other than the repairing or painting of vehicle bodies, but does not include any other automotive use defined in this by-law.
- 10) Bank means a financial institution where money is deposited, kept, lent and exchanged, and includes, without limiting the generality of the foregoing, the business premises of a trust company, caisse populaire or a credit union.
- 11) Bar means 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.
- 12) Basement (Definition as per Building Code)
- 13) Bed and Breakfast Establishment means a private dwelling in which the occupant of the dwelling supplies to other persons for gain or profit, lodging and meals for short term occupancy by the traveling or vacationing public, which shall contain not more than four guest rooms.
- 14) Building means an enclosed structure, consisting of wall and roof, used for the shelter, accommodation or enclosure of persons, animals or goods and chattels, but does not include any vehicle.
- 15) Building By-law means any bylaw of the Corporation passed pursuant to the *Building Code Act*.
- 16) Building Height See Height
- 17) Building Permit means a permit required by the Building By-law.
- 18) Building Separation means the shortest horizontal dimension between the closest parts of any two detached buildings on the same lot.
- 19) Building Supply Store means an establishment engaged in the wholesale or retail sale of building or construction supplies, or accessories including, without limiting the generality of the foregoing, lumber, millwork, cement, siding, roofing, plumbing or electrical supplies and heating, cooling or ventilating systems.
- 20) Bulk Retail Outlet means a retail store where primarily large, bulky or unwieldy items including, but not necessarily restricted to, furniture, appliances, machinery, floor coverings

and landscaping and gardening supplies or implements, are offered for sale or rent, but does not include a retail lumber yard, garden nursery, automotive use, industrial use or agricultural use.

- 21) Bus Terminal means an establishment where commercial passenger vehicles pick up and discharge fare-paying passengers, with or without accessory business offices, retail stores, restaurants and refreshment rooms.
- 22) Business and Professional Office means a building or part thereof in which one or more persons is employed in administering, managing, directing or conducting a public or private agency, a business, office, a brokerage or a labour or fraternal organization, and includes, without limiting the generality of the foregoing, an office accessory to a permitted non-residential use, a bank or other financial institution, a professional office, a courier service, a newspaper publisher, or a real estate or insurance agent, but does not include a retail store.
- 23) By-law Enforcement Officer means a person duly appointed by Council as a By-law Enforcement Officer and charged with the duty of enforcing the by-laws of the Corporation.
- 24) Campground means an area of land in which the space and facilities are provided for the temporary accommodation of persons in tents, tent trailers, campers or recreation vehicles for vacation or recreational purposes, and may include accessory uses such as a laundromat, convenience store or recreational uses primarily for persons using the campground.
- 25) Car Port means a partially enclosed private garage, having a roof but open at each end and on at least one side except for any necessary structural roof supports.
- 26) Car Wash means an automotive use containing manual or automated facilities for washing or cleaning vehicles, but does not include any other automotive use defined herein.
- 27) Cellar (Definition as per Building Code)
- 28) Cemetery means an area of land reserved or used in interring the dead or placing or burying the remains or ashes of human corpses and which is regulated by the *Cemeteries Act*, but does not include a funeral home.
- 29) Chief Building Official means the person duly appointed by Council as the Chief Building Official and charged with the duty of enforcing the provisions of the *Building Code Act*, together with any regulations thereunder, and of the Building By-law.
- 29.1) Cochrane and Suburban Planning Area means the lands that are under the jurisdiction of the Cochrane and Suburban Planning Board and includes the Town of Cochrane and the

- unincorporated townships of Fournier, Brower, Kennedy, and Hanna including registered Plan M-57 Cochrane, Plan M-234 Cochrane, and Summer Resort Location MM.18. [By-law No. 1300-2018]
- 29.2) Cochrane and Suburban Planning Board means the planning authority that has jurisdiction over the Cochrane and Suburban Planning Area. [By-law No. 1300-2018]
- 30) Commercial means a building structure, lot, use or activity pertaining to the buying, selling or renting of commodities or the supplying of services for remuneration, gain or profit, but does not include activities associated primarily with an industrial use or with any construction work.
- 31) Commercial Vehicle means a vehicle licensed by the Province of Ontario as a public vehicle; or as a commercial vehicle.
- 32) Community Centre means a building used for community activities whether used for commercial purposes or not, and the control of which is vested in the municipality, a local board or agent thereof.
- 33) Conforming or Conformity means conforming to all applicable provisions of requirements of this By-law.
- 34) Conservation Use means land used solely for the preservation and enhancement of the natural environment and may include a conservation area or conservation reserve.
- 35) Convenience Store means a retail store wherein various convenience and items of a day-to-day personal or household use or necessity including, without limiting the generality of the foregoing, groceries, meats, beverages, dairy products, light hardware products, tobacco products, pharmaceutical drugs, magazines and newspapers, are offered for sale.
- 36) Corporation means the Corporation of the Town of Cochrane.
- 37) Council means the municipal council of the Corporation of the Town of Cochrane.
- 38) Day Nursery means a building or part thereof duly licensed by the Province of Ontario as a day nursery under the *Day Nurseries Act*.
- 39) Detached means not attached.
- 40) Development means the erection of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or a mobile home park.

- 41) Driveway means a passageway which provides vehicular access to parking areas or loading areas on a lot, from a road.
- 42) Dwelling means a building containing one or more dwelling units as a main use thereof.
- a) Apartment Dwelling means a separate building containing three or more dwelling units sharing a common corridor or stair well.
 - b) Duplex Dwelling means a dwelling containing two dwelling units, but does not include any dwelling erected as, or in the form of, a pair of semi-detached dwellings.
 - c) Single Detached Dwelling means a freestanding single dwelling, but does not include a mobile home dwelling.
 - d) Semi-Detached Dwelling means one of a freestanding pair of single dwellings attached together horizontally, in whole or in part above grade and divided vertically from each other by a common wall extending as least one storey above grade.
 - e) Triplex Dwelling means a one of a group of three single dwellings attached together horizontally, in whole or in part above grade and divided vertically from each other by a common wall extending at least one storey above grade.
 - f) Boarding House Dwelling means a single detached dwelling containing three or more accessory guest rooms.
 - g) Mobile Home Dwelling means a freestanding single dwelling designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons.
 - h) Modular Home Dwelling means a single detached dwelling consisting of two or more modules which has been prefabricated or manufactured in a factory remote from the site where it is intended to be used and transported to the site for installation on a permanent foundation, but does not include a mobile home dwelling, a recreation vehicle, a travel trailer or tent trailer or trailer otherwise designed.
 - i) Multiple Attached Dwelling means a dwelling which contains three or more dwelling units divided vertically and/or horizontally, each unit of which has independent access to the outdoors.
 - j) Seasonal Dwelling means a single detached dwelling or mobile home dwelling erected and used as a secondary place of residence for seasonal vacations and

recreational purposes and not as the principal residence of the owner or occupant thereof.

- k) Secondary Dwelling means 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.
- 43) Dwelling Unit means a suite of one or more inter-connected habitable rooms which is occupied and used in common by one or more persons as a single, distinct and self-contained housekeeping establishment; and contains cooking and toilet facilities for the exclusive common use of the occupants thereof.
- 44) Dwelling Unit, Accessory means a dwelling unit accessory to a permitted non-residential use on the same lot and occupied by either an owner of such lot or by a person employed thereon.
- 45) Erect means to build, place, construct, reconstruct, relocate or alter by means of an addition, enlargement or extension, and includes any preliminary physical operation preparatory to such work including, but not so as to limit the generality of the foregoing, excavating, filling or draining.
- 46) Existing and Exist means existing as of the date of passing of this By-law.
- 47) Extractive Use means a mine, a pit, a quarry or a wayside pit or quarry as defined in this By-law.
- 48) Farm Sales Outlet means a building or structure, accessory to an agricultural use, where processed or unprocessed farm produce originating primarily on the same lot therewith is offered for retail sale in season.
- 49) Farm means land used for the tillage of soil and the growing of vegetables, fruits, grains and other staple crops, and includes, without limiting the generality of the foregoing, land used for animal husbandry, dairying, production of animal products such as milk, eggs, wool, fur or honey, or wood lots.
- 50) Farmer's Market means an establishment or premises where primarily processed or unprocessed farm products and agricultural products are sold at retail from covered or uncovered areas designed for individual retailers.
- 51) Fence means a structure which forms a barrier for enclosing, screening, bounding, delineating or protecting land.

- 52) Finished Grade means when used in reference to a building or structure, the average elevation of the finished surface of the ground where it meets the exterior face of such building or structure; exclusive of any wells providing light or ventilation to basement areas and exclusive of any embankments, planters, or any other such structure placed or constructed along the base of any wall, building or structure.
- 53) Flood Plain means an area of land susceptible to flooding due to an overflow of a waterbody in the event of a Regional Design Storm as approved by the Province of Ontario.
- 54) Floor Area means the area of the floor surface of a storey or part thereof within a building.
- 55) Floor Area, Gross means the aggregate of the floor areas of all storeys of a building, other than an unfinished attic or unfinished basement from the face of the exterior walls.
- 56) Forestry Use means an area of land used for the cultivating or harvesting trees, with or without sawing, splitting or sale of timber originating solely on the same lot therewith as uses accessory thereto.
- 57) Fuel Depot means an establishment engaged in the bulk storage, bulk sale or bulk delivery of combustible or inflammable solids, liquids or gases, with or without one or more tanks used for the bulk storage of such substances.
- 58) Funeral Home means a building or part thereof wherein human corpses are preserved or otherwise prepared for interment or cremation and may include, without limiting the generality of the foregoing, the sale of caskets and funeral accessories.
- 59) Garage, Commercial or Public means an automotive use engaged in the storage, repair and maintenance primarily of commercial or public vehicles.
- 60) Garage, Private means a building or structure, or part thereof, which accommodates an accessory parking area and in which there is no facilities for repairing or servicing of such vehicles for remuneration or commercial use.
- 61) Garden Centre means an establishment engaged in the retail sale of garden and landscaping supplies including, without limiting the generality of the foregoing, trees, shrubs, flowers, plants, seeds and bulbs, and the retail sale of landscaping accessories such as fertilizers, weed-killers, pesticides, garden tools and equipment and lawn furnishings.
- 62) Garden Suite means 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.

- 63) Gas Bar means a main or accessory automotive use where vehicle fuels and lubricants are offered for retail sale, and may include an accessory convenience store.
- 64) Guest Room means a habitable room or suite of habitable rooms wherein accommodation, with or without meals, is provided for gain or profit to one or more persons, but which contains no facilities for cooking.
- 65) Group Home means a single housekeeping unit in a residential dwelling in which three to ten persons (excluding staff) live together under responsible supervision consistent with the requirements of its residents and which is licensed and/or approved under Provincial statute and in compliance with municipal by-laws.
- 66) Habitable Room means an indoor area designed or used for human living, sleeping, cooking or eating.
- 67) Hardware Store means a retail store engaged primarily in the indoor sale of hardware and home maintenance and improvement supplies.
- 68) Height, when used in reference to a building or structure, means the vertical dimension between the finished grade of the walls of such building or the side of such structure facing the front lot line and:
- a) in the case of a flat roof or a one-slope roof having a slope less than 20 degrees from horizontal, the highest point of the roof surface;
 - b) in the case of a mansard roof, the deck line;
 - c) in the case of a gabled or hip roof, or a one-sloped roof having a slope of not less than 20 degrees from the horizontal, the average level between eaves and ridge;
 - d) in the case of a gambrel roof, the average level between peak and the tops of walls supporting the gambrel roof system;
 - e) in the case of a structure not having a roof, the topmost part of such structure; or
 - f) where an exterior building wall extends above the top of the roof of a building, the topmost part of such exterior wall.
- 69) Hereafter means after the date of the passing of this By-law.
- 70) Herein means anywhere in this By-law or in any schedules to this By-law.
- 71) Hereof means of this By-law.

- 72) Hereto means to this By-law or attached to this By-law, as the context requires.
- 73) Highway Commercial means a commercial use orientated to automobile and truck traffic and tourist population.”
- 74) Hobby Farm means a parcel of land having a maximum area of 4.0 hectares which is used primarily for residential purposes and which may also be used for the raising of specialty crops and farm animals for the private use of the owner or tenant.
- 75) Home Industry means any occupation or enterprise which is carried out as a use accessory to the main agricultural or residential use of a property and only by a person or persons residing on the property.
- 76) Home Occupation means an occupation, business, trade or craft conducted for gain or profit as an accessory use within a dwelling unit by one or more persons residing therein.
- 77) Home for the Aged means a nursing home or convalescent home for elderly people.
- 78) Hotel means a building or part of a building designed or used for the purposed of providing overnight guest room accommodation to the traveling or vacationing public, served by a common building entrance, with or without accessory restaurants, dining rooms, meeting or refreshment rooms, but does not include any residential use.
- 79) Hunt or Snowmobile Camp means a building or structure consisting of one or more rooms and may contain facilities for the preparation of food and overnight accommodation on a temporary basis but shall not include any other establishments or use as may be defined in this By-law.
- 79.1) Individual Self-storage Units means units that are distinctly physically separated containing an independent access to the unit and designed to be rented or leased on a short-term basis to the general public for private storage of personal goods, materials and equipment. [By-law No. 1214-2017]
- 80) Industrial Use means the use of land building or structure for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, or storage or adapting for sale of any goods, substances, articles or thing and including the storage of building and construction equipment and materials as distinguished from the buying and selling of commodities and the supplying of personal services, and related accessory uses such as transportation, wholesaling, storage and shipping, but does not include an extractive use or a salvage yard.

- 81) Industrial Use, Light means an industrial use engaged in, or use for producing apparel and finished textile products; warehousing or storing goods or materials indoors; printing, duplicating or bookbinding; manufacturing finished paper and allied products other than processing wood pulp; producing cosmetics, drugs and other pharmaceutical supplies; manufacturing finished lumber products, light metal products, light machinery, electronic products, finished plasticware, porcelain, earthenware, glassware or similar articles including, without limiting the generality of the foregoing, furniture, housewares, monuments, toys, musical instruments, jewellery, watches, precision instruments, filters, radios and electronic components, but does not include a tannery or any industrial use accessory to an extractive use.
- 82) Institutional Use means land building or structure or part thereof used by any government agency, organization, group or association for the promotion of governmental, religious, charitable, educational, medical or hospital purposes, benevolent objectives or public services and which is not operated for gain or profit including, without limiting the generality of the foregoing, a children's home, a place of worship, a day nursery, a hospital, a public medical centre, a private club, a non-profit or charitable institution, a special care home, a recreation and community centre, a public or private school, or any other public use other than a public utility, but excluding a mental hospital or any place of detention or correction.
- 83) Kennel means a building or structure where animals, birds or other livestock intended or used as domestic household pets are kept or boarded and the operation is registered by the Canadian Kennel Club.
- 83.1) Landscaping Business means the use of lands, buildings or structures for the purpose of landscaping and gardening where supplies are kept and may include the storage of necessary machinery and vehicles used in connection with such business. [By-law No. 1213-2016]
- 84) Landscaped Open Space means an area of open land used and maintained for the growth and cultivation of grass, flowers, shrubs, trees and other vegetation; the conservation of natural features, including rock formations, waterbodies and woodlots; or the provision of landscaping features including, but not necessarily restricted to, planting strips, play areas, permitted outdoor swimming pools, surfaced walks and patios.
- 85) Legal Existing or Legally Existing:
- a) when used in reference to a use, lot, building or structure, means:
 - i) a use, lot, building or structure existing lawfully as of the date of passing of this By-law; or
 - ii) a building or structure the plans for which were approved prior to the passing of this By-law.

- b) when used in reference to a registered lot, means a registered lot which:
 - i) is or has been held under distinct and separate ownership from abutting registered lots continuously from the date of passing of this By-law;
 - ii) was subject to a consent approved pursuant to the *Planning Act* prior to the date of passing of this By-law, and was subsequently severed; or
 - iii) is located in a plan of subdivision registered prior to the date of passing of this By-law.

- 86) Loading Space means an off-street space or bay located on the same lot as a permitted use and used for the temporary parking of a vehicle loading or unloading merchandise or materials pertinent to such use, and which has unobstructed access to a street.

