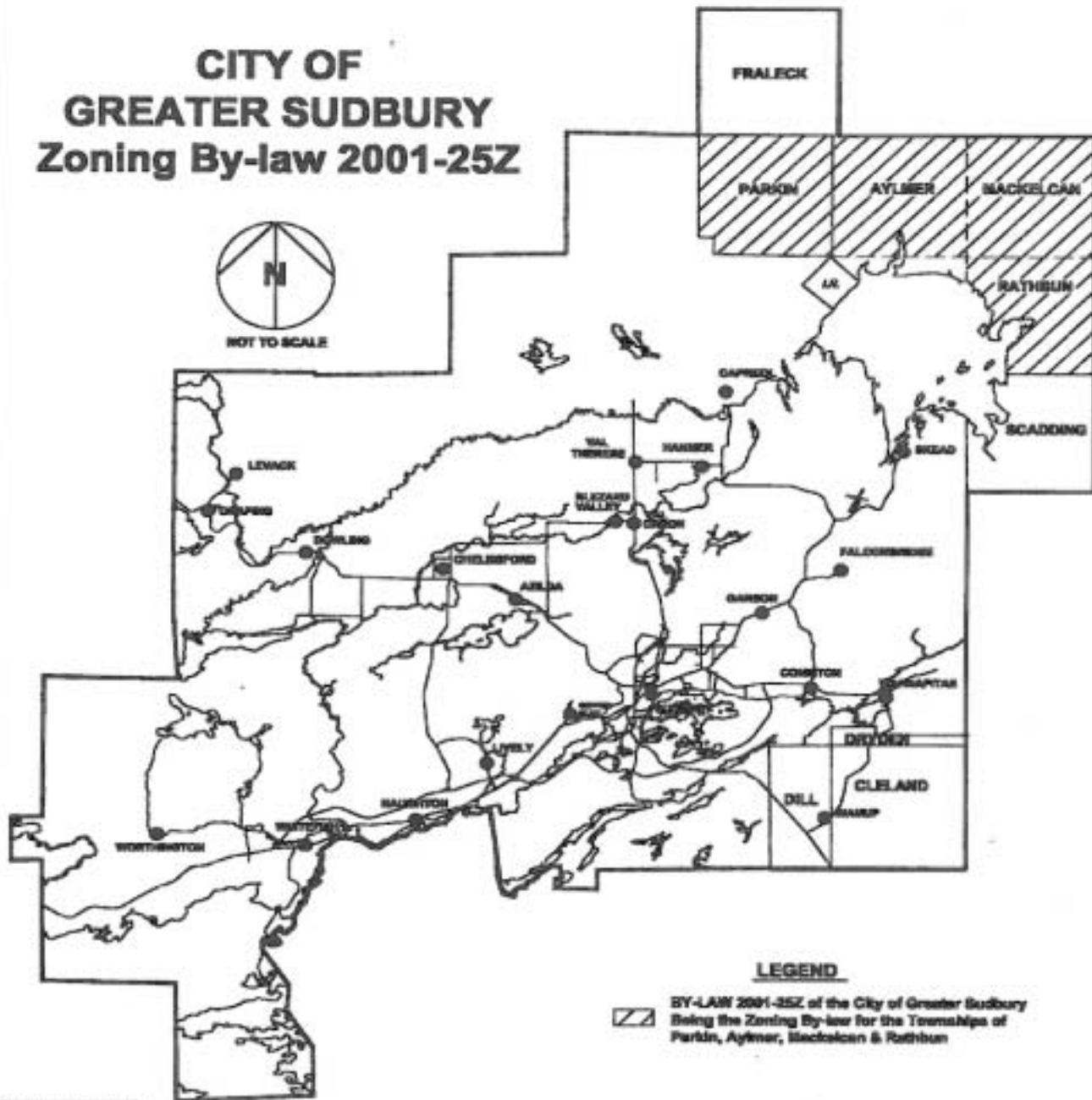


***BY-LAW 2001-25Z
OF THE CITY OF GREATER SUDBURY***


***Being the Zoning By-law for the Townships of
Parkin, Aylmer, Mackelcan & Rathbun***

**Department of Economic Development and Planning Services
City of Greater Sudbury**

CITY OF GREATER SUDBURY Zoning By-law 2001-25Z



LEGEND

 BY-LAW 2001-25Z of the City of Greater Sudbury
Being the Zoning By-law for the Townships of
Parkin, Aylmer, Mackelcan & Rathbun

(i)

BY-LAW 2001-25Z
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Interpretation