- 87) Lot Definitions:
 - a) Lot means an area of land under one ownership, other than a road, which may be used as the site of one or more main buildings, structures or uses, together with any buildings, structures or uses accessory thereto, regardless of whether or not such area of land constitutes a registered lot.

 - b) Corner Lot means a lot located directly adjacent either to an intersection or two or more roads, an intersection of a road and an unopened road allowance of the municipality, or to a bend in a road, where the said intersection or bend has an interior angle, measured along the side lot lines of such lot, of not more than 135 degrees, but does not include any lot having three or more distinct interior lot lines where such lot is so shaped that, if it were deemed to be an interior lot, the frontage of such lot would be less than the lot depth thereof.

 - c) Interior Lot means any lot which abuts a road which is not a corner lot.

 - d) Through Lot means an interior lot abutting two or more roads.

 - e) Waterfront Lot means a lot having a shoreline but no street line.

- 88) Lot Area means the total horizontal area within the lot lines of a lot, excluding any part of a navigable waterbody.

- 89) Lot Coverage means that part or a lot, or percentage of the lot area of a lot, covered by the perpendicular projections onto a horizontal plane of all buildings on the lot.

- 90) Lot Depth means the shortest horizontal distance between the mid-point of the front lot line and the mid-point of the rear lot line of the said lot.

- 91) Lot Frontage means the horizontal distance between the side lot lines of a lot, such distance being measured along a line perpendicular to the side lot lines, in the case either of a lot having parallel side lot lines or of a corner lot having a bent corner but where the side lot lines are parallel except for such bend; or along a line which is parallel to, and 6 m distance from, the front lot line, in any other case.
- 92) Lot Line Definitions:
- a) Lot Line means any boundary of a lot or the vertical projection thereof.
 - b) Front Lot Line means:
 - i) in the case of an interior lot line other than a through lot, the street line of such lot.
 - ii) in the case of a corner lot where the street lines are not of equal length, the shorter street line; and where the street lines are of equal length, either street line shall be deemed the front lot line.
 - iii) in the case of a waterfront lot, the shoreline of the lot.
 - c) Rear Lot Line means the lot line furthest from, and opposite to the front lot line.
 - d) Side Lot Line means a lot line which is not a front lot line or a rear lot line.
 - e) Flankage Lot Line means the side lot line of a corner lot which is also a street.
 - f) Interior Lot Line means a lot line which is not a street line.
 - g) Interior Side Lot Line means a side lot line which is not a street line.
- 93) Main, when used to describe a use, building or structure, means a use or structure which constitutes, or a building in which is conducted, a principal or main use of the lot where such use, building or structure is located.
- 94) Medical Office means a professional office used by medical doctors, dentists, optometrists, chiropractors or drugless practitioners for the purposes of consultation, diagnosis or treatment, but shall not include a drug rehabilitation clinic. A Medical Office shall exclude a Methadone Treatment Centre. [By-law No. 878-2012]
- 94.1) Methadone Treatment Centre means a building or part of a building in which Methadone is prescribed or dispensed and where support or counselling services may be provided but does not include a medical office as a defined. [By-law No. 878-2012]
- 95) Mine means a mine within the meaning of the *Mining Act*.

- 96) Mining Use means offices, processing facilities, and storage areas associated with an operating mine, but shall not include a mine as defined in the *Mining Act*.
- 97) Mobile Home Park means a lot containing two or more mobile home dwellings on separate mobile home sites, with or without buildings, structures or uses accessory thereto.
- 98) Mobile Home Site means an area of land within a mobile home park which is used as the site of, and pertains to, not more than one mobile home dwelling.
- 99) Motel means a building, or a part of a building or a group of buildings used primarily for the purpose of providing overnight accommodation to the traveling public, with or without accessory restaurants, dining rooms or refreshment rooms, and includes any establishment containing guest rooms which is defined as a “hotel” in the *Hotel Registration of Guests Act*, but does not include any residential use.
- 100) Municipality means the Municipality of the Corporation of the Town of Cochrane.
- 101) Navigable Waterbody means a waterbody sufficiently deep and wide to give passage to a boat.
- 102) Non-commercial means not commercial.
- 103) Non-conforming and Non-conformity, when used in reference to a use, lot, building or structure, means a use, lot, building or structure which does not conform to, or comply with, one or more of the provisions of this By-law, or which is not permitted by this By-law.
- 104) Office means a business office or professional office.
- 105) Open Space Use means an outdoor recreation area, agricultural use, forestry use or a public park.
- 106) Open Storage means the storage of goods and materials, or the display and sale of goods and materials including vehicles for hire or sale, outside a building.
- 107) Open Storage Area means an area of land used for open storage.
- 108) Operating Farm means a farm which is in full agricultural production and which requires full time farm help.
- 109) Outdoor Recreation Area means an area of public or private land consisting mainly of landscaped open space or other open areas and used for commercial or non-commercial outdoor recreational purposes.

- 110) Parking Area means an outdoor, indoor or underground area which is provided on a lot for the temporary parking of one or more vehicles, and shall not include the storage or parking of vehicles for hire and gain, display or sale.
- 111) Parking Lot means a parking area which constitutes the main use on a lot and where vehicles are parked for remuneration, and does not include the sale of new or used vehicles or the storing of impounded or wrecked vehicles.
- 112) Parking Space means that portion of a parking area, exclusive of any driveway or parking aisle, which is used for the temporary parking of not more than one vehicle.
- 113) Personal Service Shop means a building or part thereof wherein a personal service is performed, including, but not necessarily restricted to, a barber shop, a beauty salon, a shoe repair shop, a tailor or dress making shop, a dry cleaning depot, a Laundromat, a photographic studio or the premises of an optician, but does not include any other use defined herein or any body rub parlor or adult entertainment parlour as defined in the *Municipal Act*.
- 114) Pit means a pit as defined in the *Aggregate Resources Act*, but does not include a wayside pit.
- 115) Place of Assembly means a private or public building used primarily for meetings, banquets, conferences, arts and craft shows and trade shows, fashion shows and similar activities.
- 116) Place of Worship means a building owned or occupied by a bona fide religious congregation or religious organization and dedicated exclusively to worship and related religious, social and charitable activities.
- 117) Place of Entertainment means a cinema or other theatre, auditorium, public hall, billiard or pool room, bowling alley, ice or roller skating rink, dance hall or music hall but does not include a drive-in theatre or adult entertainment/videotape parlour as defined under the *Municipal Act*, R.S.O., 2001, as amended.
- 117.1) Planning Area – see “Cochrane and Suburban Planning Area.” [By-law No. 1300-2018]
- 118) Primarily means mainly but not necessarily exclusively.
- 119) Private means not public.
- 120) Private Cabin means an accessory building used for temporary human habitation but containing no cooking facilities.

- 121) Private Club means a private athletic, recreational or social club which is not operated for gain or profit, including fraternal organizations.
- 122) Public, when used in reference to a building, structure, use or lot, means a building, structure, use or lot which is owned, occupied, used or administered by a public agency.
- 123) Public Agency means the Government of Canada, the Government of Ontario, the Town of Cochrane or any other municipal corporation; any ministry, department, commission, corporation, authority, board or other agency established from time to time by the Government of Ontario, the Town of Cochrane or any other municipal corporation; or any public utility.
- 124) Public Park means an area of public land used primarily for active or passive recreational purposes of any kind or as a conservation area, including any buildings and structures thereto, and without limiting the generality of the foregoing may include an arena, a baseball field, tennis courts, hiking trails, playground facilities, conservation uses, open space and a heritage or historical site.
- 125) Public Utility means any agency, corporation, board or commission, or any department of the Town of Cochrane, providing electricity, gas, steam, water, telegraph, telephone, cable television, transportation, drainage or sewage refuse or collection and disposal services to the general public, and includes without limiting the generality of the foregoing, any public utility defined in the *Municipal Act*, R.S.O., 2001, as amended and the *Public Utilities Act*, as amended; and, any railway company subject to the *Railways Act*; or any use, other than an office, pertaining directly to the provision of such services, and includes, without limiting the generality of the foregoing, any public works yard or automotive use associated therewith.
- 126) Public Water System means a distribution system for potable water consisting of pipes and related pumping stations, treatment and purification facilities, reservoirs, stand pipes, water towers, hydrants and other appurtenances, owned and operated by the Town or other public agency.
- 127) Quarry means a quarry as defined in the *Aggregate Resources Act*, but does not include a wayside quarry.
- 128) Recreation and Community Centre means an establishment where participatory athletic, recreational or physical fitness facilities are provided, and includes without limiting the generality of the foregoing, a community centre, a health, fitness, and exercise spa or club, an ice or roller skating rink, a squash or tennis facility and an outdoor recreation area.
- 129) Registered Lot means a parcel of land under one ownership which is shown as a lot or block on a registered plan of subdivision; or comprises all the land described in a document legally capable of conveying an interest in land by way of deed, transfer, mortgage, charge,

agreement of sale and purchase or otherwise, but does not include a parcel of land created as a reserve or a road, or for the express purpose of realigning a common property boundary between abutting land holdings.

- 130) Required or Requirement means required by this By-law and requirement has a corresponding meaning.
- 131) Residential Use means a dwelling, dwelling unit or rooming house, or any use accessory thereto.
- 132) Restaurant means a building or part thereof where food is prepared and offered for retail sale to the general public for consumption either on or off the premises, but does not include a refreshment room.
- 133) Retail Store means a building, structure or lot, or part thereof, where goods, wares, merchandise, commodities, substances, foodstuffs, household items, articles or things of any kind are stored, kept, offered or displayed for retail sale or rental to the general public.
- 134) Residential Lot means a lot containing a permitted residential building as the main use thereof and located in a Residential Zone, Agricultural Zone, Rural Zone or Hamlet Community Zone.
- 135) Road means a public thoroughfare for vehicular and pedestrian traffic which is assumed and maintained year round by/and under the jurisdiction of the Town of Cochrane or the Province of Ontario.
- a) Seasonal Road means a public thoroughfare for vehicular and pedestrian traffic which is assumed and maintained, but not year round by/and under the jurisdiction of the Town of Cochrane or the Province of Ontario.
 - b) Private Access Road means a private thoroughfare for vehicular and pedestrian traffic held under private ownership legally registered as a right-of-way or located on Crown land and which is not maintained by the Town of Cochrane or the Province of Ontario.
- 136) Rooming House means a building or part thereof which contains one or more guest rooms as the main use thereof and where accommodation, with or without meals, is provided for gain or profit, but does not include a hotel or any dwelling or an institutional use.
- 137) Sanitary Sewer System means a system of underground conduits and related appurtenances, operated by the Corporation or other public agency, which carries sanitary sewage or industrial waste to a sewage treatment facility.

- 138) School means a school under the jurisdiction of the *Education Act*, or a college, university, vocational school, technical school or any other educational establishment or institution where students are trained, instructed or educated.
- 139) Serviced Lot means a lot which is serviced by both a public water system and a public sanitary sewer system.
- 140) Sewage Treatment Facility means a building or structure, approved by the Ontario Ministry of the Environment for the treatment of sanitary or industrial waste.
- 141) Sign means a name, identification, symbol, description, device, display, illustration or group of letters which is affixed to, or is painted or otherwise represented directly or indirectly upon, a building or structure for identification, information or advertising purposes.
- 142) Site Plan Control By-law means any by-law of the Town of Cochrane passed pursuant to Section 41 of the *Planning Act*.
- 143) Sight Triangle means that triangular portion of a lot which is situated adjacent to an intersection of two or more roads; and is delineated by the two intersecting lot lines abutting such roads, and a straight line drawn to connect a pair of points located on the said lot lines at a distance specified in this By-law from their point of intersection.
- 144) Specialized Agricultural Operation means an agricultural use of land which include beekeeping, and the growing and harvesting of vegetables, fruits, seed crops, berries, trees and flowers.
- 145) Storm Sewer System, Public means a system of conduits, ditches and related appurtenances, under the jurisdiction of the Town of Cochrane, or other public agency, which carries storm surface water and storm drainage but not sanitary sewage or industrial waste.
- 146) Street Line means a lot line dividing a lot from a road and is the limit of the road allowance.
- 147) Structure means anything placed, constructed or erected, the use of which required location on or in the ground, or attached to something located on or in the ground, but does not include the permanent way of a railway or any paved surface located directly on the ground.
- 148) Technology Industry means an operation related to the manufacture, assembly, packaging, or storage of advanced electronic or computer devices and/or data.
- 149) Tourist Outfitter's Establishment means an establishment which operates throughout all or part of a year which may or may not furnish overnight accommodation and facilities for

- serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting, camping or other similar recreational purposes.
- 150) Town means the Corporation of the Town of Cochrane.
- 151) Transport Terminal means any premises where commercial vehicles are kept for hire, rental or lease, or are stored or parked for remuneration, or from which commercial vehicles are dispatched for hire as common carriers.
- 152) Transportation Hub/Marshalling Area means any lot where vehicles are stored or parked with or without remuneration, or from where commercial vehicles are dispatched and without limiting the generality of the foregoing, may include an employee and visitor parking lot, parking for mine busses and a bus marshalling area
- 153) Unserviced Lot means a lot which is not a serviced lot.
- 154) Use means the purpose for which a lot, building or structure, or any combination or part thereof, is designed, arranged, occupied or maintained.
- 155) Vehicle means any carriage, conveyance or other device capable of being propelled, driven or drawn by any kind of power, including motor power or wind power, and includes without limiting the generality of the foregoing, a passenger automobile, trailer, truck, boat aircraft, tractor, farm implement, mobile crane or shovel, snowmobile or motorcycle, but does not include a pedal bicycle, canoe or other device powered solely by means of human effort, or a mobile home dwelling.
- 156) Water Access, when used in reference to a lot, means a lot located adjacent to, and accessible directly from, a navigable waterbody which has boat docking facilities which are permanently provided and available to the public and which are accessible from a road or private access.
- 157) Waterbody means the natural or man-made channel of an open stream of water or any area below the high water mark of an open body of water.
- 158) Water Frontage means the straight horizontal distance between the two most widely separated points on any one shoreline or a lot.
- 159) Water System, Public means a distribution system for potable water consisting of pipes and related pumping stations, treatment and purification facilities, reservoirs, stand pipes, water towers, hydrants and other appurtenances, owned and operated by the Corporation or other public agency.

- 160) Wayside Pit or Quarry means a temporary pit or quarry opened and used by or for 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.
- 161) Yard Definitions:
- a) Yard means an area of land which is appurtenant to, and located on the same lot as, a main building or structure, and is open, uncovered and unoccupied from the ground to the sky, except for those uses specifically permitted thereon elsewhere in this By-law.
 - b) Front Yard means a yard extending across the full width of a lot between the front lot line of such lot and the nearest part of any building or structure on such lot.
 - c) Rear Yard means a yard extending across the full width of a lot between the rear lot line of such a lot and the nearest part of any main building or structure on such lot, but excluding any part of a corner side yard as defined in this By-law.
 - d) Interior Side Yard means a yard extending from the front yard to the rear yard of a lot and from the interior side lot line of such lot to the nearest part of any main building or structure on such lot.
 - e) Corner Side Yard means a yard extending from the front yard to the rear lot line of a corner lot and from the flankage lot line of such lot to the nearest part of any main building or structure on such lot.
 - f) Side Yard means an interior side yard or corner side yard.
 - g) Exterior Yard means a yard abutting a street line, and includes a front yard and a corner side yard as defined in this By-law.
 - h) Interior Yard means a yard which is not an exterior yard.
 - i) Required Yard means that part of a yard which is located adjacent to a lot line; has the minimum front yard depth, rear yard depth or side yard width required by this By-law, but does not contain or include any buildings, structures or outdoor parking areas except where such uses are specifically permitted thereon elsewhere in this By-law.
- 162) Zoned Area means all those lands lying within the corporate limits of the Town of Cochrane which are identified as constituting the zoned area on Schedules "A" and "B" to this By-law and which are subject to this By-law.

163) Zone Maps means the set of maps attached to this By-law as Schedules A and B, and which form part of this By-law.

3 GENERAL PROVISIONS – ALL ZONES

3.1 ZONES AND ZONE CLASSIFICATIONS

1) Division into Zones

For the purpose of this By-law, all lands within the zoned area are divided into zones as shown on the Zone Maps.

2) Zone Classifications and Symbols

For the purpose of this By-law, the following zones are established and are shown on the Zone Maps:

Zone Classification	Zone Symbol
Residential First Density Zone	R1
Residential Second Density Zone	R2
Mobile Home Residential Zone	R3
Commercial Core Zone	C1
Commercial Transition Zone	C2
Linear Mixed Commercial Zone	C3
Industrial Zone	M1
Parks & Open Space Zone	OS
Sensitive Area Zone	SEN
Hamlet Community Zone	HT
Rural Zone	RU
Agricultural Zone	AG
Shoreline Development Zone	SD
Airport Commercial Zone	AC
Mineral Extraction Zone	MX

3) Zone Provisions

For each zone listed and described in this By-law, a separate section sets out the permitted uses and specific requirements pertaining to such zone, and all such provisions shall apply in addition to the general provisions set out in this By-law and shall be interpreted in accordance with the interpretations and definitions set out in this By-law, except as otherwise provided by any special zone set out in this By-law.

4) Special Zones

Wherever a zone symbol on the Zone Maps is followed directly by a dash and a number, the lands so designated shall be subject to, and used in accordance with, all the provisions or requirements of this By-law applicable to the zone represented by such symbol except as otherwise specifically provided by the special provisions of the special zone set out in this By-law.

5) Holding Zones

a) Holding Designation

Where lands are designated on the Zone Maps by the symbol “H” followed immediately by a number, referred to herein as the holding designation, in conjunction with a zone symbol described in this By-law, such lands shall be deemed to be located in a holding zone.

b) Scope of Holding Zones

In addition to being subject to all other applicable provisions and requirements of this By-law, lands located in a holding zone shall be subject to Paragraph (c) of this Subsection until such time as this By-law is amended to remove the holding designation.

c) Holding Zone Restrictions

No person shall, within any holding zone, use any lot or erect, alter or use any building or structure except where such use, building or structure is permitted in all zones by this By-law, or, otherwise permitted by the Holding Zone provisions of this By-law.

d) Removal of Holding Symbol

The “H” holding symbol may be removed by the Council of the Corporation of the Town of Cochrane, by amendment to the By-law, once the conditions imposed for the removal of the “H” holding symbol have been satisfied.

6) Temporary Use By-laws

Wherever a property is subject to a temporary use by-law in accordance with Section 39 of the *Planning Act*, all provisions of this by-law applicable to the Zone in which such property is located according to the Zone Symbol shown on the Zone Maps, shall apply except as otherwise specifically provided, for a temporary period of time, as set out in the temporary use by-law.

3.2 ACCESSORY USES

1) General Requirements

Accessory buildings and structures shall be located and erected in accordance with all applicable yard and setback requirements and other provisions of this By-law, except as otherwise provided in this Section.

a) Exceptions for Residential Lots

Nothing in this By-law shall apply to prevent the erection or use of one or more detached accessory buildings or structures in a required rear yard on a residential lot, provided that no part of such accessory buildings or structures are located *closer* than 1 m to the rear lot line or interior side lot line or 1.2 m to a street line of a road.

b) Exception for Mutual Garages

Nothing in this By-law shall apply to prevent the erection or use, in a Residential Zone, of a mutual garage astride a common side lot line between two residential lots, provided that such mutual garage complies in all other respects to this By-law.

c) Exceptions for Water Orientated Uses

Notwithstanding any other provision in this By-law to the contrary, boat houses, docks, decks, saunas and water pumps shall be permitted at the edge of a waterbody subject to any other approvals required by law.

d) Shipping Containers and Trailers

Notwithstanding any other provision of this By-law to the contrary, shipping containers and trailers shall not be used for storage purposes on any lot in a Residential, Parks and Open Space, Hamlet Community or Commercial Zone.

e) Habitation Prohibited

An accessory building or structure shall not be used for human habitation except where a dwelling is a permitted accessory use.

f) Special Provisions for Driveway for Accessory Garage

Where a private garage is being erected on a corner lot, no portion of any access driveway shall be located closer than 9 m to the intersection of the two road lines or their projections.

3.3 ACCESS REQUIREMENTS

1) Frontage on a Road

Notwithstanding any other provision in this By-law to the contrary, no person shall erect any building on any lot which does not have frontage on a road except as provided in subsections (2) and (3) of this Section.

2) Exceptions for Seasonal Dwellings

Subsection (1) of this Section shall not apply to prevent the use of a permitted seasonal dwelling on a lot having water access, frontage on a seasonal road or having access to a road via a private access.

3) Exceptions for Private Cabins, Hunt and Snowmobile Camps

Subsection (1) of this Section shall not apply to prevent the use of a permitted private cabin, hunt camp or snowmobile camp on a lot.

4) Lots in New Plans of Subdivision

Subsection (1) of this Section shall not apply to prevent the erection or use of a building on a registered lot in a plan of subdivision registered hereafter, provided that such registered lot abuts and directly legally accessible to vehicular traffic from, a road designated on the said plan of subdivision and vested in the name of the Corporation of the Town of Cochrane, notwithstanding that the said road may or may not yet have been assumed by the Corporation; and such registered lot is subject to a subdivision agreement requiring that the said road be constructed to the satisfaction of the Corporation.

3.4 BASEMENT OR CELLAR AS DWELLING UNIT

Notwithstanding any other provision of this By-law to the contrary, a basement, or part thereof of any building or structure, may be used as a dwelling unit provided such unit is permitted in the zone in which the building or structure is located; provided that no cellar, or part thereof of any building or structure, shall be used as a dwelling unit.

3.5 BUILDING TO BE MOVED

No building or structure shall be moved within the limits of the municipality or shall be moved from outside the municipality into the municipality unless the building or structure is permitted in and satisfies all the requirements of the zone in which the building or structure is to be located.

3.6 EXISTING USES AND LOTS

1) Previous Violations Continued

No building or structure illegally erected, no use illegally established, nor any lot illegally created prior to the date of passing of this By-law shall become or be made legal solely by reason of the passing of this By-law, and where any building, structure, use or lot is in conflict with one or more provisions of this By-law, such building, structure, use or lot shall remain illegal and shall not be deemed legal existing as defined in this By-law, except where otherwise specifically provided by this By-law.

2) Continuation of Existing Uses

Nothing in this By-law shall apply to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purposes on the day of passing of this By-law, so long as it continues to be used for that purpose and is not altered in any way except in conformity with this By-law.

3) Rebuilding and Repair of Existing Buildings and Structures

Nothing in this By-law shall apply to prevent the repair or strengthening to a safe condition of a legal existing building or structure, or the rebuilding of such building or structure if it has been destroyed by means beyond the control of the owner, provided that the dimensions or use of the original building or structure, or of any yards appurtenant thereto, are not altered in any way except in conformity with this By-law.

4) Extensions to Existing Buildings and Structures

Nothing in this By-law shall apply to prevent a vertical or horizontal extension or addition to any legal existing building or structure the use whereof is permitted by this By-law, provided that such extension or addition is designed, located, used and otherwise in conformity with this By-law.

5) Existing Undersized Lots

Notwithstanding any other provision of this By-law to the contrary, any legal existing vacant lot held in separate ownership from adjoining lots on the date of passing of this By-law, which do not conform to the lot area, lot depth, lot frontage or water frontage requirements in this By-law for the zone where they may be located, shall be deemed permitted lots and shall be used as if they conformed to all such requirements, provided that no other applicable provision or requirement of this By-law, nor any applicable Health Unit or other regulation pursuant to the *Environmental Protection Act*, are contravened.

6) Plans Approved Prior to By-law

Nothing in this By-law shall apply to prevent the erection or use of any building or structure that does not comply with one or more provisions of this By-law, if a building permit was issued by the municipality prior to the date of passing of this By-law, provided that:

- a) when such building or structure is erected, it is used and continues to be used only for the same purpose for which the said building or structure was intended when such building permit was issued, and is not altered in any way except in conformity with this By-law; and
- b) the erection of such building or structure is commenced prior to the expiration of any such building permit and further provided that any such building permit has not been revoked under the *Building Code Act*.

3.7 GARDEN SUITES

Garden suites shall be permitted on a temporary basis in the R1, R2, and RU Zones, subject to the following requirements:

- a) One garden suite may be authorized on a lot through a temporary zoning by-law amendment for a renewable period of up to twenty (20) years.
- b) A garden suite may not exceed 56.0 m² in gross floor area.

- c) The addition of a garden suite is subject to the lot coverage provisions of the zone in which it is located.
- d) 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;
- e) A garden suite shall be one (1) storey, having a height not to exceed 4.6 metres;
- f) A garden suite shall not be constructed or arranged as to constitute a travel trailer;
- g) 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 relevant zoning provisions governing parking. The required parking space for a garden suite may be stacked in tandem behind the required parking space of the principal dwelling unit; however the creation of the garden suite must not eliminate a required parking space for the principal 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:

- a) the installation, maintenance and removal of the garden suite;
- b) the period of occupancy of the garden suite by any of the persons named in the agreement;
- c) 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
- d) connection to existing services (sewer, water, hydro, septic, well).

3.8 GROUP HOMES

Group homes shall be permitted in the R1 zone provided that they are provincially licensed.

3.9 HEIGHT RESTRICTIONS

No building or structure shall exceed the building heights set out in this By-law for the zone where such building or structure is located, except that nothing in this By-law shall apply to restrict the height of any structure or part thereof functioning solely as:

- a) an antenna, aerial, mast or communications tower;
- b) a barn, silo or grain or feed storage elevator;
- c) a chimney or smokestack;
- d) a church spire, steeple, belfry or equivalent structure associated with a place of worship;

- e) a clock tower or bell tower;
- f) an electric power transmission line;
- g) an elevator or stairway enclosure;
- h) enclosed mechanical or electrical equipment;
- i) a flag pole;
- j) a flight control tower or forest fire lookout tower;
- k) a roof top structure containing heating, cooling, ventilating or other mechanical or electrical equipment pertaining to the maintenance of a building;
- l) a satellite dish;
- m) a solar panel or solar collector;
- n) a water tower or water tank;
- o) a windmill; or
- p) a weathervane or other weather monitoring device, or a lightening rod.

3.10 HOBBY FARMS

Notwithstanding any other provision of this By-law to the contrary, a maximum of two farm animal units, excluding swine, as defined in the Agricultural Code of Practice, are permitted on a hobby farm provided that such animals are housed in a building or structure specifically designed for such purposes and that such building or structure is located a minimum of 50 m from a residential dwelling on an adjacent lot.

3.11 HOME INDUSTRY

A home industry shall be permitted in the Rural and Agricultural Zones, in a single-detached dwelling or a building accessory to a single-detached dwelling, in accordance with the following regulations:

- a) the home industry is clearly secondary to the main agricultural or residential use and does not create nor become a public nuisance in particular in regard to noise, traffic, parking or health and safety;
- b) the home industry does not occupy more than 25% of the gross floor area of the residential dwelling or where located in an accessory building shall not occupy more than 100 m².
- c) the definition includes such activities as a seasonal retail outlet for farm produce produced on the farm, a workshop for wood workers, welders, painters, plumbers, other members of the trades, a machine or auto repair shop;
- d) there are no more than two commercially licensed vehicles parked at any one time on the property;

- e) there is no outdoor storage or display to indicate to persons outside that any part of the property is being used for other than residential or agricultural uses except for an unlit sign of not more than 1 m².
- f) the home industry is not an obnoxious trade, business or manufacture; and
- g) not more than three persons are employed therein on a full time basis.

3.12 HOME OCCUPATION

A home occupation shall be permitted in all zones which permit a dwelling unit, in accordance with the following regulations:

- a) the home occupation is clearly secondary to the use of the dwelling as a private residence;

the home occupation is located entirely within the dwelling unit and does not occupy more than 25% of the gross floor area of the residential dwelling or 40 m², whichever is the lesser;
- b) there is no external display or advertising other than a sign measuring no more than 0.3 m² indicating that a part of the dwelling is used for a purpose other than residential;
- c) there is no external storage of goods, materials or equipment; and
- d) without limiting the generality of the foregoing, may include a studio, an office, a hair care salon, a private home day care and other similar uses.

3.13 HUNT CAMPS AND SNOWMOBILE CAMPS

Notwithstanding any other provision of this By-law to the contrary, a permitted hunt camp or snowmobile camp may be located on any lot provided such hunt camp is set back a minimum of 500 metres from any existing residential dwelling unit and no minimum lot area or lot frontage requirements shall apply to a permitted hunt camp.

3.14 LANDSCAPED OPEN SPACE REQUIREMENTS

Landscaped open space shall be provided as follows:

- a) A landscaped area not less than 3 m in width, abutting all public roads, shall be provided in all zones which shall be uninterrupted except where traversed by pedestrian walkways or permitted driveways.

- b) A minimum of 50% of all required exterior yards shall be maintained as landscaped open space.
- c) Any part of any lot which is not occupied by buildings, structures, parking areas, driveways, loading spaces, agricultural uses, outdoor storage areas or any other permitted use, shall be maintained as landscaped open space.
- d) The percentage of landscaped open space required under the zone requirements of this By-law shall be calculated as a percentage of lot area.

3.15 LICENSES, PERMITS AND OTHER BY-LAWS

Notwithstanding any other provisions of this By-law to the contrary, nothing in this By-law shall exempt any person for complying with requirements of the Building By-law or any other By-law in force within the municipality or from obtaining any permit, license, permission, authority or approval required by this or any other By-law of the municipality or by any other law in force from time to time.

3.16 LOADING SPACE REQUIREMENTS

The owner or occupant of any building used for a multiple dwelling, a commercial use, an industrial use or a public use shall provide and maintain, on the same lot, unobstructed indoor or outdoor loading spaces in accordance with the provisions of this section.

1) Dimensions of Loading Spaces

Required loading spaces shall have minimum horizontal dimensions of 3.6 m by 9 m and a minimum vertical clearance of 4.2 m.

2) Location of Required Loading Spaces

All required loading spaces shall be located in their entirety on the same lot as the building for which they are required, and shall not overlap any required parking spaces.

3) Yards where Loading Spaces Permitted

Outdoor loading spaces shall be permitted in any part of any yard but not closer than 3 m to a street line or residential dwelling.

4) Access to Loading Spaces

Access to loading spaces shall be provided by means of one or more driveways which lead to a public road and which have a minimum unobstructed width of 3.6 m and a minimum clearance of 4.2 m, and are designed to permit the maneuvering of vehicles on the lot so as not to obstruct, or otherwise cause a traffic hazard on adjacent roads, and to allow access from and egress to the road in a forward motion.

5) Calculation of Loading Space Requirements

The owner or occupant of any building used for a multiple dwelling, an industrial use, a public use or a commercial use shall provide and maintain, on the same lot, unobstructed indoor or outdoor loading spaces in accordance with the following:

Use	Loading Space Requirements
Multiple dwellings with 20 or more dwelling units	1 space
Other uses with 500 m ² to 4,500 m ² of total net floor area	1 space
Other uses with over 4,500 m ² of total net floor area	2 spaces

6) Exemptions for Existing Buildings

Notwithstanding any other provisions of this By-law to the contrary, no loading spaces shall be required for legal existing buildings and structures existing on the day of passing of this By-law but such loading spaces shall be required for any expansion or addition or enlargement to any such building or structure for which a building permit has been issued after the date of passing of this By-law.

3.17 MORE THAN ONE LOT OR ONE ZONE

1) More than One Registered Lot

Notwithstanding any other provisions or definitions of this By-law to the contrary, no person shall use two or more abutting registered lots as a single lot in order to comply with the requirements of this By-law unless:

- a) such lots are held under the same ownership and are located in the same zone or, where such lots are located in different zones, the use of such lots is permitted in both or all the said zones; and
- b) an agreement between the municipality and the owner has been registered against the title of both or all such registered lots to the effect that such registered lots thereafter shall be deemed to constitute a single, inseparable parcel of land and shall not be sold, conveyed or alienated in any way or for any purpose except together in one group as a single lot.