1. In this By-law,
 1. “accessory”, when used to describe a use, building or structure, means a use, building or structure that is normally incidental or subordinate to the principal use, building or structure on the same lot.
 2. “agricultural use” means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, poultry raising, beekeeping and such other uses as are customarily and normally related to agriculture;
 3. “automobile service station” means a place where,
 - i. gasoline and oil are kept for retail sale and sold by retail,
 - ii. vehicle repairs and services are performed, and
 - iii. grease, anti-freeze, tires and parts may be sold as incidental to the above operations;
 4. “commercial use” means the use of land, buildings or structures for the purpose of buying and selling commodities or supplying services;
 5. “duplex” means a building that is divided into two dwelling units only;
 6. “dwelling unit” means one or more habitable rooms occupied or capable of being occupied as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of such unit with a private entrance from outside the building or from a common hallway or stairway inside the building;
 7. “front lot line” means the lot line that divides a lot from a street, right-of-way, Crown shoreline reserve or high-water mark of a river or lake, and
 - i. in the case of a corner lot, the shorter line that abuts a street, right-of-way, Crown shoreline reserve or high-water mark of a river or lake shall be the front lot line,
 - ii. where a lot abuts both a street and the high-water mark of a river, lake or Crown shoreline reserve, the lot line abutting the high-water mark or Crown shoreline reserve shall be the front lot line;
 8. “front yard” means a yard extending across the full width of the lot between the front lot line and the nearest main wall of the main building or

structure on the lot;

9. “garage” means a building accessory to a single dwelling or seasonal dwelling used primarily for the storage of one or more vehicles but does not include a garage used for commercial purposes;
10. “gross floor area” means the aggregate of the horizontal areas of each floor, whether above or below grade, measured between the exterior faces of the exterior walls of the building or structure;
11. “ground floor area” means the area of the lowest storey of a building or structure, excluding any basement or cellar, which area is measured between the exterior faces of the exterior walls of the floor level of the said storey;
12. “group home” means a dwelling unit in which three to ten residents live as a single housekeeping unit together with and under the supervision of the staff or the receiving household;
(O. Reg. 109/92) (Feb. 25th, 1992)
13. “guest cabin” means a building without cooking facilities that is accessory to a seasonal dwelling and used only for purposes of sleeping accommodation;
14. “height” means the vertical distance between the average elevation of the finished surface of the ground at the front of the building and the highest point of the roof surface;
15. “home occupation” means any occupation for gain or support conducted entirely within a single dwelling unit by the residents;
16. “hotel” means an establishment catering to the needs of the travelling public by the supply of food and by the furnishing of sleeping accommodation of not less than six bedrooms;
17. “industrial use” means the use of any land, building or structure for the purpose of manufacturing, assembling, finishing, treating, altering, repairing, warehousing, storing, adaption or sale of any goods, substance, article or thing or any part thereof, and the storage of building and construction equipment and materials;
18. “industrial extractive use” means the use of land for the extraction of mineral aggregates including sand, gravel, shale, clay and bedrock suitable for the production of crushed stone, building stone, cement products and other similar materials;
19. “lot” means a parcel of land,

- i. described in a deed or other document legally capable of conveying land, or
 - ii. shown as a lot or block on a registered plan of subdivision;
20. "lot area" means the total horizontal area within the lot lines of a lot;
 21. "lot coverage" means the percentage of the lot area covered by the ground floor area of all buildings or structures situate on the lot;
 22. "lot frontage" means the horizontal distance between the side lot lines of a lot and, where such lot lines are not parallel, the lot frontage shall be the distance between the side lot lines measured on a line parallel to the front lot line and 7.5 metres distant therefrom;
 23. "lot line" means a boundary of a lot;
 24. "marina" means an establishment where boats are stored for rent or hire and where boats, boat motors and boat accessories are sold, repaired or refueled;
 25. "mobile home" means a dwelling unit that is designed to be made mobile and constructed or manufactured as a permanent residence but does not include a recreational vehicle or any type of trailer;
 26. "mobile home park" means one parcel of land under single ownership that has not been subdivided under the Act, in which mobile homes are located and individual sites are made available on a rental or lease basis;
 27. "parking space" means an area set aside for the purpose of the parking of vehicles with access to a street or to a private lane that has access to a street;
 28. "pit" means land from which unconsolidated aggregate may be excavated but does not include an excavation for a building or structure;
 29. "public access point" means public land designated by the Crown and developed and maintained as a public access to a water body;
 30. "public utility" means a water works or water supply system, sewage works, electrical power or energy generating transmission or distribution system, street lighting system, natural or artificial gas works or supply system, a telephone system and includes any lands, buildings or equipment required for the administration or operation of any such system;
 31. "quarry" means land from which consolidated aggregate may be excavated but does not include an excavation for a building or structure;

32. “rear lot line” means the lot line opposite the front lot line;
33. “rear yard” means a yard extending across the full width of a lot between the rear lot line and the nearest main wall of the main building on the lot;
34. “seasonal dwelling” means a single dwelling or mobile home to be used for recreation but not occupied as a permanent residence or home;
35. “side lot line” means a lot line other than a front or rear lot line;
36. “side yard” means a yard between the nearest main wall of the main building or structure and the side lot line extending from the front yard to the rear yard;
37. “single dwelling” means a separate building containing only one dwelling unit;
38. “street” means a public highway that is a principal means of access to abutting lots that is under the jurisdiction of the Province of Ontario or a local roads board or is a road within a registered plan of subdivision;
39. “waste disposal site” means land approved by the Ministry of the Environment upon, into or in which waste may be deposited or processed;
40. “wayside pit or quarry” means a temporary source of consolidated or unconsolidated aggregate opened by or for a public road authority, including a local roads board, for the purpose of a particular project of public road construction;
41. “yard” means a space open from the ground to the sky on the lot on which a building is situate unoccupied except for such accessory buildings as are specifically permitted in the Order.

Application

2. This By-law applies to,
 - (a) all lands in the geographic Townships of Aylmer, Mackelcan, and Rathbun;
 - (b) all of the lands in the geographic Township of Parkin except Lot 12, Concession 1.

PART 1

General

3. No land to which this By-law applies shall hereafter be used and no building or structure shall hereafter be erected or used except in accordance with the terms of this By-law, but nothing in this By-law prevents the use of any land, building or structure for a purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day this By-law comes into force.

Classification of Zones

4. (1) For the purposes of this By-law, all the lands in the geographic townships of Aylmer, Mackelcan, Parkin and Rathbun, are designated as a Rural Zone.

- (2) In addition, provisions of this By-law applicable to the zones listed in the following Table may apply to lands specified in the By-law.

TABLE

Name of Zone	Symbol of Map
Rural	RU
Hamlet Residential	HR
Seasonal Residential	SR
General Commercial	CG
Resort Commercial	CR
General Industrial	M
Institutional	I
Open Space	OS
Mobile Home Park Residential	RMP
Hazard	H

Accessory Buildings and Structures

5. (1) Accessory uses, buildings and structures are permitted in every zone.
- (2) No building or structure may be used as a building or structure accessory to a dwelling unit except a boathouse, steam bath, storage or tool shed, garage, dock, wharf, swimming pool or greenhouse.
- (3) Unless otherwise provided in this By-law, accessory buildings and structures shall,
 - (a) be located not less than one metre from a side lot line and not less than one metre from the rear lot line;
 - (b) except in the case of a guest cabin, not be used for human habitation; and
 - (c) not exceed 10 per cent in total lot coverage.
- (4) Notwithstanding clauses (3) (a), (b) and (c), where a lot abuts navigable water, a boathouse, dock or wharf, as an accessory building or structure, may be erected up to that portion of the lot line that abuts the water.

Building Repair and Reconstruction

6. (1) Nothing in this By-law prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.
- (2) Nothing in this By-law prevents the strengthening or restoration to a safe condition of any building or structure or part of any such building or structure.

Existing Buildings

7. Where a building has been erected prior to the date that Ontario Regulation 834/81 came into force, on a lot having less than,
 - (a) the minimum frontage or area; or
 - (b) the minimum front yard, side yard or rear yard,

required by that Regulation, the building may be extended, enlarged, repaired or renovated if there is no further reduction in any yard that is less than the minimum required by this By-law and all other requirements of this By-law are met.

Frontage on a Street

8. No building or structure shall be erected on a lot unless the lot abuts a street that is opened and maintained year round.

Height Limitations

9. The height limitations of this By-law do not apply to church spires, water tanks, flag poles, television or radio antennae, power transmission towers, fire look-out towers, ventilators, sky lights, chimneys, grain elevators, barns, silos, windmills or solar collectors.

Home Occupations

10. Where a home occupation is a permitted use,
 - (a) there shall be no outside storage of goods or materials in a front yard or within three metres of any side or rear lot line;
 - (b) not more than 25 per cent of the total floor area of the dwelling unit shall be used for the home occupation;
 - (c) no more than one person not a resident of the dwelling unit shall be employed in the home occupation; and
 - (d) the use shall be subordinate to the principal use of the dwelling unit as a residence.

Lots Having Insufficient Frontage or Area

11. Where a lot with less than the minimum frontage or area required by this By-law existed prior to the day that Ontario Regulation 834/81 came into force, this By-law does not prohibit uses permitted in the relevant zone designation if all other requirements of this By-law are met.

Minimum Building Requirements for Human Habitation

12. No building shall be used for human habitation until,
- (a) the main walls and roof have been erected;
 - (b) The roofing has been completed; and
 - (c) water, sanitary and heating facilities have been installed and are able to be operated.

Number of Dwellings Per Lot

13. Unless otherwise provided in this By-law, not more than one single dwelling is permitted on a lot in any zone where single dwellings or seasonal dwellings are permitted.

Temporary Uses Permitted

14. A tool shed, scaffold or other building or structure incidental to the construction of a building or structure permitted by this By-law on the lot where it is situated may be maintained until the construction is completed or has been discontinued for sixty consecutive days.

Yard and Setback Encroachment Permitted

15. (1) Notwithstanding the yard and setback provisions of this By-law, unenclosed porches, balconies, steps, attached greenhouses and patios may project into any required yard a maximum distance of two metres.
- (2) Notwithstanding any other provisions of this By-law, main eaves, sills, cornices, gutters, chimneys, and canopies may project into any required yard a maximum distance of one metre.

Setbacks on Provincial Highways

16. Notwithstanding any other provisions of this By-law, a building, structure or use shall not be located closer to a provincial highway than 32 metres from the centre line of the highway.

Shoreline Setbacks

17. Notwithstanding any other provisions of this By-law, no person shall erect any habitable building or structure,
- (a) N.A.
 - (b) on all other lands,
 - (i) within 15 metres of the top of the bank of any watercourse other than a lake or river; or
 - (ii) within 20 metres of the high-water mark of any lake or river.

Parking Requirements

18. (1) No building or structure listed in Column 1 of the Table shall be erected unless a minimum number of parking spaces for off-street vehicular parking are provided in accordance with the requirements set out opposite thereto in column 2.