2) More than One Zone

Where a lot is divided into 2 or more zones, each such portion of the said lot shall be deemed a distinct and separate lot for the purposes of determining compliance with this by-law.

3.18 OUTDOOR STORAGE

No open storage, including the outdoor display or sale of goods and materials or of vehicles for hire or sale, shall be permitted on any lot in any zone except in a zone where such open storage is specifically permitted hereby and in accordance with any applicable provisions of such zone.

3.19 PARKING REGULATIONS

1) Calculation of Parking Space Requirements:

Where the calculation of parking requirements in accordance with this By-law result in a fraction of a parking space being required on a lot, any fraction less than a whole number shall be disregarded; and where more than one use is located on a lot, the total number of parking spaces required for such lot shall be the sum of the parking space requirements for such separate uses, prior to rounding.

2) Dimensions of Parking Spaces:

Required parking spaces shall have minimum rectangular dimensions of 3.0 m by 6.0 m except that barrier-free spaces shall have minimum rectangular dimensions of 4.5 m by 6.0 m. [By-law No. 1300-2018]

3) Location of Required Parking Spaces:

All required parking spaces shall be located in their entirety on the same lot as the building or structure or use for which they are required, and shall not overlap any required loading spaces.

4) Barrier-Free Parking Requirements

Barrier-free parking spaces shall be located on level ground in close proximity to, and readily accessible to an entrance to any building; and be clearly identified and reserved for the exclusive use of physically disabled persons.

3.20 PARKING SPACES REQUIRED

Except as otherwise provided in this By-law, the owner or occupant of any lot, building or structure used or erected for any purpose set out in this subsection, shall provide and maintain unobstructed off-street parking in accordance with the provision of this Section.

1) Parking Requirements for all Zones

Use	Minimum Parking Space Requirements
<i>RESIDENTIAL</i>	
Single-detached and duplex dwellings	1 space per unit
Garden suite	1 space per garden suite
Secondary dwelling unit	1 space per secondary dwelling unit
Apartment dwelling	1.25 spaces per unit
Rooming house	1 plus 0.25 per guest room
Multiple attached dwelling	1.25 per dwelling unit
<i>NON-RESIDENTIAL</i>	
Automotive use	1 per 30 m ² of net floor area
Banquet hall	1 per 4 persons capacity
Building supply yard	1 per 45 m ² of net floor area
Bulk retail outlet	1 per 45 m ² of net floor area
Campground	1 per campsite
Car wash	minimum 5 spaces
Commercial kennel	3 spaces
Commercial use, other than a commercial use listed elsewhere in this section	1 per 20 m ² of net floor area
Day nursery	1 per employee and 1 per 5 persons capacity
Funeral home	1 per 5 persons capacity of any chapel and visitation area, minimum 20 spaces
Hospital	2 per bed
Hotel	1 per guest room plus 1 parking space for each 10 m ² of net floor area devoted to public uses
Industrial use	1 per 90 m ² of net floor area
Institutional use, other than an institutional use listed elsewhere in this section	1 per 4 persons capacity
Medical office	6 per doctor
Office, professional office	1 per 30 m ² of net floor area
Personal service shop	1 per 20 m ² of net floor area
Place of worship, place of assembly	1 space for every 5 seats, fixed or otherwise
Recreation centre	1 per 6 persons capacity
Restaurant, bar	1 per 10 m ² of net floor area
Retail store, other than a retail store specified elsewhere in this section	1 per 20 m ² of net floor area
Schools, elementary	2 per classroom
Schools, secondary	4 per classroom
Supermarket	1 per 20 m ² of net floor area
Transport terminal	1 per 90 m ² of net floor area
Warehouse	1 per 90 m ² of net floor area
Any other use	1 per 20 m ² of net floor area

2) Barrier-Free Parking Spaces Required

The owner or occupant of any lot, building or structure shall provide barrier-free parking spaces for the exclusive use of physically disabled persons in accordance with the following table:

Capacity of Public Parking Area (Number of parking spaces)	Minimum Number of Barrier-free Spaces
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

3.21 PROHIBITED HABITATION

A truck, bus, coach, streetcar body or any vehicle shall not be used for human habitation within the municipality, whether or not the same is mounted on wheels, unless originally and specifically designed for dwelling.

3.22 SIGHT TRIANGLES

Notwithstanding any other provision hereof to the contrary, the sight triangle requirements set out in this Subsection shall apply to any lot located at an intersection of two or more roads or of a road and a railway right-of-way, except that no sight triangle shall be required where this By-law does not require an exterior yard adjacent to any such road.

1) Prohibition of Obstructions

Within any part of a sight triangle as defined herein, no building, structure, sign, wall or fence shall be erected, located or placed, in whole or in part; no vehicle shall be parked or stored; no land shall be graded; and no landscaping materials or other vegetation shall be located or allowed to grow, in a manner as to impede or obstruct in any way the field of view across such sight triangle for persons driving vehicles on an abutting road, but in no case greater than 1 m in height above the average elevation of the said sight triangle, determined by averaging the elevation of the three corner points thereof.

2) Extent of Sight Triangle

For the purpose of calculating the extent of the sight triangle as defined in this By-law, a sight distance of 7.5 m shall apply in all cases.

3.23 SIGNS

1) General

No sign shall be erected, established, placed or located anywhere within any zoned area except for a sign specifically permitted in this By-law, in accordance with;

- a) the specific provisions pertaining to signs set out in this By-law for each zone;
- b) the general provisions set out in this Section; and
- c) any applicable regulations of the Ontario Ministry of Transportation and Communications or any other government authority having jurisdiction to make such regulations; or
- d) a sign permitted in accordance with the sign by-law of the Corporation.

2) Height Restrictions

- a) No ground sign shall exceed 7.5 metres in height
- b) No roof sign shall exceed a height of 3 metres above the highest point of a roof. The highest part of the roof shall not include those exceptions to the height restrictions contained in Section 3.8 this By-law.

3) Real Estate or Rental Signs

Real estate or rental signs shall be permitted in any zone subject to the following provisions:

- a) Real estate or rental signs shall:
 - i) have a maximum of two sign faces;
 - ii) be restricted to not more than four sign faces per lot;
 - iii) not exceed 1 m² per sign face; and
 - iv) be located on the lot to which they directly pertain.

4) Construction Signs

Construction signs shall be permitted in any zone subject to the following provisions:

- a) Construction signs shall:
 - i) not exceed 2.5 m² in total sign area;

- ii) be restricted to not more than two sign faces per lot; and
- iii) be located on the lot to which they directly pertain.

5) Interior Signs

The provisions of this By-law shall not apply to any interior sign located totally within a building and which is not visible from the exterior of the building.

6) Proximity to Power Lines

All signs situated in proximity to overhead electric power lines shall be located in compliance with all applicable standards of the public utility having jurisdiction.

7) Illuminated Signs

Illuminated signs and all lighting fixtures providing exterior illumination on a lot shall be designed and installed so as to direct or deflect glare or spill-over light away from adjacent lots and roads; and not to impair the vision of persons driving vehicles on such roads.

3.24 USES PERMITTED IN ALL ZONES

1) Public, Service and Institutional Uses

The provisions of this by-law shall not apply to prevent or otherwise restrict in any way the use of any land for, or as the site of:

- a) any building or structure for public purposes by the Corporation, any public authority, any department of the government of Ontario or Canada including, but not so as to limit the generality of the foregoing:
 - i) a public railway, with or without any installation or structures appurtenant thereto;
 - ii) a public road, with or without any installations or structures appurtenant thereto erected thereon under the auspices of a public agency for the purpose of providing a service to the general public;
 - iii) a public fire hall;
 - iv) a public lighting fixture;
 - v) a wayside pit or quarry if located in an Open Space or Industrial Zone;
- b) the installation or maintenance of any part of:
 - i) a flood control structure, water system, sanitary sewer system or storm water system, and any associated pumping station or other related installations;
 - ii) a telephone, radio or television broadcasting, transmitting or receiving antenna, and any associated tower or other related installation;
 - iii) an above ground or underground gas main, pipeline or transmission line, and any associated pumping station or other related installation, other than a fuel depot; or

- iv) an overhead or underground electrical, cable television, telegraph or telephone line, and any associated tower, transformer or other related installation, including, except in a Residential or Commercial Zone, an electric power generating station;
- v) the use of any lot in any zone as a public park;
- vi) the continuing use of any lot in any zone for an institutional use legally existing thereon.

2) Accessory Uses

Where a lot is used, an activity is conducted or a building or structure is erected or used for any purpose in conformity with this by-law, that purpose shall include any building, structure, use or activity normally accessory thereto.

3) Legal Existing Dwellings

Notwithstanding any other provision in this by-law to the contrary, all legal existing dwellings and dwelling units, other than mobile home dwellings, shall be deemed to be permitted uses, and nothing in this By-law shall apply to prevent the rebuilding, repair, alteration or use of any such dwelling or dwelling unit in accordance with this By-law, provided that such use has continued uninterrupted since the date of the passing of this By-law, no additional dwelling units are created and no other changes of use are made except where specifically permitted by this By-law.

4) Home Occupations

Home occupations accessory to permitted dwelling units shall be permitted in any zone.

5) Construction Uses

Nothing in this by-law shall apply to prevent the use of any part of any lot for the open storage of construction supplies or equipment; or the erection of use of any temporary building or structure or temporary sign, in conjunction with, and directly incidental to, construction work in progress on the same lot therewith or in relation to a road or public utility, but only for so land as such work remains in progress and, where applicable, a valid building permit for such work remains in force.

3.25 USES RESTRICTED IN ALL ZONES

1) Extractive Uses

Notwithstanding any other provision of this by-law to the contrary, the making or establishment of mines, pits and quarries, other than permitted wayside pits or quarries, shall be expressly prohibited throughout the zoned area except where licensed by the Province of Ontario; and where specifically permitted by this by-law.

2) Dangerous Materials

Notwithstanding any other provision of this by-law to the contrary, the refining, bulk storage or use in manufacturing of combustible, inflammable, volatile, explosive or otherwise dangerous solids, liquids or gases shall be expressly prohibited throughout the zoned area except in conjunction with a permitted industrial use, extractive use, forestry use, agricultural use, explosives depot or fuel depot or, in the case of vehicle fuels only, a permitted automotive use; and in accordance with any regulations lawfully imposed governing the safe handling and storage of such materials.

3) Building on Unserviced Lots

Notwithstanding any other provisions in this By-law to the contrary, no building or structure requiring water or sewage facilities shall be erected, altered or used on an unserviced lot if for any reason approval is not first obtained, wherever applicable, of private water or sewage facilities for such lot from the Health Unit or any other public agency having jurisdiction from time to time.

3.26 RAILWAY CROSSING

Where any road or street crosses a railway at the same grade, no building or structure shall be erected closer to the point of intersection of the centre line or the railway and roadway than 30 m as signalized crossings and 45 m at uncontrolled crossings.

3.27 SECONDARY DWELLING UNITS

Secondary dwelling units shall be developed in accordance with the following provisions:

- a) A maximum of one secondary dwelling unit shall be permitted in a single-detached dwelling, a semi-detached dwelling or a townhouse where permitted by this By-law, provided that:
 - i) It does not change the streetscape character along the street where it is located;
 - ii) A building permit is required prior to the establishment of a secondary dwelling unit and must follow the requirements of the Ontario Building Code.
- b) 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.
- c) Parking for the secondary dwelling unit shall be provided in accordance with the parking provisions in this By-law.
- d) 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.

- e) The secondary dwelling unit shall not exceed 56.0 m² of any portion of the secondary dwelling unit 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.
- f) 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.

3.28 SPECIAL SETBACKS – WATERCOURSES AND HIGHWAYS

1) Setback from High Water Mark

Notwithstanding any other provision of this By-law to the contrary, the minimum setback to above ground or below ground structures shall be 30 m from the high water mark of any adjacent water body.

2) Setback on Provincial Highway

Notwithstanding any other provision of this By-law to the contrary, on lands adjacent to provincial highways, the minimum setback shall be in accordance with the regulations of the Ministry of Transportation.

3) Development Setback on Frederickhouse River and Abitibi River

Notwithstanding any other provision of this By-law to the contrary, no building or structure shall be located within 90 m of the high water mark of the Frederickhouse River or Abitibi river except where such building or structure is intended for flood or erosion control; and, no expansion of an existing use is permitted within this setback area.

4) Special Yard Requirements when Waterways are Involved

Notwithstanding any other provision of this By-law to the contrary, where in this By-law, a front, side or rear yard is required, and part of the area of the lot in which such front, side or rear is required is usually covered by water or marsh, or is beyond the rim of a river bank or watercourse, or between the top and toe of a cliff or embankment having a slope of thirty degrees or more from the horizontal, then the required yard shall be measured from the nearest main wall of the building or structure on the lot to the edge of said area covered by water or marsh, or to the rim of said riverbank or watercourse, or to the top of the said cliff or embankment if such area is closer than the lot line.

3.29 YARD ENCROACHMENTS

1) General Provisions

No part of any required yard in any zone shall be obstructed by any building or structure, or part thereof, except for:

- a) accessory buildings and structures specifically permitted by this by-law;
- b) open metal fire escapes which may project not more than 1.5 m into a required yard;
- c) open porches, balconies, sundecks, uncovered platform landing or steps which project not more than 1.5 m into any required yard.
- d) architectural adornments and equipment including, but not necessarily restricted to sills, belt courses, chimneys, canopies, awnings, cornices, eaves, eavestroughs, gutters, pilasters, bay windows and heating and cooling equipment provided that no such adornments or equipment project more than 0.6 m into any required yard;
- e) steps, ramp for use by handicapped and walkways which may project into any yard;
- f) provided that no part of any such structure, projection, adornment or equipment is located closer than 0.6 m to any lot line or in any way obstructs a required parking space or driveway.

2) Exceptions for Water-related Ancillary Uses

Nothing in this By-law shall apply to prevent the obstruction of a required yard by water-related ancillary structures, other than buildings, at the edge of a waterbody subject to any other approvals required by law.

3) Exceptions for Automobile Service Stations and Gas Bars

Pump islands and canopies shall comply with all interior side yard and rear yard requirements of this By-law and shall be permitted within a required front yard and exterior side yard, provided that no part of any pump island or canopy shall be located closer than 6 m to any street line.

3.30 REDUCTION OF INTERIOR SIDE YARD FOR SEMI-DETACHED DWELLINGS

Notwithstanding any other provision of this By-law to the contrary, no interior side yard shall be required where semi-detached dwellings on adjacent lots are attached together by a common wall extending along the side lot line separating such lots, provided that any wall which does not constitute part of such common wall or a direct extension thereof shall be set back as required elsewhere by the provisions of this By-law.

3.31 SPECIAL PROVISIONS TO PERMIT PRIVATELY OWNED AND OPERATED HYDRO-ELECTRIC GENERATING FACILITY (FORMER GLACKMEYER BY-LAW NO. 877)

The provisions of this By-law shall be deemed to permit the installation of a privately owned and operated hydroelectric project known as the Long Sault Hydroelectric Project. This facility, located on the Abitibi River, will consist of a 15 MW generating station comprising structures including an intake, dam, powerhouse, spillway and fish ladder. This facility shall be permitted to also include a head pond extending some 10 km upstream of the dam and a transmission line which will extend from the generating station southwesterly across the township (to connect to the Ontario Hydro Sub-station outside of the township of Hanna). For the purpose of this By-law, the zone requirements and the provisions for frontage on a public road shall be deemed to have been met.

3.32 DISCARDED TIRES

Notwithstanding any other provision of this By-law to the contrary, the storage of discarded or used tires shall only be permitted in an Industrial Zone or a Linear Mixed Commercial Zone provided that:

- a) no more than 150 discarded or used tires shall be permitted on any lot or at any one location, and
- b) any area used for the storage of discarded or used tires shall be fully enclosed by a fence not less than 1.8 m in height which is secured to prevent unauthorized access by any person or persons.

3.33 SPECIAL PROVISIONS FOR TRANSCANADA PIPELINE

Notwithstanding any other provisions and standards of this by-law, no main building or structure shall be located within 7 metres of the TransCanada Pipeline right-of-way. Accessory buildings or structures shall have a minimum setback of at least 3 metres from the limits of the right-of-way. No building or structure is permitted within 3 metres of the right-of-way.

4 ZONE PROVISIONS

4.1 RESIDENTIAL ZONES

4.1.1 R1 – RESIDENTIAL FIRST DENSITY ZONE

1) Scope

The provisions of this Section shall apply in all Residential (R1) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any Residential (R1) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) Residential Uses
 - i) a single detached dwelling;
 - ii) a semi-detached dwelling
 - iii) a duplex dwelling;
 - iv) a garden suite;
 - v) a multiple attached dwelling containing up to 6 dwelling units;
 - vi) a home occupation;
 - vii) a group home;
 - viii) a secondary dwelling unit.

- b) Other Uses
 - i) a public park;
 - ii) a public use;
 - iii) a playground;
 - iv) a public institutional use;

3) Zone Requirements

No person shall, within any R1 Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area
 - i) a single detached dwelling – 465 m²
 - ii) a semi-detached dwelling – 750 m²
 - iii) a duplex dwelling – 750 m²
 - iv) a multiple attached dwelling – 1100 m²
 - v) all other uses – 1500 m²

- b) Minimum Lot Frontage
 - i) a single detached dwelling – 15 m
 - ii) a semi-detached dwelling – 20 m
 - iii) a duplex dwelling – 20 m
 - iv) a multiple attached dwelling – 30 m
 - v) all other uses – 40 m
- c) Minimum Lot Depth – 36 m
- d) Minimum Front Yard Depth – 6 m
- e) Minimum Corner Side Yard Width – 4.5 m
- f) Minimum Interior Side yard Width – 1.2 m
- g) Minimum Rear Yard Depth – 6 m
- h) Maximum Lot Coverage – 50%
- i) Minimum Landscaped Open Space – no minimum
- j) Maximum Building Height – 10 m
- k) Maximum Main Buildings Per Lot – 1 only
- l) Reduction for Minimum Front Yard Depth

Notwithstanding any other provisions in this By-law to the contrary, a 50% reduction for the minimum front yard depth for a property with a single detached dwelling or duplex dwelling will be permitted at the discretion of the Building Department, provided that the reduction is for additions or projections only, the required sight triangle is met, and there are no further projections. [By-law No. 1300-2018]

4.1.2 R2 –RESIDENTIAL SECOND DENSITY ZONE

1) Scope

The provisions of this Section shall apply in all Multiple Residential (R2) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any Multiple Residential (R2) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) an apartment dwelling
- b) a multiple attached dwelling;
- c) a boarding house dwelling;
- d) a public park;
- e) a public use;
- f) a playground;
- g) a public institutional use;

3) Zone Requirements

No person shall, within any R2 Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area –1500 m²
- b) Minimum Lot Frontage – 40 m
- c) Minimum Lot Depth – 36 m
- d) Minimum Front Yard Depth – 6 m
- e) Minimum Corner Side Yard Width – 4.5 m
- f) Minimum Interior Side Yard Width –4.5m
- g) Minimum Rear Yard Depth – 6 m

- h) Maximum Lot Coverage – 50%
- i) Minimum Landscaped Open Space – 30%, in accordance of with the provisions of this By-law.
- j) Maximum Building Height – 10 m
- k) Maximum Main Buildings Per Lot – no maximum
- l) Minimum Building Separation – The minimum building separation required between any 2 opposing walls of 1 or more multiple dwellings on the same lot shall be 15 m.
- m) Open Storage Areas – no open storage shall be permitted on a lot in any R2 Zone.
- n) Required Amenity Areas – Where a lot contains 5 or more dwelling units, amenity space shall be provided at a minimum ratio of 4.5 m² per dwelling unit

4.1.3 R3 – MOBILE HOME RESIDENTIAL ZONE

1) Scope

The provisions of this Section shall apply in all Mobile Home Residential (R3) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any Mobile Home Residential (R3) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) a mobile home dwelling mounted on a permanent foundation;
- b) a mobile home park;
- c) a park;
- d) a playground;

3) Zone Requirements

No person shall, within any R3 Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area
 - i) mobile home site – 465 m²
 - ii) mobile home park – 8 ha
- b) Minimum Lot Frontage
 - i) mobile home sites – 15 m
 - ii) mobile home parks – 300 m
- c) Minimum Lot Depth
 - i) mobile home sites – 36 m
 - ii) mobile home parks – 50 m
- d) Minimum Front Yard Depth – 6 m
- e) Minimum Corner Side Yard Width – 6 m
- f) Minimum Interior Side yard Width
 - i) mobile home sites – 3 m
 - ii) mobile home parks – 7.5 m

- g) Minimum Rear Yard Depth – 6 m
 - i) mobile home sites – 6 m
 - ii) mobile home parks – 7.5 m
- h) Maximum Lot Coverage – 40%
- i) Minimum Landscaped Open Space - 5%, for use in common by all persons living in a mobile home park
- j) Maximum Building Height – 1 storey
- k) Maximum Main Buildings Per Lot
 - i) mobile home sites – 1 only
 - ii) mobile home parks – 85
- l) Minimum Building Separation – 3m
- m) Open Storage Areas - No open storage shall be permitted on any lot in any R3 Zone.
- n) Interpretation of Requirements for Mobile Home Sites

Notwithstanding the definitions contained in this By-law, the provisions of this By-law pertaining to mobile home dwellings located in mobile home parks shall be interpreted as if such mobile home sites constituted separate lots and as if any driveways providing access thereto were roads.

- o) Minimum Width of Mobile Home Park Driveways

The minimum width of any driveway providing access to a mobile home park or a mobile home site shall be 6 m.

4.2 COMMERCIAL ZONES

4.2.1 C1 – COMMERCIAL CORE ZONE

1) Scope

The provisions of this Section shall apply in all Commercial Core (C1) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any Commercial Core (C1) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) an apartment dwelling ;
- b) an auditorium;
- c) a bake shop;
- d) a boarding house dwelling;
- e) a bank;
- f) a bar;
- g) a business office;
- h) a bus terminal;
- i) a commercial school or trade school;
- j) a day nursery;
- k) a dental clinic;
- l) a funeral home;
- m) a hotel;
- n) a motel;
- o) a medical office;
- p) an institution;
- q) a place of worship;
- r) a dry cleaning or laundering establishment;

- s) an office
- t) a merchandise service shop;
- u) a public park;
- i) a public institutional use;
- w) a private club;
- x) a place of entertainment;
- y) a parking lot;
- z) a recreation centre;
- aa) a restaurant;
- bb) a retail store;
- cc) a rooming house;
- dd) a school;
- ee) a taxi stand;
- ff) a personal service shop;
- gg) a medical laboratory;

3) Zone Requirements

No person shall, within any C1 Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area – 465 m²
- b) Minimum Lot Frontage – 15 m
- c) Minimum Lot Depth – 36 m
- d) Minimum Front Yard Depth – no minimum
- e) Minimum Corner Side Yard Width – 3 m
- f) Minimum Interior Side yard Width – 1.2 m
- g) Minimum Rear Yard Depth – 6 m
- h) Maximum Lot Coverage – 80%

- i) Minimum Landscaped Open Space – no minimum
- j) Maximum Building Height – 10 m
- k) Maximum Main Buildings Per Lot – no maximum
- l) Open Storage Areas - No open storage shall be permitted, except for the accessory outdoor display or sale of goods or materials, in any yard other than a required yard.
- m) Required Amenity Areas - Where a lot contains 5 or more dwelling units, outdoor amenity space shall be provided at a minimum ratio of 4.5 m² per dwelling unit
- n) Mixed Use Buildings - Where the uses of a building consist of both residential and non-residential uses, the residential uses shall be located above the non-residential uses.
- o) Accessory Residential Accommodation – Residential dwelling units are permitted as an accessory use to a commercial use provided:
 - i) the residential use is accessory to the main commercial use and located in the same building; and
 - ii) the entrance to the residential use shall be separate from the entrance to the main commercial use.

4.2.2 C2 – COMMERCIAL TRANSITION ZONE

1) Scope

The provisions of this Section shall apply in all Commercial Transition (C2) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any Commercial Transition (C2) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) a single detached dwelling unit;
- b) a duplex dwelling;
- c) a multiple attached dwelling containing up to 6 dwelling units;
- d) a boarding house dwelling;
- e) a home occupation;
- f) a group home;
- g) a day nursery;
- h) dwelling units, provided that they are located above non-residential uses;
- i) a funeral home
- j) an institutional use;
- k) an office;
- l) a public park;
- m) a public use;
- n) a parking lot;
- o) a personal service shop;
- p) a restaurant;
- q) a school;
- r) a medical office;

3) Zone Requirements

No person shall, within any C2 Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area – 465 m²
- b) Minimum Lot Frontage – 15 m
- c) Minimum Lot Depth – 36 m
- d) Minimum Front Yard Depth – 6 m
- e) Minimum Corner Side Yard Width – 3 m
- f) Minimum Interior Side yard Width – 1.2 m
- g) Minimum Rear Yard Depth – 6 m
- h) Maximum Lot Coverage – 60%
- i) Minimum Landscaped Open Space – no minimum, except as required by the landscaping provisions of this By-law
- j) Maximum Building Height – 10 m
- k) Maximum Main Buildings Per Lot – 1 only
- l) Minimum Building Separation – 3 m
- m) Open Storage Areas – no open storage permitted
- n) Required Amenity Areas - Where a lot contains 5 or more dwelling units, outdoor amenity space shall be provided at a minimum ratio of 4.5 m² per dwelling unit
- o) Mixed Use Buildings - Where the use of a building consists of both residential and non-residential uses, residential uses shall be located above the non-residential uses.
- p) Accessory Residential Accommodation - Residential dwelling units are permitted as an accessory use to a commercial use provided:
 - i) the residential use is accessory to the main commercial use and located in the same building; and
 - ii) the entrance to the residential use shall be separate from the entrance to the main commercial use.

4.2.3 C3 – LINEAR MIXED COMMERCIAL ZONE

1) Scope

The provisions of this Section shall apply in all Linear Mixed Commercial (C3) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any Linear Mixed Commercial (C3) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) an animal hospital or shelter;
- b) an automotive use;
- c) an automobile service station;
- d) a bar;
- e) a building supply store;
- f) a bulk sales establishment;
- g) a car wash;
- h) a commercial or public garage;
- i) a community centre;
- j) a convenience store;
- k) a garden centre;
- l) a gas bar;
- m) a farm equipment and machinery sales and service outlet;
- n) a farm produce outlet;
- o) a highway commercial use;
- p) a hotel;
- q) a motel;
- r) a light manufacturing use;
- s) a medical office;

- t) a mining use;
- u) an office;
- v) a personal service shop;
- w) a place of entertainment;
- x) a public use;
- y) a public utility;
- z) a restaurant;
- aa) a retail store established primarily to serve the needs of the traveler;
- bb) a sales and service outlet for trailers, boats, recreation vehicles, snow machines, all-terrain vehicles and other similar uses;
- cc) a school;
- dd) a service trade;
- ee) a parking lot;
- ff) a private club;
- gg) a taxi stand;
- hh) a technology industry;
- ii) a transport terminal;
- jj) a warehouse;

3) Zone Requirements

No person shall, within any C3 Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area – 1100 m²
- b) Minimum Lot Frontage – 45 m
- c) Minimum Lot Depth – 36 m
- d) Minimum Front Yard Depth – 15 m
- e) Minimum Corner Side Yard Width – 15 m

- f) Minimum Interior Side yard Width - 6 m where the interior side lot line abuts a residential lot or Residential Zone, and 3 m in any other case.
- g) Minimum Rear Yard Depth - 6m
- h) Maximum Lot Coverage - 60%
- i) Minimum Landscaped Open Space - 5%, in accordance with the provisions of this By-law.
- j) Maximum Building Height - 10 m
- k) Maximum Main Buildings Per Lot - no maximum
- l) Minimum Building Separation - 3 m
- m) Open Storage Areas - No open storage areas shall be permitted except for the accessory outdoor display or sale of goods or materials in any yard other than a required yard.
- n) Maximum Gross Floor Area Per Lot - 1.0 times the area of the lot

4.3 INDUSTRIAL ZONES

4.3.1 M1 – INDUSTRIAL ZONE

1) Scope

The provisions of this Section shall apply in all Industrial (M1) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any M1 Zone, use any lot or erect, alter or use any building or structure for any purpose except on or more of the following uses, namely:

- a) an automotive use;
- b) a building supply yard;
- c) a bulk sales establishment;
- d) a commercial or public garage;
- e) a fabricating shop;
- f) a food processing plant;
- g) a fuel depot;
- h) a hardware store;
- i) an impounding yard;
- j) an industrial use;
- k) a light industrial use;
- l) a machine shop;
- m) a manufacturing use;
- n) a methadone treatment centre [By-law No. 878-2012];
- o) a mining use;
- p) an office;
- q) a public use;
- r) a public utility;

- s) a salvage yard;
- t) a school;
- u) a service trade;
- v) a storage yard;
- w) a technology industry;
- x) a transport terminal and/or communications facility;
- y) a warehouse;
- z) a welding shop.

3) Zone Requirements

No person shall, within any M1 Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area – 1100 m²
- b) Minimum Lot Frontage – 30 m
- c) Minimum Lot Depth – 36 m
- d) Minimum Front Yard Depth – 6 m
- e) Minimum Corner Side Yard Width – 6 m
- f) Minimum Interior Side yard Width – 6 m
- g) Minimum Rear Yard Depth – 6 m
- h) Maximum Lot Coverage – 60%
- i) Minimum Landscaped Open Space – 5% in accordance with the landscaping provisions of this By-law.
- j) Maximum Building Height – 10 m
- k) Maximum Main Buildings Per Lot – no maximum
- l) Minimum Building Separation – 3 m
- m) Open Storage Areas

Open storage shall be permitted in any yard, other than a required yard, provided that any open storage area located closer than 150 m to a Residential Zone or public

highway is separated therefrom by a continuous opaque barrier not less than 1.8 m in height, except that no barrier shall be required abutting a railway right-of-way.

n) Special Restrictions Near Residential Zones

Notwithstanding any other provision in this By-law to the contrary, no building, structure or open storage area either in association with, or pertaining to, a body shop, fuel depot, or industrial use, other than a light industrial use, warehouse, food processing plant or accessory office, shall hereafter be established or erected closer than 150 m to a Residential Zone.

4.4 OPEN SPACE ZONES

4.4.1 OS – PARK AND OPEN SPACE ZONE

1) Scope

The provisions of this Section shall apply in all Parks and Open Space (OS) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any Parks and Open Space (OS) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) a community centre;
- b) a conservation area;
- c) a playground;
- d) a fair or exhibition use;
- e) a golf course;
- f) a public park;
- g) a recreation centre;
- h) a public library;
- i) a public museum;
- j) an outdoor recreation area;
- k) any building or structure housing, or otherwise directly serving, a recreational activity;
- l) an existing campground;
- m) an accessory restaurant;
- n) a water park.

3) Zone Requirements

No person shall, within any OS Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area – no minimum

- b) Minimum Lot Frontage – 30 m
- c) Minimum Lot Depth – no minimum
- d) Minimum Front Yard Depth – 10 m
- e) Minimum Corner Side Yard Width – 10 m
- f) Minimum Interior Side yard Width – 10 m
- g) Minimum Rear Yard Depth – 10 m
- h) Maximum Lot Coverage – 20%
- i) Minimum Landscaped Open Space – 40%, in accordance with the landscaping provisions of this By-law.
- j) Maximum Building Height – 10 m
- k) Maximum Main Buildings Per Lot – no maximum
- l) Minimum Building Separation – 3 m
- m) Open Storage Areas - No open storage areas shall be permitted.