TABLE

Column 1	Column 2
Single dwelling mobile home or seasonal dwelling	One parking space or one garage or carport for each dwelling unit
Hotel, motel, tavern or tourist home	One parking space for each guest room plus one parking space for each 10 square metres of floor area of the building devoted to public use
Office or public building	One parking space per 30 square metres of gross floor area
Retail store or service shop	One parking space per 20 square metres of gross floor area
Industrial establishment	One parking space per 100 square metres of gross floor area
Trailer park or campground	One parking space for each tent space or tourist trailer space

- (2) Every parking space, garage or carport required under Subsection (1),
- (a) shall be located on the same lot as the use, building or structure it is intended to serve, except in the case of a water access lot where it may be located at a public access point; and
 - (b) shall have access to a street or a private lane that has access to a street.

Pits and Quarries

19. (1) Subject to subsection (2), making or establishment of pits and quarries is prohibited.
- (2) Notwithstanding subsection (1),
 - (a) wayside pits or quarries may be made or established in the Rural Zones;
 - (b) pits or quarries may be made or established on Crown land;
 - (c) pits and quarries may be made or established in the General Industrial Zones.
- (3) Where under subsection (2) a wayside pit or quarry or a pit or quarry may be made or established, buildings or structures accessory to the operation thereof may be erected and used on the lot on which such operation is carried out.
- (4) No person shall make or establish a pit or quarry within,
 - (a) 65 metres of any dwelling unit on another lot; and
 - (b) 50 metres of any street.
- (5) A wayside pit or quarry excavation shall be located at least 30 metres from a public road allowance and 15 metres from any lot line.
- (6) Where a wayside pit or quarry is located on a lot that is adjacent to a lot on which a wayside pit or quarry is located, the 15-metre setback required by subsection (5) does not apply to the common lot line.

Public Utilities

20. Public Utilities are permitted in every zone.

PART II

21. This Part applies to the Rural Zones.
22. (1) Every use of land and every erection or use of buildings or structures within the Rural Zones is prohibited except,
 - (a) agricultural uses;
 - (b) forestry uses;
 - (c) conservation uses;
 - (d) private utilities;
 - (e) cemeteries;
 - (f) public parks, playgrounds and picnic areas;
 - (g) single dwellings;
 - (h) mobile homes;
 - (i) seasonal dwellings;
 - (j) group homes;
 - (k) home occupations;
 - (l) golf courses;
 - (m) logging and lumber camps;
 - (n) waste disposal sites, including landfill sites, packing and baling sites and transfer stations;
 - (o) horticultural nurseries;
 - (p) dog breeding and boarding kennels; and
 - (q) private hunting and fishing camps.
- (2) A single dwelling accessory to the uses permitted by clauses (1)(a), (b), (o) and (p) is permitted in the Rural Zones.

- (3) Notwithstanding any other provision of this Part, the use of land and the erection and use of buildings and structures, as set forth in Schedule 1 are permitted on the lands referred to in the said Schedule if the requirements set out therein are met.
23. (1) Requirements for uses and buildings and structures including accessory buildings and structures permitted by clauses 22(1)(a), (b), (o) and (p) are established as follows:
- | | | |
|----|---|------------------|
| 1. | Minimum Lot area | 10 hectares |
| 2. | Minimum Lot frontage | 150 metres |
| 3. | Minimum distance of any building or structure from any lot line | 15 metres |
| 4. | Minimum ground floor area for accessory single dwelling | 70 square metres |
- (2) Notwithstanding paragraph 3 of subsection (1), no building or structure permitted by Clauses 22 (1)(a), (b), (o) and (p) shall be located within 30 metres of a lot on which the principal use is a residential use.
- (3) Requirements for uses, buildings and structures permitted by clauses 22(1)(g), (h) and (j) are established as follows:
- | | | |
|----|----------------------------|---------------------|
| 1. | Minimum lot area | 2,000 square metres |
| 2. | Minimum lot frontage | 30 metres |
| 3. | Minimum front yard | 11 metres |
| 4. | Minimum rear yard | 11 metres |
| 5. | Minimum side yards | 6 metres |
| 6. | Maximum height of dwelling | 9 metres |
- (4) Requirements for uses, buildings and structures permitted by Clauses 22(1)(i) are established as follows:
- | | | |
|----|----------------------|---------------------|
| 1. | Minimum lot area | 2,000 square metres |
| 2. | Minimum lot frontage | 30 metres |

- | | | |
|----|----------------------------|-------------|
| 3. | Maximum lot coverage | 30 per cent |
| 4. | Minimum front yard | 8 metres |
| 5. | Minimum side yards | 3 metres |
| 6. | Minimum rear yard | 8 metres |
| 7. | Maximum height of dwelling | 9 metres |
- (5) Notwithstanding Subsection 5(2), one guest cabin having a gross floor area not exceeding 25 square metres may be erected and used on the same lot as a seasonal dwelling.
- (6) Notwithstanding Section 8, seasonal dwellings and private hunting and fishing camps may be constructed on lots having only water access if there is a public access point.
- (7) No waste disposal site shall be located,
- (a) within 400 metres of a dwelling unit;
 - (b) within 185 metres of a street;
 - (c) on land covered by water or in any area subject to flooding; and
 - (d) within 30 metres of any watercourse, lake or pond.
- (8) Notwithstanding Section 13, two single dwellings may be constructed and used on a lot that has a lot area of 10 hectares or more.