4.4.2 SEN - SENSITIVE AREA ZONE

1) Scope

The provisions of this Section shall apply in all Sensitive Area (SEN) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any Sensitive Area (SEN) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) an area of natural and scientific interest;
- b) a conservation use;
- c) an open space use;

3) Zone Requirements

No person shall, within any SEN Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area – no minimum
- b) Minimum Lot Frontage – no minimum
- c) Minimum Lot Depth – no minimum
- d) Minimum Setback from Lot Lines – 15 m from any street line and 7.5 m from any other lot line
- e) Minimum Landscaped Open Space – in accordance with the landscaping provisions of this By-law.
- f) Maximum Building Height
 - i) main building – 10 m
 - ii) accessory building – 6 m
- g) Maximum Main Buildings Per Lot – no minimum
- h) Minimum Building Separation – 3 m
- i) Open Storage Areas - No open storage areas shall be permitted.

4.5 RURAL ZONES

4.5.1 RU – RURAL ZONE

1) Scope

The provisions of this Section shall apply in all Rural (RU) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any Rural (RU) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) an agricultural use;
- b) a bed and breakfast establishment;
- c) a cemetery;
- d) a conservation use;
- e) a garden nursery;
- f) a farm produce outlet;
- g) an outdoor recreation area;
- h) a private club;
- i) a public park;
- j) a public use;
- k) a public institutional use;
- l) a playground;
- m) a school;
- n) a forestry use;
- o) a hobby farm;
- p) a hunt camp;
- q) a home industry;
- r) a home occupation;

- s) a group home;
- t) a commercial kennel;
- u) a veterinary establishment;
- v) a portable asphalt plant;
- w) a wayside pit or wayside quarry;
- x) an existing waste disposal site;
- y) an existing gravel pit;
- z) a place of worship;
- aa) a single detached dwelling;
- bb) a secondary dwelling unit;
- cc) a seasonal dwelling.

3) Zone Requirements

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

- a) Minimum Lot Area
 - i) Agricultural uses – 30 ha
 - ii) All other Uses – 2 ha
- b) Minimum Lot Frontage – 90 m
- c) Minimum Lot Depth – 60 m
- d) Minimum Setback
 - i) Residential Uses – all yards 7.5 m
 - ii) All other uses – all yards 15 m
- e) Maximum Lot Coverage – 25%
- f) Minimum Landscaped Open Space – no minimum except as required by the landscaping provisions of this By-law.
- g) Maximum Building Height

- i) main building - 10 m
- ii) accessory building – 6 m
- h) Maximum number of dwelling units per lot – 1 unit
- i) Maximum Main Buildings Per Lot
 - i) residential uses – 1 only
 - ii) all other uses – no maximum
- j) Minimum Building Separation – 3 m

k) Open Storage Areas

Open storage areas, used solely for accessory storage for a permitted use, shall be permitted in any yard, other than a required yard, in an RU Zone.

l) Special Restrictions Near Residential Lots and Zones

No airstrip or feed lot directly associated directly with an agricultural use, nor any non-residential building or structure directly associated with an intensive agricultural use or commercial Kennel or with the cutting or sawing of timber, shall hereafter be established or erected closer than 300 m to a residential lot or Residential Zone.

m) Water Frontage for Seasonal Waterfront Dwelling Units

Notwithstanding any other provisions in this By-law to the contrary, the minimum water frontage for a seasonal waterfront dwelling shall be 60 m.

n) Special Provisions for Second Farm Dwelling

Notwithstanding any other provisions of this By-law to the contrary, an accessory dwelling unit shall be permitted on operating farms having a minimum area of 60 ha. An accessory dwelling unit may consist of a mobile home unit or the addition of a second dwelling unit to an existing single detached dwelling unit. The mobile home unit must be located within 100 m of the principle residence or main agricultural building located on the lot and shall be subject to a Temporary Use By-law in accordance with the *Planning Act*.

o) Special Lot Size for Specialized Agricultural Operations

Notwithstanding any other provisions of this By-law to the contrary, the minimum lot area for specialized agricultural operations shall be 5.0 ha.

p) Special Restrictions for Kennels

Notwithstanding any other provisions of this By-law to the contrary, no part of any kennel shall be located closer than 100 m to a dwelling unit on another lot.

q) Special Restrictions on Farm Animals

Notwithstanding any other provision of this By-law to the contrary, the keeping, raising or boarding of farm animals on lots where the principal use is residential and which has an area of less than 2 ha shall not be permitted.

4.5.2 AG – AGRICULTURAL ZONE

1) Scope

The provisions of this Section shall apply in all Agricultural (AG) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any Agricultural (AG) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) an agricultural use;
- b) a bed and breakfast use;
- c) a cemetery;
- d) a conservation use;
- e) a farm produce outlet;
- f) a forestry use not including wood processing or manufacturing of wood products;
- g) a home industry;
- h) a home occupation;
- i) a hunt camp;
- j) a kennel;
- k) a public park;
- l) a public use;
- m) a public institutional use;
- n) a playground;
- o) a recreation use;
- p) a school;
- q) a technology industry;
- r) a veterinary establishment;
- s) a wayside pit or wayside quarry;

- t) a single detached dwelling;
- u) a seasonal dwelling;
- v) accessory farm related commercial and industrial uses.

3) Zone Requirements

No person shall, within any AG Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area
 - i) agricultural uses – 30 ha
 - ii) all other uses other than an accessory dwelling – 2 ha
- b) Minimum Lot Frontage – 90 m
- c) Minimum Setbacks – all yards 15 m
- d) Maximum Building Height
 - i) residential uses – 10 m
 - ii) other main uses – 21 m
 - iii) accessory uses – 6 m
- e) Maximum Main buildings Per Lot
 - i) residential uses – 1 only
 - ii) other uses – no maximum
- f) Minimum Building Separation – 3 m
- g) Open Storage – Open storage shall be permitted in any yard, other than a required yard.
- h) Special Restrictions Near Residential Lots and Zones

No airstrip or feed lot directly associated directly with an agricultural use, nor any non-residential building or structure directly associated with an intensive agricultural use or commercial Kennel or with the cutting or sawing of timber, shall hereafter be established or erected closer than 300 m to a residential lot or Residential Zone, nor shall any residential building hereafter be established as a main use within 300 m of any such building, structure, air strip or feed lot previously established in an AG Zone.

i) Special Lot Size for Specialized Agricultural Operations

Notwithstanding any other provisions of this By-law to the contrary, the minimum lot area for specialized agricultural operations shall be 5.0 ha.

j) Special Restrictions on Farm Animals

Notwithstanding any other provision of this By-law to the contrary, the keeping, raising or boarding of farm animals on lots where the principal use is residential and which has an area of less than 2 ha shall not be permitted.

k) Minimum Parking Space Requirements – no minimum

4.5.3 SD – SHORELINE DEVELOPMENT ZONE

1) Scope

The provisions of this Section shall apply in all Shoreline Development (SD) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any Shoreline Development (SD) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) a seasonal dwelling;
- b) a private cabin accessory to a permitted seasonal dwelling;
- c) a private cabin;
- d) a tourist commercial use;
- e) a bed and breakfast establishment;

3) Zone Requirements

No person shall, within any SD Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area – .8 ha
- b) Minimum Lot Frontage – 45 m
- c) Minimum Lot Depth – 90 m
- d) Minimum Front Yard Depth – 10 m
- e) Minimum Corner Side Yard Width – 10 m
- f) Minimum Interior Side yard Width – 10 m
- g) Minimum Rear Yard Depth – 10 m
- h) Maximum Lot Coverage – 10%
- i) Minimum Landscaped Open Space – no minimum
- j) Maximum Building Height – 10 m
- k) Maximum Main Buildings Per Lot – 1 only

- l) Minimum Building Separation – 3 m
- m) Open Storage Areas – no open storage shall be permitted on a lot in any SD Zone.
- n) Private Cabins
- o) No private cabin shall exceed 30 m² in gross floor area, nor shall more than 1 private cabin be erected on any lot.
- p) No private cabin shall hereafter be erected on any lot having a lesser lot area than this By-law requires.

4.5.4 HT – HAMLET COMMUNITY ZONE

1) Scope

The provisions of this Section shall apply in all Hamlet Community (HT) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any Hamlet Community (HT) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) a single detached dwelling
- b) a home occupation;
- c) a bank;
- d) a cemetery;
- e) a clinic;
- f) a convenience store
- g) a public institutional use;
- h) an office;
- i) a public park;
- j) a public use;
- k) a playground;
- l) a personal service establishment;
- m) a private club;
- n) a restaurant;
- o) a retail store;
- p) a service outlet;
- q) a studio;
- r) a video rental outlet;
- s) an accessory dwelling unit;

3) Zone Requirements

No person shall, within any HT Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area – 2 ha
- b) Minimum Lot Frontage – 90
- c) Minimum Lot Depth – 90 m
- d) Minimum Front Yard Depth – 10 m
- e) Minimum Exterior Side Yard Width – 7.5 m
- f) Minimum Interior Side yard Width – 5 m
- g) Minimum Rear Yard Depth – 7.5 m
- h) Maximum Lot Coverage – 30%
- i) Minimum Landscaped Open Space – no minimum, except as provided by the landscaping provisions of this By-law.
- j) Maximum Building Height
 - i) main building – 10 m
 - ii) accessory building – 6 m
- k) Maximum Main Buildings Per Lot – 1 only
- l) Maximum Number of Dwelling Units per Lot – 1 only
- m) Minimum Building Separation – 3 m
- n) Open Storage Areas – no open storage shall be permitted on a lot in any HT Zone.
- o) Special Provisions for Parks and Cemeteries

Parks and cemeteries shall not be subject to the minimum lot area or lot frontage requirements but shall comply with the setback requirements of this By-law.

4.5.5 AC – AIRPORT COMMERCIAL ZONE

1) Scope

The provisions of this Section shall apply in all Airport Commercial (AC) Zones in addition to the General Provisions set out in this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any Airport Commercial (AC) Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- a) an agricultural use without any buildings or structures;
- b) an airport;
- c) a commercial use;
- d) a public or commercial garage;
- e) a storage depot;
- f) a tourist outfitters establishment;
- g) a transportation depot;
- h) a wayside pit or wayside quarry;
- i) an accessory dwelling unit.

3) Zone Requirements

No person shall, within any AC Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area – 2 ha
- b) Minimum Lot Frontage – 90 m
- c) Minimum Lot Depth – 90 m
- d) Minimum Setback from Lot Lines – 15 m from any street line and 7.5 m from any Other lot line
- e) Maximum Lot Coverage – 30%
- f) Minimum Landscaped Open Space – in accordance with the landscaping provisions of this By-law.

- g) Maximum Building Height
 - i) main building – 10 m
 - ii) accessory building – 6 m
- h) Maximum Main Buildings Per Lot – no minimum
- i) Minimum Building Separation – 3 m
- j) Open Storage Areas - No open storage areas shall be permitted.

4.5.6 MX – MINERAL EXTRACTION ZONE

1) Scope

The provisions of this Section shall apply in all Mineral Extraction (MX) Zones in addition to the General Provisions of this By-law, except as otherwise provided in this By-law.

2) Uses Permitted

No person shall, within any MX Zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses, namely:

- a) a pit;
- b) a quarry;
- c) manufacturing of cement, concrete, pavement, brick or granular, or other similar materials including an asphalt or ready mix concrete plant;
- d) an agricultural use, not including buildings or structures;
- e) a forestry use, not including buildings or structures;
- f) a school;
- g) an accessory dwelling unit.

3) Zone Requirements

No person shall, within any MX Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- a) Minimum Lot Area – 2 ha
- b) Minimum Lot Frontage – 90 m
- c) Minimum Lot Depth – 90 m
- d) Minimum Setback from Lot Lines – 30 m from any street line and 15 m from all other lot lines
- e) Maximum Lot Coverage – no maximum
- f) Minimum Landscaped Open Space – as per landscaping requirements of this By-law
- g) Maximum Building Height – 10 m
- h) Maximum Main Buildings per Lot – no maximum

i) Minimum Building Separation – 3 m

j) Open Storage Areas

Open Storage areas shall be permitted in any yard, other than within the required setback from all lot lines, provided that any open storage area located closer than 150 m to a Residential Zone or public road is separated therefrom by a continuous opaque barrier not less than 1.8 m in height, except that no such barrier shall be required abutting a railway right-of-way.

k) Location and Fencing of Excavations

Any open excavation associated with, or pertaining to an extractive use shall:

i) be located not closer than 30 m to any street line or 15 m to any other lot line; and

ii) be fully enclosed by a continuous fence or other barrier not less than 1.8 m in height, located not closer than 10 m to any part of such excavation.

l) Special Restrictions Near Residential Zones

Notwithstanding any other provision in this By-law to the contrary, no extractive use, nor any building, structure, or open storage area other than an accessory office, shall hereafter be established or erected closer than 150 m to a Residential Zone.

5 SPECIAL ZONES

5.1 SPECIAL ZONE PROVISIONS

Whenever a zone symbol on the Zone Maps is followed by a dash and a number, the lands so designated shall be subject to, and used in accordance with, all the provisions of this By-law applicable to the zone represented by such symbol except as specifically provided by the special provisions of the special zone set out in this Section of the By-law.

5.2 SPECIAL RESIDENTIAL FIRST DENSITY ZONES

5.2.1 R1-1 (FORMER TOWN OF COCHRANE BY-LAW NO. 2066-84)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-1 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the R1 Zone, a place of worship shall be permitted subject to the following requirements:
 - a) minimum lot frontage – 15 m
 - b) minimum side yard – 1 m
 - c) minimum rear yard – 1 m
 - d) minimum number of parking spaces – 16
- 2) This sub-section applies to Part Lot 1 and 2, Plan M-150 (NB), Parcel 2471

5.2.2 R1-2 (FORMER TOWN OF COCHRANE BY-LAW NO. 2084-84)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-2 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the R1 Zone, a Boy Scout Hall shall be permitted.

5.2.3 R1-3 (FORMER TOWN OF COCHRANE BY-LAW NO. 2133-85)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-3 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the R1 Zone, a multiple dwelling containing not more than 4 dwelling units shall be permitted subject to the following requirements:
 - a) minimum lot frontage – 30 m
 - b) minimum lot depth – 30 m
 - c) minimum lot area – 900 sq. m.
 - d) minimum interior side yard between lots 164 and 165, Plan M169-NB – no minimum
 - e) minimum floor area (per unit) – 84 sq. m.

- 2) For the purpose of this sub-section, lots 164 and 165, Plan M169-NB shall be considered as a single building lot.

5.2.4 R1-4 (FORMER TOWN OF COCHRANE BY-LAW NO. 2143-85)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-4 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the R1 Zone, a multiple dwelling containing not more than 8 dwelling units shall be permitted subject to the following requirements:
 - a) minimum lot frontage – 54 m
 - b) minimum lot depth – 38 m
 - c) minimum lot area – 2,052 sq. m.
 - d) minimum front yard – 6 m
 - e) minimum side yard between Block 89 and Lot 65 – 6 m
 - f) minimum side yard between Lot 81 and Lot 65 – 12 m
 - g) minimum interior side yard – no minimum
 - h) minimum rear yard – 12m
 - i) minimum floor area - 66 m² (per dwelling unit)
 - j) minimum number of parking spaces in side or rear yard only – 12
 - k) maximum lot coverage - 40%
- 2) For the purpose of this sub-section, Lots 63, 64 and 81, Plan 6M-406(C) shall be considered a single building lot.

5.2.5 R1-5 (FORMER TOWN OF COCHRANE BY-LAW NO. 2144-85)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-5 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the R1 Zone, a multiple dwelling containing not more than 6 dwelling units shall be permitted subject to the following requirements:
 - a) minimum lot frontage – 20 m
 - b) minimum lot depth – 59.5 m

- c) minimum lot area – 1,202 sq. m.
 - d) minimum interior side yard – 1.5 m
 - e) minimum exterior side yard – 3.5 m
 - f) minimum rear yard – 12m
 - g) minimum floor area – 84 sq. m (per dwelling unit)
 - h) minimum number of parking spaces in rear yard only - 8
 - i) maximum lot coverage - 50%
- 2) For purposes of this sub-section, the following definitions shall apply:
- a) Yard, Exterior Side means a side yard immediately adjacent to a public street.
 - b) Yard, Interior Side means a side yard other than an exterior side yard.