PART III

24. This Part applies to the Hamlet Residential Zones.
25. (1) Every use of land and every erection or use of buildings or structures within the Hamlet Residential Zones is prohibited except,
- (a) single dwellings;
 - (b) duplexes;
 - (c) mobile homes;
 - (d) home occupations; and
 - (e) group homes.

26. (1) Requirements for principal buildings and structures permitted in the Hamlet Residential Zones are established as follows:

	<u>where municipal water is not provided</u>	<u>where municipal water is provided</u>
1. Minimum lot area	1,400 square metres	700 square metres
2. Minimum lot frontage	30 metres	15 metres
3. Maximum lot coverage	15 per cent	30 per cent
4. Minimum front yard	8 metres	8 metres
5. Minimum side yards	3 metres	3 metres
6. Minimum rear yard	8 metres	8 metres
7. Maximum height	9 metres	9 metres
8. Minimum ground floor area	70 square metres	70 square metres

- (2) Notwithstanding any other provision of this By-law, no building or structure in a Hamlet Residential Zone shall be located in a side or rear yard within six metres of a street.

PART IV

27. This part applies to the Seasonal Residential Zones.
28. (1) Every use of land and every erection of use of buildings or structures within the Seasonal Residential Zones is prohibited except,
- (a) seasonal dwellings; and
 - (b) Public parks, playgrounds or picnic areas.
- (2) Notwithstanding subsection 5(2), one guest cabin having a gross floor area not exceeding 25 square metres may be erected and used on the same lot as a seasonal dwelling.
29. Notwithstanding Section 8, seasonal dwellings may be constructed on lots having only water access if there is a public access point.
30. (1) Requirements for principal buildings and structures permitted in the Seasonal Residential Zones are established as follows:
- | | | |
|----|----------------------------|---------------------|
| 1. | Minimum lot area | 1,400 square metres |
| 2. | Minimum lot frontage | 30 metres |
| 3. | Maximum lot coverage | 30 per cent |
| 4. | Minimum front yard | 8 metres |
| 5. | Minimum side yards | 3 metres |
| 6. | Minimum rear yard | 8 metres |
| 7. | Maximum height of building | 9 metres |
- (2) Notwithstanding paragraph 4 of subsection (1), where the front lot line abuts a Crown shoreline reserve, the minimum front yard shall be two metres.
- (3) The minimum lot frontage for public parks, playgrounds and picnic areas shall be 30 metres.
- (4) Despite subsection (1), the erection and use of buildings and structures set out in Schedule 4 are permitted on the land referred to in that Schedule if the requirements set out in it are met.
(O. Reg. 222/91) (May 13th, 1991)

PART V

31. This part applies to the General Commercial Zones.
32. (1) Every use of land and every erection or use of buildings or structures within the General Commercial Zones is prohibited except,
- (a) retail stores;
 - (b) service shops;
 - (c) hotels;
 - (d) motels;
 - (e) restaurants;
 - (f) business and professional offices;
 - (g) automobile service stations;
 - (h) building supply outlets;
 - (i) entertainment and recreation facilities;
 - (j) vehicle sales and service establishments; and
 - (k) private utilities.
- (2) A dwelling unit, as an accessory use, may be located and used in a principal building or structure permitted by subsection (1).
- (3) Notwithstanding subsection (2), no dwelling unit may be located in a building or structure used as an automobile service station or a vehicle sales and service establishment.
- (4) Despite subsection (1), the use of land and the erection and use of buildings and structures as set forth in Schedule 3 are permitted on the land referred to in that Schedule if the requirements set out in it are met. (O. Reg. 617/90)
33. (1) Requirements for uses, buildings and structures permitted by Clauses 32(1)(a) to (g) and (i) and (j) are established as follows:
- | | | |
|----|----------------------|---------------------|
| 1. | Minimum lot area | 1,400 square metres |
| 2. | Minimum lot frontage | 30 metres |

- | | | |
|----|----------------------------|-------------|
| 3. | Maximum lot coverage | 40 per cent |
| 4. | Minimum front yard | 8 metres |
| 5. | Minimum rear yard | 9 metres |
| 6. | Minimum side yards | 3 metres |
| 7. | Maximum height of building | 9 metres |

(2) Requirements for automobile service stations in the General Commercial Zones are established as follows:

- | | | |
|----|----------------------------|---------------------|
| 1. | Minimum lot area | 2,300 square metres |
| 2. | Minimum lot frontage | 45 metres |
| 3. | Maximum lot coverage | 20 per cent |
| 4. | Minimum front yard | 12 metres |
| 5. | Minimum rear yard | 9 metres |
| 6. | Minimum side yards | 6 metres |
| 7. | Maximum height of building | 9 metres |

(3) The gross floor area of a building or structure containing a retail store, service shop or business and professional office shall not exceed 700 square metres.

(4) Notwithstanding any other provision of this By-law, no building or structure in a General Commercial Zone shall be located in a side or rear yard within six metres of a street.

(5) Notwithstanding paragraph 4 of subsection (2), gasoline pumps may be located in the front yard but not within six metres of the front lot line.

(6) Where any lot on which the principal use is a commercial use abuts a lot on which the principal use is a residential use, outside storage is prohibited in those yards on the commercial use lot which abut the residential use lot.

(7) N. A.

PART VI

34. This Part applies to the Resort Commercial Zones.
35. (1) Every use of land and every erection or use of buildings or structures within the Resort Commercial Zones is prohibited except,
- (a) private hunting, fishing and summer camps;
 - (b) lodges;
 - (c) hotels;
 - (d) motels;
 - (e) tourist homes;
 - (f) housekeeping cabins;
 - (g) tourist outfitters;
 - (h) marinas; and
 - (i) marine recreational vehicle equipment sales, storage and service establishments.
- (2) Retail stores for the sale of convenience goods and personal services accessory to uses, buildings and structures permitted by subsection (1) are permitted in the Resort Commercial Zones.
- (3) Restaurant facilities accessory to the uses, buildings and structures permitted by clauses (1)(a) to (e) and (h) are permitted in the Resort Commercial Zones.
- (4) A dwelling unit, as a use accessory to a use permitted by subsection (1), is permitted in the Resort Commercial Zones and the dwelling unit may be located in the same building or structure as the principal use or in a separate building.
- (5) Travel trailers, tent trailers, motor homes and truck campers may be used in the Resort Commercial Zones on the same lot as a building or structure permitted by clauses (1)(b), (c), (d) and (f), provided the following requirements are met:
- 1. Minimum trailer, motor home or camper site area 180 square metres
 - 2. Minimum distance between each trailer, motor home or camper site 5 metres

- | | | |
|----|---|-----------|
| 3. | Minimum distance of any trailer, motor home or camper site from a lot line | 3 metres |
| 4. | Minimum distance of a trailer, motor home or camper site from the right-of-way of a highway | 15 metres |
| 5. | Maximum number of trailers, motor homes and truck campers | 5 |
36. Requirements for principal buildings and structures permitted in the Resort Commercial Zones are established as follows:
- | | | |
|----|----------------------|---------------------|
| 1. | Minimum lot area | 1,400 square metres |
| 2. | Minimum lot frontage | 30 metres |
| 3. | Maximum lot coverage | 40 per cent |
| 4. | Minimum front yard | 9 metres |
37. Notwithstanding Section 8, private hunting and fishing camps may be constructed on lots having only water access if there is a public access point.
38. Where any lot on which the principal use is a resort commercial use abuts a lot on which the principal use is a residential use, outside storage is prohibited in those yards on the resort commercial use lot which abut a residential use lot.

PART VII

39. This Part applies to the General Industrial Zones.
40. (1) Every use of land and every erection or use of buildings and structures within the General Industrial Zones is prohibited except,
- (a) manufacturing;
 - (b) warehousing;
 - (c) sawmills;
 - (d) lumber yards; and
 - (e) repair and service shops.
- (2) A dwelling unit, as a use accessory to a use permitted by clauses (1)(a), (b), (c), (d) and (e), is permitted in the General Industrial Zones and the dwelling unit may be located in the same building or structures as the principal use or a separate building.
- (3) A retail commercial outlet and wholesaling and business offices, as uses accessory to a use permitted by subsection (1), are permitted in the General Industrial Zones.
41. (1) Requirements for principal buildings and structures permitted in the General Industrial Zones are established as follows:
- | | | |
|----|----------------------------|---------------------|
| 1. | Minimum lot area | 6,500 square metres |
| 2. | Minimum lot frontage | 46 metres |
| 3. | Maximum lot coverage | 35 per cent |
| 4. | Minimum front yard | 18 metres |
| 5. | Minimum rear yard | 18 metres |
| 6. | Minimum side yards | 9 metres |
| 7. | Maximum height of building | 11 metres |
- (2) Notwithstanding any other provision of this By-law, no building or structure in General Industrial Zones shall be located in a rear or side yard within 12 metres of a street.
- (3) Where any lot on which the principal use is an industrial use abuts a lot on which the principal use is a residential use, outside storage is prohibited in

those yards on the industrial use lot which abut the residential use lot.

PART VIII

42. This Part applies to the Institutional Zones.
43. (1) Every use of land and every erection or use of buildings and structures within the Institutional Zones is prohibited except,
- (a) schools;
 - (b) churches and church halls;
 - (c) day care centres;
 - (d) libraries; and
 - (e) homes for the aged.
- (2) A dwelling unit, as a use accessory to a use permitted by subsection (1), is permitted in the Institutional Zones and the dwelling unit may be located in the same building or structure as the principal use or in a separate building.
- (3) Despite subsection (1), the use of land and the erection or use of buildings and structures set out in Schedule 6 are permitted on the land referred to in that Schedule if the requirements set out in it are met.
44. Requirements for principal buildings and structures permitted in the General Industrial Zones are established as follows:
- | | | |
|----|----------------------------|---------------------|
| 1. | Minimum lot area | 1,400 square metres |
| 2. | Minimum lot frontage | 30 metres |
| 3. | Maximum lot coverage | 40 per cent |
| 4. | Minimum front yard | 9 metres |
| 5. | Minimum rear yard | 15 metres |
| 6. | Minimum side yards | 3 metres |
| 7. | Maximum height of building | 9 metres |