5.2.6 R1-6 (FORMER TOWN OF COCHRANE BY-LAW NO. 2183-85)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-6 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the R1 Zone, a multiple dwelling containing not more than 8 dwelling units shall be permitted subject to the following requirements:
- a) minimum lot frontage – 40 m
 - b) minimum lot depth – 40 m
 - c) minimum lot area – 1600 sq. m.
 - d) minimum interior side yard – 1.5 m
 - e) minimum front yard – 9 m
 - f) minimum exterior side yard – 12 m
 - g) minimum interior side yard between Lot 537 and Lot 538 – 6 m
 - h) minimum rear yard – 15m
 - i) minimum floor area (per dwelling unit) – 65 sq. m
 - j) maximum lot coverage – 20%
 - k) minimum number of parking spaces in front or rear yard only – 12

- l) minimum interior side yard between Lot 536 and Lot 537 – no minimum
 - m) minimum usable open space not less than 4.6 sq. m. per residential unit shall be provided as a playground located in one place on the lot and suitably prepared for recreation.
- 2) For the purpose of this sub-section, Lots 536 and 537, Plan M-174(NB) shall be considered a single building lot.
 - 3) For purposes of this sub-section, the following definitions shall apply:
 - a) Yard, Exterior Side means a side yard immediately adjacent to a public street.
 - b) Yard, Interior Side means a side yard other than an exterior side yard.

5.2.7 R1-7 (FORMER TOWN OF COCHRANE BY-LAW NO. 2186-85)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-7 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the R1 Zone, a multiple dwelling containing not more than 3 dwelling units shall be permitted subject to the following requirements:
 - a) minimum lot frontage – 20 m
 - b) minimum lot area – 820 sq. m.
 - c) minimum floor area – 190 sq. m

5.2.8 R1-8 (FORMER TOWN OF COCHRANE BY-LAW NO. 2213-86)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-8 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the R1 Zone, a multiple dwelling containing not more than 4 dwelling units shall be permitted subject to the following requirements:
 - a) minimum lot frontage – 20 m
- 2) This sub-section applies to Lot 538, Plan M-174 (NB)

5.2.9 R1-9 (FORMER TOWN OF COCHRANE BY-LAW NO. 2356-87)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-9 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the R1 Zone, a multiple dwelling containing not more than 3 dwelling units shall be permitted subject to the following requirements:
 - a) minimum lot frontage – 15 m
 - b) minimum lot area – 820 sq. m.
 - c) minimum floor area for each dwelling unit – 130 m²
 - d) minimum exterior side yard – 3 m
- 2) This sub-section applies to Lot 592, Plan M-114 (NB).

5.2.10 R1-10 (FORMER TOWN OF COCHRANE BY-LAW NO. 2460-89)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-10 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the R1 Zone, a multiple dwelling or row house dwelling containing not more than 20 dwelling units shall be permitted.
- 2) This subsection applies to Block 22, Plan M-174 (NB)

5.2.11 R1-11 (FORMER TOWN OF COCHRANE BY-LAW NO. 2488-89)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-11 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) The only permitted uses shall be:
 - a) a multiple dwelling containing not more than 10 dwelling units;
 - b) a multiple dwelling containing not more than 12 dwelling units;
 - c) accessory uses
- 2) All provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:
 - a) minimum lot frontage – 85 m
 - b) minimum lot depth – 90 m
 - c) minimum front yard – 25 m
 - d) minimum side yard – 6 m

- e) minimum rear yard – 10 m
 - f) minimum number of parking spaces – 26
 - g) maximum lot coverage – 35%
 - h) minimum usable open space not less than 4.6 m² per residential unit shall be provided as a playground located in one place on the lot and suitably prepared for recreation.
- 3) This sub-section applies to Part Lot 20, Concession 2, Township of Glackmeyer.

5.2.12 R1-12 (FORMER TOWN OF COCHRANE BY-LAW NO. 2830-95)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-12 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the R1 Zone, a local commercial use shall be permitted on Lot 13 of the proposed plan of subdivision.
- 2) The lands to which this sub-section applies are described as Part of Lot 20 and 21, Concession 2, Parcel 2351, 2667 and part of Parcel 2688, being approximately 53 feet wide by 660 feet long abutting the lot line between Lots 20 and 21, Geographic Township of Glackmeyer, Town of Cochrane, District of Cochrane.

5.2.13 R1-13 (FORMER TOWN OF COCHRANE BY-LAW NO. 2866-96)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-13 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) In addition to the permitted uses in the R1 Zone, up to 8 multiple dwelling units shall be permitted subject to the following requirements:
 - a) minimum lot frontage – 40 m
 - b) minimum lot depth – 36 m
 - c) minimum front yard – 6 m
 - d) minimum side yard – 1.2 m
 - e) minimum rear yard – 1.2 m
 - f) minimum interior side yard between Lot 740 and Lot 741, Plan M-173 (NB) – no minimum
 - g) minimum number of parking spaces - 16

- h) maximum lot coverage – 50%
 - i) maximum no. of dwelling units – 8 units
 - j) maximum no. of main buildings – 1 only
- 2) For the purpose of this sub-section, Lots 740 and 741, Plan M-173 (NB) shall be deemed to be a single building lot.

5.2.14 R1-14 (TOWN OF COCHRANE BY-LAW NO. 720-2010)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-14 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) The only permitted use shall be:
 - a) A private institutional use;
 - b) Four accessory apartment dwelling units located in the second floor of the building;
 - c) Related accessory uses.
- 2) A minimum of 19 on-site parking spaces shall be required, 2 of which must be barrier free parking spaces.
- 3) The lands to which this subsection applies are described as Lots 413, 414, 415 and 416, Plan M-114, Town of Cochrane.

5.2.15 R1-15 (FORMER TOWN OF COCHRANE BY-LAW NO. 488-2007)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-15 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) The only permitted use shall be up to four dwelling units within the existing building subject to the following requirements:
 - a) the minimum frontage and area shall be the dimensions of Lot 524 as shown on Plan M-114 (NB).
 - b) a minimum of four on-site parking spaces shall be provided.
 - c) the location of the existing building is permitted.
- 2) This sub-section applies to Lot 524, Plan M-114 (NB).

5.2.16 R1-16 (TOWN OF COCHRANE BY-LAW NO. 1110-2015)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R1-16 on the Zone Maps (Schedule A), all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) That a Garage, Commercial or Public be added as a permitted use.
- 2) The maximum main buildings per lot shall be two.
- 3) This sub-section applies to 166-172 17th Avenue, legally known as the south Part of Lot 19, Concession 1, Glackmeyer, Parcel 3028 Lamarche and Glackmeyer.

5.2.17 R1-17 (TOWN OF COCHRANE BY-LAW NO. 1522-2025)

Notwithstanding any other provision in this by-law to the contrary, within any area designated R1-17 on the Zone Maps, all provisions of this By-law applicable to the R1 Zone shall apply subject to the following modifications:

- 1) In addition to the permitted uses in the R1 Zone, an additional residential unit shall be permitted subject to the following requirements:
- 2) Minimum Interior Side Yard Setbacks of 0.91 Metre (3 feet).
- 3) This sub-section applies to 275 Fourteenth Avenue, legally described as Part Lot 61 and 62 on Plan M150NB, and Part 1 on 6R-2417 and Part 1 on 6R-8418.

5.3 SPECIAL RESIDENTIAL SECOND DENSITY ZONES

5.3.1 R2-1 (TOWN OF COCHRANE BY-LAW NO. 743-2010)

Notwithstanding any other provisions in this by-law to the contrary, within any area designated "R2-1" on the Zone Map, all provisions of this by-law applicable to the R2 Zone shall apply subject to the following modifications:

- 1) The only uses permitted shall be:
 - a) a multiple dwelling containing not more than 8 dwelling units; and
 - b) accessory uses.
- 2) The lands to which this sub-section applies are described as Part of Block C, Plan M346C, Parcel 3364 LG, Town of Cochrane.

5.4 SPECIAL MOBILE HOME RESIDENTIAL ZONES

5.4.1 R3-1 (MOBILE HOME RESIDENTIAL EXCEPTION ONE: FORMER GLACKMEYER ZONING BY-LAW NO. 839)

Notwithstanding any other provision in this By-law to the contrary, within any area designated R3-1 on the Zone Maps, all provisions of this By-law applicable to the R3 Zone shall apply subject to the following modifications:

- 1) Despite the provisions of the Mobile Home Residential Zone, the permitted uses on lands zoned R3-1 shall be restricted to a sanitary sewage treatment lagoon, conservation uses, and community and sporting facilities in existence on March 27, 1995.

5.5 SPECIAL COMMERCIAL CORE ZONES

5.5.1 C1-1 (FORMER TOWN OF COCHRANE BY-LAW NO. 2024-83)

Notwithstanding any other provision in this By-law to the contrary, within any area designated C1-1 on the Zone Maps, all provisions of this By-law applicable to the C1 Zone shall apply subject to the following modifications:

- 1) The following zone requirements shall apply:
 - a) minimum lot frontage – 15 m
 - b) minimum lot depth – 25 m
 - c) minimum lot area – 375 sq. m.
 - d) minimum front yard – no minimum
 - e) minimum rear yard – no minimum
 - f) maximum lot coverage – 90%
- 2) This sub-section applies to Lot 128, Plan M-114 (NB).

5.5.2 C1-2 (FORMER TOWN OF COCHRANE BY-LAW NO. 2293-87)

Notwithstanding any other provision in this By-law to the contrary, within any area designated C1-2 on the Zone Maps, all provisions of this By-law applicable to the C1 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the C1 Zone, a multiple dwelling containing not more than 18 dwelling units shall be permitted subject to the following requirements:
 - a) minimum floor area of dwelling unit – 25 sq. m.
 - b) maximum floor area of dwelling unit – 42 m²
 - c) maximum number of dwelling units – 18
 - d) there shall be provided and maintained on the same lot as the dwelling units one parking space for each dwelling unit up to a maximum of 16 parking spaces.
 - e) the dwelling units shall be located on the second and third floors of the building.
 - f) there shall be provided and maintained on the same lot as the dwelling units not less than 37 m² of landscaped open space, which shall be enclosed by a fence not less than 0.9 m in height.

- 2) This sub-section applies to Part of Lot 378 and Lots 379 and 380, Plan M-114 (NB).

5.5.3 C1-3 (FORMER TOWN OF COCHRANE BY-LAW NO. 2465-89)

Notwithstanding any other provision in this By-law to the contrary, within any area designated C1-3 on the Zone Maps, all provisions of this By-law applicable to the C1 Zone shall apply subject to the following modifications:

- 1) In addition to the use permitted in the C1 Zone, the following uses shall be permitted:
 - a) a transportation facility
 - b) a railway track
- 2) For the purpose of this sub-section, the following definition shall apply:

Transportation Facility means the use of land, building or structure as a train station and bus station which may include loading and unloading of passengers, a ticket office, restaurant, luggage checking facilities, parcel shipping facilities, ancillary offices, parking facilities for vehicles, and similar uses.

5.5.4 C1-4 (FORMER TOWN OF COCHRANE BY-LAW NO. 2499-90)

Notwithstanding any other provision in this By-law to the contrary, within any area designated C1-4 on the Zone Maps, all provisions of this By-law applicable to the C1 Zone shall apply subject to the following modifications:

- 1) The following zone requirements shall apply:
 - a) minimum lot depth – 20 m.
 - b) maximum rear yard (retained lot) – 2.7 m.
- 2) This sub-section applies to Lot 318, Plan M-114 (NB).

5.6 SPECIAL COMMERCIAL TRANSITION ZONES

5.6.1 C2-1 (FORMER TOWN OF COCHRANE BY-LAW NO. 2122-85)

Notwithstanding any other provision in this By-law to the contrary, within any area designated C2-1 on the Zone Maps, all provisions of this By-law applicable to the C2 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the C2 Zone, a multiple dwelling containing not more than 3 dwelling units shall be permitted subject to the following requirements:
 - a) minimum lot frontage – 20 m
 - b) minimum lot area – 820 m²
 - c) minimum floor area 190 m²

5.6.2 C2-2 (FORMER TOWN OF COCHRANE BY-LAW NO. 2150-85)

Notwithstanding any other provision in this By-law to the contrary, within any area designated C2-2 on the Zone Maps, all provisions of this By-law applicable to the C2 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the C2 Zone, a multiple dwelling containing not more than 3 bachelor dwelling units shall be permitted subject to the following requirements:
 - a) minimum lot frontage – 12 m
 - b) minimum lot area – 490 sq. m.
 - c) minimum side yard between Lots 397 and 396, Plan M-114 (NB) – 1 m
 - d) minimum side yard between Lots 397 and 398, Plan M-114 (NB) – 3 m
 - e) minimum floor area (per dwelling unit) – 37 sq. m.
 - f) minimum number of parking spaces in front yard only – 4

5.7 SPECIAL LINEAR MIXED COMMERCIAL ZONES

5.7.1 C3-1 (FORMER TOWN OF COCHRANE BY-LAW NO. 1880-81)

Notwithstanding any other provision in this By-law to the contrary, within any area designated C3-1 on the Zone Maps, all provisions of this By-law applicable to the C3 Zone shall apply subject to the following modifications:

- 1) The following zone requirements shall apply:
 - a) minimum front yard – no minimum
 - b) minimum side yard (total both sides) – 4m
 - c) minimum rear yard (lane side) – 6m

5.7.2 C3-2 (FORMER TOWN OF COCHRANE BY-LAW NO. 1891-81)

Notwithstanding any other provision in this By-law to the contrary, within any area designated C3-2 on the Zone Maps, all provisions of this By-law applicable to the C3 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the C3 Zone, a shopping centre shall be permitted subject to the following requirements:
 - a) maximum floor area – 3,710 sq. m.
 - b) minimum number of parking spaces – 178
 - c) minimum number of loading spaces – 3
- 2) For the purpose of this sub-section, the following definition shall apply:

Shopping Plaza means a group of commercial establishments related in location, size and type to the trade or residential area it serves and conceived, designed, developed and managed as an independent and interrelated unit whether by a single owner or tenant or by a group of owners or tenants acting in collaboration.

5.7.3 C3-3 (FORMER TOWN OF COCHRANE BY-LAW NO. 2120-85)

Notwithstanding any other provision in this By-law to the contrary, within any area designated C3-3 on the Zone Maps, all provisions of this By-law applicable to the C2 Zone shall apply subject to the following modifications:

- 1) All uses existing as of March 19, 1985 are permitted.

5.7.4 C3-4 (TOWN OF COCHRANE ZONING BY-LAW NO. 785-2011)

Notwithstanding any other provision in this By-law to the contrary, within any area designated C3-4 on the Zone Maps, all provisions of this By-law applicable to the C3 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the C3 Zone, an office and a transportation hub/marshalling area shall be permitted.
- 2) The minimum interior side yard between the M1-3 Zone and C3-4 Zone shall be 0 m.
- 3) The lands to which this sub-section applies are described as South Part of Lot 25, Concession 1, Parcel 1789 LG, Township of Glackmeyer, Town of Cochrane.

5.7.5 C3-5 (TOWN OF COCHRANE ZONING BY-LAW NO. 801-2011)

Notwithstanding any other provisions in this by-law to the contrary, within any area designated C3-5 on the Zone Schedules, all provisions of this by-law applicable to the C3 Zone shall apply subject to the following modifications:

- 1) In addition to those uses permitted in the C3 Zone, accessory business office uses shall also be permitted in the basement of the existing building.
- 2) The lands to which this sub-section applies are described as Lots 60, 61, Pt. Lot 59, Pt. Lane BG RP 6R4934, Parts 1, 3, 5 Parcel 3833LG, Town of Cochrane.

5.7.6 C3-6

(Reserved for Future Use) [By-law No. 1109-2015]

5.7.7 C3-7 (TOWN OF COCHRANE ZONING BY-LAW NO. 1002-2014)

Notwithstanding any other provisions in this by-law to the contrary, within any area designated as C3-7 on the Zone Schedules, all provisions of this by-law applicable to the C3 Zone shall apply subject to the following modifications:

- 1) That within the Special Linear Mixed Commercial Zone (C3-7), permitted uses shall include the same permitted uses as in the Linear Mixed Commercial (C3) Zone, save and except for a hotel and motel.
- 2) That within the Special Linear Mixed Commercial Zone (C3-7), a welding shop shall be included as a permitted use in addition to the those permitted uses in the Linear Mixed Commercial (C3) Zone.
- 3) That within the Special Linear Mixed Commercial Zone (C3-7), a Class 1 Industrial Facility as defined by the Ministry of the Environment, *D-Series Guidelines* will not be permitted within 70 metres of existing commercial/residential or other sensitive land uses. The distance shall

be measured as the shortest horizontal distance between the lot line of the property with the sensitive use and the closest main wall of the industrial use.