PART IX

45. This Part applies to Open Space Zones.
46. Every use of land and every erection or use of buildings and structures within the Open Space Zones is prohibited except,
- (a) parks, playing fields and playgrounds;
 - (b) public recreation facilities;
 - (c) golf courses;
 - (d) conservation uses;
 - (e) wildlife management uses;
 - (f) horticultural nurseries; and
 - (g) areas for the protection and management of,
 - (i) lands subject to flooding or high-water table; and
 - (ii) steep slopes subject to erosion.
47. (1) Requirements for principal buildings and structures permitted in the Open Space Zones are established as follows:
- | | | |
|----|---|-----------|
| 1. | Minimum lot area | 1 hectare |
| 2. | Minimum lot frontage | 45 metres |
| 3. | Minimum distance of any building or structure from any lot line | 15 metres |
- (2) On lots bordering lakes, rivers or water courses, the lot line requirement set out in paragraph 3 of subsection (1) shall be measured from the high-water mark or the top of bank, whichever is greater.

PART X

48. (1) This Part applies to the Mobile Home Park Residential Zones.
- (2) Where a parcel of land would be in a zone other than a mobile home park zone because it is designated as a rural zone under Subsection 4(1) or as a zone other than a mobile home park zone under subsection 4(2), the parcel of land shall be deemed to be in a mobile park zone if it is described in Schedule 2.
49. (1) Every use of land and every erection or use of buildings or structures within the Mobile Home Residential Zones is prohibited except,
- (a) Mobile homes located within the mobile home parks set forth in Schedule 2 and containing not more than the number of mobile home sites set out in the said Schedule in respect to each mobile home park;
- (b) home occupations; and
- (c) parks and playgrounds.
- (2) Each mobile home in a mobile home park shall be located on a separate site.
50. The following requirements apply to mobile home parks:
- | | | |
|----|---|----------------------|
| 1. | Minimum lot frontage | 60 metres |
| 2. | Minimum lot area | 2 hectares |
| 3. | Maximum density: | |
| | (i) where there is either a private water system or sewage system | 7 units per hectare |
| | (ii) where there are both sewer works and water works | 15 units per hectare |
51. (1) The following requirements apply to sites in a mobile home park:
1. Each site shall front on a street or on a private road that has access to a street.

2.	Minimum site frontage	30 metres
3.	Minimum site area	1,400 square metres
4.	Minimum front yard	8 metres
5.	Minimum rear yard	9 metres
6.	Minimum side yards	2 metres
7.	Maximum height of mobile home	9 metres
8.	Minimum ground floor area of mobile homes	55 square metres

- (2) Notwithstanding clause 5(3)(b) and paragraph 6 of subsection (1), where a side yard abuts a street or private access road, no building or structure shall be located in a side or rear yard within six metres of the street or private access road.
- (3) Notwithstanding paragraphs 2 and 3 of subsection (1), where a site is supplied with both sewage works and water works, the minimum site frontage is 23 metres and the minimum site area is 700 square metres.
- (4) For the purposes of this section and Schedule 2,
- (a) the definitions set out in paragraphs 1, 7, 8, 20, 22, 23, 32, 33, 35, 36 and 41 of Section 1 shall be interpreted as if the word "lot" read "site".
- (b) the requirements for accessory buildings and structures set out in Section 5 apply with necessary modifications as if the word "lot" read "site".

PART XII

61. This Part applies to the Hazard Land Zones.
62. (1) Every use of land and every erection or use of buildings or structures within the Hazard Land Zones is prohibited except,
 - (a) agricultural uses excluding farm dwellings
 - (b) horticultural nurseries
 - (c) golf courses, excluding club houses
 - (d) docks, marine gasoline pumps and boat storage
 - (e) parkland, playing fields and playgrounds
 - (f) works for the protection and management of,
 - (i) lands subject to flooding or high water table, and
 - (ii) steep slopes subject to erosion; and
 - (g) uses existing on the day that Ontario Regulation 834/81 came into force.
- (2) No guest cabins are permitted in Hazard Land Zones.
- (3) Notwithstanding Section 20, no public utilities shall be permitted in the Hazard Land Zones except for:
 - (a) water works or water supply systems;
 - (b) electrical power or energy transmission or distribution systems;
 - (c) street lighting systems;
 - (d) natural or artificial gas works or supply systems; and
 - (e) telephone systems.
- (4) Buildings or structures permitted under subsection (1) shall have a minimum setback of 20 metres from the higher of either the high water mark or the top of the bank of any watercourse, lake or pond.