5.8 SPECIAL INDUSTRIAL ZONES

5.8.1 M1-1 (FORMER TOWN OF COCHRANE BY-LAW NO. 2361-87)

Notwithstanding any other provision in this By-law to the contrary, within any area designated M1-1 on the Zone Maps, all provisions of this By-law applicable to the M1 Zone shall apply subject to the following modifications:

- 1) The height provisions of this By-law do not apply to the co-generating plant.
- 2) This sub-section applies to Part 1, Plan 6R-4958, being the south ½ of Lot 19, Concession 1, Township of Glackmeyer.

5.8.2 M1-2 (FORMER TOWN OF COCHRANE BY-LAW NO. 2556-91)

Notwithstanding any other provision in this By-law to the contrary, within any area designated M1-2 on the Zone Maps, all provisions of this By-law applicable to the M1 Zone shall apply subject to the following modifications:

- 1) The following zone requirements shall apply:
 - a) minimum lot frontage – 18 m
- 2) This sub-section applies to Parts 1, 2 and 11, Plan 6R-5956, South Half of Lot 19, concession 1, Township of Glackmeyer.

5.8.3 M1-3 (TOWN OF COCHRANE ZONING BY-LAW NO. 784-2011)

Notwithstanding any other provision in this By-law to the contrary, within any area designated M1-3 on the Zone Maps, all provisions of this By-law applicable to the M1 Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the M1 Zone, an office and a transportation hub/marshalling area shall be permitted.
- 2) The minimum interior side yard between the M1-3 Zone and C3-4 Zone shall be 0 m.
- 3) The lands to which this sub-section applies are described as South Part of Lot 25, Concession 1, Parcel 1789 LG, Township of Glackmeyer, Town of Cochrane.

5.9 SPECIAL PARKS & OPEN SPACE ZONES

(Reserved for Future Use)

5.10 SPECIAL SENSITIVE AREA ZONES

(Reserved for Future Use)

5.11 SPECIAL HAMLET COMMUNITY ZONES

(Reserved for Future Use)

5.12 SPECIAL RURAL ZONES

5.12.1 RU-1 (FORMER GLACKMEYER ZONING BY-LAW NO. 839)

Notwithstanding any other provision in this By-law to the contrary, within any area designated RU-1 on the Zone Maps, all provisions of this By-law applicable to the RU Zone shall apply subject to the following modifications:

- 1) Permitted uses shall be restricted to uses existing as of March 27, 1995. Expansions or additions to such uses shall be subject to the prior approval of the Ministry of Natural Resources on the basis of the adjacent waterbody's capacity to support the proposed expansion or addition. New development shall be subject to a zoning by-law amendment.

5.12.2 RU-2 (FORMER GLACKMEYER ZONING BY-LAW NO. 839)

Notwithstanding any other provision in this By-law to the contrary, within any area designated RU-2 on the Zone Maps, all provisions of this By-law applicable to the RU Zone shall apply subject to the following modifications:

- 1) Permitted uses shall be restricted to uses existing as of March 27, 1995. Expansions or additions to such uses shall be subject to the prior approval of the Ministry of Natural Resources on the basis of the adjacent waterbody's capacity to support the proposed expansion or addition.
- 2) The following zone requirements shall apply:
 - a) minimum lot area - 0.32 ha
 - b) minimum lot frontage - 28 m
 - c) minimum front yard - 15 m
 - d) minimum rear yard - 15 m
 - e) minimum interior side yard - 7.5 m
 - f) minimum exterior side yard - 7.5 m
 - g) maximum lot coverage - 20%

5.12.3 RU-3 (FORMER GLACKMEYER ZONING BY-LAW NO. 839)

Notwithstanding any other provision in this By-law to the contrary, within any area designated RU-3 on the Zone Maps, all provisions of this By-law applicable to the RU Zone shall apply subject to the following modifications:

- 1) Permitted uses shall be restricted to residential uses as the main use, accessory retail stores(s), and accessory uses to the foregoing.

5.12.4 RU-4 (FORMER TOWN OF COCHRANE BY-LAW NO. 1920-81)

Notwithstanding any other provision in this By-law to the contrary, within any area designated RU-4 on the Zone Maps, all provisions of this By-law applicable to the RU Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the RU Zone, a communications utility shall be permitted subject to the following requirements:
 - a) minimum lot frontage – 180 m
 - b) minimum lot depth – 70 m
 - c) minimum lot area – 2 ha
 - d) minimum front yard – 6 m
 - e) minimum side yard – 6 m
 - f) minimum rear yard – 6 m
 - g) maximum lot coverage – 50%
- 2) For the purpose of this sub-section the following definition shall apply:

Communications Utility means any use of land that is primarily for the transmission of electronic signals through the air and includes a transmission station and tower.

5.12.5 RU-5 (FORMER GLACKMEYER ZONING BY-LAW NO. 854)

Notwithstanding any other provision in this By-law to the contrary, within any area designated RU-5 on the Zone Maps, all provisions of this By-law applicable to the RU Zone shall apply subject to the following modifications:

- 1) Permitted uses shall be restricted to a mini warehouse and public storage only.
- 2) This sub-section applies to Part 1, Plan 6R-6774, Part of Lot 18, Concession 3, Township of Glackmeyer.

5.12.6 RU-6 (FORMER GLACKMEYER ZONING BY-LAW NO. 856)

Notwithstanding any other provision in this By-law to the contrary, within any area designated RU-6 on the Zone Maps, all provisions of this By-law applicable to the RU Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the RU Zone, a welding and fabrication roll-off service use shall be permitted.
- 2) This sub-section applies to Plan 6R- 4124, Part of Lot 23, Concession 3, Township of Glackmeyer.

5.12.7 RU-7 (FORMER GLACKMEYER ZONING BY-LAW NO. 913)

Notwithstanding any other provision in this By-law to the contrary, within any area designated RU-7 on the Zone Maps, all provisions of this By-law applicable to the RU Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the RU Zone, a tourist commercial use shall be permitted subject to the following requirements:
 - a) minimum lot frontage -25 m

5.12.8 RU-8 (TOWN OF COCHRANE BY-LAW NO. 1213-2016)

Notwithstanding any other provision in this By-law to the contrary, within any area designated RU-8 on the Zone Maps, all provisions of this By-law applicable to the RU Zone shall apply subject to the following modifications:

- 1) In addition to the uses permitted in the RU Zone, a landscaping business shall be permitted.

5.13 SPECIAL AGRICULTURAL ZONES

5.13.1 AG-1 (TOWN OF COCHRANE BY-LAW NO. 1214-2017)

Notwithstanding any other provision in this By-law to the contrary, within any area designated AG-1 on the Zone Maps, all provisions of this By-law applicable to the AG Zone shall apply subject to the following modifications:

- 1) In addition to the permitted uses in the AG Zone, up to 25 individual self-storage units shall be permitted.

5.14 SPECIAL SHORELINE DEVELOPMENT ZONES

(Reserve for Future Use)

5.15 SPECIAL AIRPORT COMMERCIAL ZONES

(Reserved for Future Use)

5.16 SPECIAL MINERAL EXTRACTION ZONES

(Reserve for Future Use)

5.17 HOLDING ZONES

1) Scope of Holding Zones

Whenever the symbol “H”, followed immediately by a number, appears on the Zone Maps as a suffix to a zone symbol, notwithstanding the provisions of that zone, unless this by-law has been amended to remove the relevant “H” symbol in accordance with the provisions set out in this Section, no person shall use any lot or erect, alter or use any building or structure except for uses permitted in all zones, or except as otherwise specifically provided in this Section.

2) Holding Zones

(Reserved for Future Use)

5.18 TEMPORARY USE BY-LAWS

1) Scope of Temporary Use Amendments

Whenever a property is subject to a temporary use by-law amendment, all provisions of this by-law applicable to the Zone in which such property is located according to the Zone Symbol shown on the Zone Maps, shall apply except as otherwise specifically provided, for temporary period of time, by this Section.

2) Temporary Use Amendments

(Reserved for Future Use)

6 ADMINISTRATION AND APPROVALS

6.1 ADMINISTRATION AND ENFORCEMENT

This By-law shall be administered and enforced by the Chief Building Official or such other person as the Council designates.

6.2 VIOLATION AND PENALTIES

Every person who contravenes any provision or requirement of this By-law is guilty of an offence and on conviction is liable:

- a) on a first conviction, to a fine of not more than \$25,000.00; and
- b) on a subsequent conviction, to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which he or she was first convicted.

except where a greater penalty is provided under the *Planning Act*, R.S.O. 1990, Chapter P. 13.

- c) in the case where a building or structure is erected or altered, or any part of any building, structure or lot is hereafter used, in whole or in part, in contravention of any of the provisions of this By-law, such contravention may be restrained by action at the instance of any ratepayer or of the Corporation pursuant to the provisions of the *Municipal Act* or the *Planning Act* in that behalf.

6.3 VALIDITY

If any section or provision of this By-law, including anything contained in any schedule attached hereto, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part hereof, other than the section or provision so declared to be invalid.

6.4 OTHER BY-LAWS, LICENSES, PERMITS AND REGULATIONS

Nothing in this By-law shall be construed to exempt any person from complying with any restrictions or regulations lawfully imposed by the Corporation or any other governmental authority or agency having jurisdiction to make such restrictions or regulations, or from obtaining any permit, license, permission or approval required by this or any other by-law or regulation of the Corporation or any other governmental authority or agency having jurisdiction to require such permit, license, permission or approval.

6.5 CONFLICT

In the event of a conflict within this By-law or with any amendment to this By-law or with the requirements of any other by-law, the most restrictive or the by-law imposing the higher standards shall govern and apply unless the context clearly requires otherwise.

6.6 EXISTING BY-LAWS REPEALED

Zoning By-law No. 710-2010 of the Town of Cochrane and any amendments thereto are hereby repealed insofar as they apply to the zoned area.

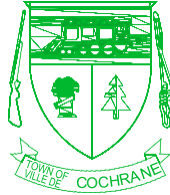
6.7 EFFECTIVE DATE

This By-law shall come into force and take effect on the date of final passing.

7 SCHEDULES

The Schedules of this Zoning By-law include:

- Schedule A – Urban Area; and
- Schedule B – Rural Area.



**Planning Area
Zoning By-law
Schedule A
Consolidation: April 18, 2018**

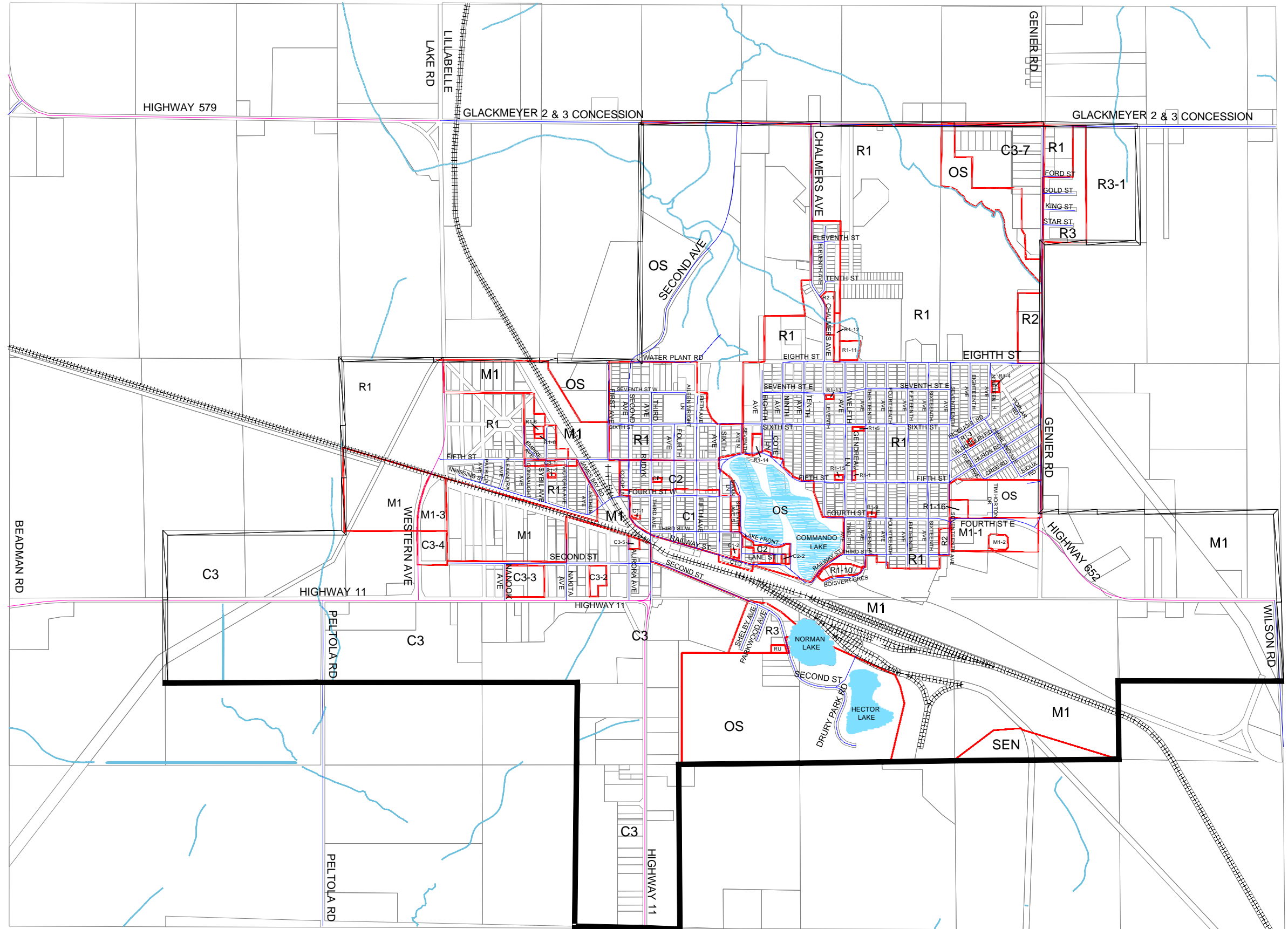
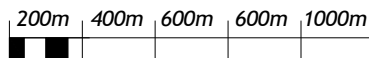
- Settlement Area Boundary
- Zone Boundary
- R1 - Residential First Density R2 - Residential Second Density
- R3 - Mobile Home
- Residential C1 -
- Commercial Core
- C2 - Commercial Transition
- C3 - Linear Mixed Commercial
- M1 - Industrial
- OS - Park and Open Space
- RU - Rural

- Provincial Highway
- Local Roads
- Ontario Northland Railway

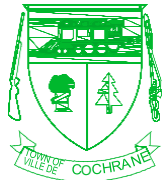
- Rivers and Streams



Digital Map Created By:
CGIS Spatial Solutions
52 South Street
Perth, ON K7H 2G7
TEL: 613-368-4321
www.cgis.com



Note: The base information on this plan was prepared from a variety of map sources and was used by permission of the Town of Cochrane. It is not a legal plan of survey. For precise location of plan features recourse should be had to the original source data.



**Cochrane and Suburban
Planning Area
Zoning By-law
Schedule B
Consolidation: April 18,
2018**

- Settlement Area Boundary
Zone Boundary
- RU - Rural
 - AG - Agricultural
 - SD - Shoreline Development
 - MX - Mineral Extraction
 - HT - Hamlet Community
 - AC - Airport Commercial
 - C3 - Linear Mixed Commercial
 - SEN - Sensitive Area

- Provincial Highway
- Local Roads
- Ontario Northland Railway
- Trans Canada Pipeline
- Municipal Boundary
- Planning Area

Rivers and Streams



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1000m 2000m 3000m 4000m 5000m



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