Schedule 1

RURAL ZONES - EXEMPTIONS (SUBSECTION 22(3))

7. (1) The lands described in subsection (2) may be used for the erection and use thereon of an overnight tent and trailer park for tent and trailer sites provided the following requirements are met:
1. Uses shall be restricted to tents, travel trailers and a laundromat, a gas pump and a service store for the use of park occupants only, and accessory uses.
 2. The maximum number of sites shall be 60, each with a minimum width of 12.192 metres and a minimum depth of 18.288 metres.
 3. No site may be used for a mobile home intended to be used as year-round dwelling.
- (2) Subsection (1) applies to that parcel of land situate in the geographic Township of Rathbun located on the north quarter of Lot 2 in Concession I, the south half of the southwest quarter of Lot 2 in Concession II, and the north half of the northeast quarter of Lot 3 in Concession I.
73. REVOKED BY ONTARIO REGULATION 834/81
96. (1) Notwithstanding that the land described in subsection (3) is designated under subsection 4(1) of the By-law as being in a Rural Zone, it shall be deemed to be in a Resort Commercial Zone to which Part VI applies.
- (2) Notwithstanding any other provision of this By-law, the buildings and structures existing on the land described in subsection (3) on the date this section comes into force may continue to be used.
- (3) Subsection (1) applies to that land in the geographic Township of Rathbun in the Territorial District of Sudbury, described as Parcel 27569 Sudbury East Section, being Lot 11 on Plan M-497 and Parcel 45633 Sudbury East Section, being Part of Block B on Plan M-497, and described as Part 1 on Reference Plan 53R-8603 deposited in the Land Registry Office for the Land Titles Division of Sudbury (No. 53)
(O.R. 567/89) (Oct. 4th, 1989)
(Sportsman's Lodge)
114. (1) Despite sections 4, 8 and 22 of this By-law, every use of land and every erection, location or use of buildings or structures on the land described in subsection (2) is prohibited except seasonal dwellings and accessory uses, buildings and structures to seasonal dwellings and conservation

uses if the land abuts a street that is annually opened and maintained during the months of June to October and if the following requirements are met:

Maximum lot coverage	30 per cent
Minimum front yard	20 metres
Minimum side yards	3 metres
Minimum rear yard	8 metres
Maximum height of buildings	9 metres

- (2) Subsection (1) applies to that parcel of land in the Township of Rathbun in the Territorial District of Sudbury designated as lots 1 to 24 inclusive, 29 to 39 inclusive and 44 to 47 inclusive, on Plan 53M-1229 and lots 1 to 3 inclusive and 5 to 21 inclusive on Plan 53M-1230 registered in the Land Registry Office for the Land Titles Division of Sudbury (No. 53) (O. Reg. 371/92) (July 3rd, 1992)
(McGregor Subdivision)

115. (1) Despite sections 4, 5 and 22 of this By-law, every use of land and every erection, location or use of buildings and structures on the land described in subsection (2) is prohibited except,

- a) conservation uses;
- b) wildlife management uses;
- c) areas for the protection and management of lands subject to flooding or high-water table; and
- d) areas for the protection and management of steep slopes subject to erosion.

- (2) Subsection (1) applies to that parcel of land in the Township of Rathbun in the Territorial District of Sudbury designated as Lot 4 on Plan 53M-1230 and Lots 25 to 28 inclusive, 40 to 43 inclusive and Blocks 48 to 58 inclusive on Plan 53M-1229 registered in the Land Registry Office for the Land Titles Division of Sudbury (No. 53) (O. Reg. 371/92) (July 3rd, 1992)
(McGregor Subdivision)

116. (1) Despite section 4, the land described in subsection (2) is for the purposes of this By-law, land in an Open Space Zone.

- (2) Subsection (1) applies to that parcel of land in the Township of Rathbun in

the Territorial District of Sudbury designated as Blocks 22 and 23 on Plan 53M-1230 registered in the Land Registry Office for the Land Titles Division of Sudbury (No. 53)
(O. Reg. 371/92) (July 3rd, 1992)
(McGregor Subdivision)

126. (1) Despite subsection 5(2) and section 13 of this By-law, one single dwelling together with one accessory seasonal dwelling may be erected, located and used on the land in subsection (2) and despite clause 5(3)(b) of this By-law, the seasonal dwelling may be used for human habitation.
- (2) Subsection (1) applies to that parcel of land in the geographic Township of Rathbun in the Territorial District of Sudbury being composed of Summer Resort Lot 1 on Kukagami Lake as shown on Plan M-497 designated as Parcel 27291 Sudbury East Section in the Land Registry Office for the Land Titles Division of Sudbury (No. 53).
(O. Reg. 274/93) (April 30th, 1993)
160. (1) Despite section 8 of the By-law, a seasonal dwelling together with accessory buildings and structures may be erected, located and used on the lands described in subsection (3).
- (2) Despite paragraph 1 of subsection 23(4) of the By-law, the minimum lot area requirement for the lands described in subsection (3) shall be 1,200 metres.
- (3) Subsection (1) applies to that parcel of land in the geographic Township of Rathbun in the Territorial District of Sudbury being composed of part of Lot 1 in Concession I more particularly described as Part of Parcel 47658 Sudbury East Section, designated as Part 1 on Plan 53R-10728 deposited in the Land Registry Office for the Land Titles Division of Sudbury (No. 53).
(O. Reg. 90/97) (March 10th, 1997)

Schedule 2

MOBILE HOME PARKS (SUBSECTION 49(1))

Schedule 3

GENERAL COMMERCIAL ZONES - EXEMPTIONS (SUBSECTION 32(4))

Schedule 4

SEASONAL RESIDENTIAL ZONES - EXEMPTIONS (SUBSECTION 30(4))

Schedule 6

INSTITUTIONAL ZONES - EXEMPTIONS (SUBSECTION 43(3))
(O. Reg. 419/96)

APPENDIX A
MINOR VARIANCES