

## Table of Contents

<b>SECTION 1</b>	<b>ADMINISTRATION AND INTERPRETATION ....</b>	<b>1-1</b>
1.1	TITLE.....	1-1
1.2	SCOPE OF BY-LAW .....	1-1
1.3	INTERPRETATION OF BY-LAW .....	1-1
1.4	STRUCTURE .....	1-2
1.5	ZONING SCHEDULES (MAPS).....	1-3
1.6	ILLUSTRATIONS.....	1-4
1.7	REFERENCES TO STATUTES AND AGENCIES.....	1-4
1.8	PERMITS .....	1-4
1.9	CHANGE OF USE .....	1-4
1.10	APPLICATION FOR BUILDING PERMITS .....	1-5
1.11	PROVINCIAL STATUTES .....	1-5
1.12	ENFORCEMENT AND PENALTIES.....	1-5
1.13	SEVERABILITY .....	1-5
1.14	REPEAL OF EXISTING BY-LAWS .....	1-6
1.15	EFFECTIVE DATE.....	1-6
1.16	REQUEST FOR AMENDMENTS .....	1-6
<b>SECTION 2</b>	<b>DEFINITIONS .....</b>	<b>2-1</b>
<b>SECTION 3</b>	<b>GENERAL PROVISIONS.....</b>	<b>3-1</b>
3.1	ACCESS TO PROVINCIAL HIGHWAYS .....	3-1
3.2	ADEQUATE MUNICIPAL SERVICES.....	3-1
3.3	AMENITY AREA .....	3-1
3.4	BED AND BREAKFAST .....	3-2
3.5	BOARDING HOUSE .....	3-2
3.6	BOAT, RECREATIONAL VEHICLE, AND TRAILER STORAGE ....	3-2
3.7	COMMUNICATION TOWERS .....	3-3
3.8	COMPLIANCE WITH EXISTING SETBACKS .....	3-3
3.9	EXISTING VACANT UNDERSIZED LOTS .....	3-4
3.10	EXPROPRIATION .....	3-4
3.11	FRONTAGE ON A PUBLIC ROAD.....	3-4
3.12	GENERAL PROVISIONS FOR COMMERCIAL AND INDUSTRIAL ZONES .....	3-4

---

3.13 GENERAL PROVISIONS FOR RESIDENTIAL AND RURAL ZONES.....	3-6
3.14 GROUP HOMES AND EMERGENCY SHELTERS .....	3-7
3.15 HOME OCCUPATIONS AND HOME INDUSTRIES .....	3-8
3.16 KENNELS .....	3-10
3.17 LANDSCAPED OPEN SPACE AND LANDSCAPED BUFFER STRIPS .....	3-10
3.18 LOADING SPACE REQUIREMENTS.....	3-10
3.19 MULTIPLE USES .....	3-11
3.20 MULTIPLE ZONES ON ONE LOT .....	3-11
3.21 NON-CONFORMING/NON-COMPLYING USES.....	3-12
3.22 OPEN STORAGE .....	3-12
3.23 PARKING PROVISIONS.....	3-13
3.24 PERMITTED PROJECTIONS ABOVE THE HEIGHT LIMIT .....	3-24
3.25 PERMITTED YARD ENCROACHMENTS .....	3-25
3.26 PROHIBITED USES .....	3-27
3.27 REGULATION FOR CONSOLIDATED LOT DEVELOPMENT .....	3-27
3.28 SECONDARY DWELLING UNITS AND SLEEP CABINS .....	3-28
3.29 SEPTIC SYSTEMS .....	3-30
3.30 SETBACK FROM WATERCOURSES AND WATERBODIES.....	3-30
3.31 SIGHT TRIANGLE .....	3-30
3.32 SLEEP CABIN [BY-LAW 167-2023]....	<b>ERROR! BOOKMARK NOT DEFINED.</b>
3.33 SPECIAL LAND USE PROVISIONS .....	3-31
3.34 USES PERMITTED IN ALL ZONES.....	3-33
<b>SECTION 4 ZONES .....</b>	<b>4-1</b>
4.1 RESIDENTIAL – FIRST DENSITY ZONE (R1).....	4-1
4.1.1 GENERAL PURPOSE .....	4-1
4.2 RESIDENTIAL – SECOND DENSITY ZONE (R2) .....	4-2
4.3 RESIDENTIAL – THIRD DENSITY ZONE (R3).....	4-3
4.4 RESIDENTIAL – MOBILE HOME ZONE (RM).....	4-4
4.5 RURAL RESIDENTIAL ZONE (RR).....	4-6
4.6 LOCAL COMMERCIAL ZONE (LC) .....	4-8
4.7 GENERAL COMMERCIAL ZONE (GC).....	4-9
4.8 HIGHWAY COMMERCIAL ZONE (HC) .....	4-10

---

4.9	TOURIST RECREATIONAL ZONE (TR)	4-10
4.10	LIGHT INDUSTRIAL ZONE (ML)	4-11
4.11	HEAVY INDUSTRIAL ZONE (MH)	4-13
4.12	EXTRACTIVE INDUSTRIAL ZONE (MX)	4-15
4.13	RURAL ZONE (RU)	4-16
4.14	OPEN SPACE ZONE (OS)	4-18
4.15	INSTITUTIONAL ZONE (I)	4-20
4.16	WASTE DISPOSAL ZONE (WD)	4-20
4.17	ENVIRONMENTAL PROTECTION ZONE (EP)	4-21
4.18	HAZARD LAND ZONE (HL)	4-22
4.19	BLACK STURGEON LAKE (RESTRICTED DEVELOPMENT AREA) ZONE (BSL)	4-23
4.20	FUTURE DEVELOPMENT OVERLAY	4-25
4.21	RESIDENTIAL – SMALL HOME ZONE (SH)	4-26
<b>SECTION 5</b>	<b>EXCEPTIONS</b>	<b>5-1</b>
<b>SECTION 6</b>	<b>ZONING SCHEDULES (MAPS)</b>	<b>6-1</b>
<b>SECTION 7</b>	<b>AMENDING BY-LAWS</b>	<b>7-1</b>

*Note: Maps may be viewed online at:  
<https://kenora.maps.arcgis.com/home/index.html>*

## **Section 1 Administration and Interpretation**

### **1.1 Title**

This By-law may be cited as the "City of Kenora Zoning By-law."

### **1.2 Scope of By-law**

#### **1.2.1 Lands Subject to By-law**

The provisions of this By-law shall apply to all lands within the corporate limits of the City of Kenora.

#### **1.2.2 Compliance with Other Restrictions**

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

### **1.3 Interpretation of By-law**

#### **1.3.1 Definitions**

In this By-law, unless the context requires otherwise, the definitions set out in Section 2 shall apply. Where a term is not defined, its common usage shall apply.

#### **1.3.2 Number**

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

#### **1.3.3 "Shall" is Mandatory**

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

#### **1.3.4 "Used" and "Occupied"**

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

#### **1.3.5 Measurements**

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

#### **1.3.6 Holding Zones**

Holding zones are created by adding a lower-case "h" to the zone code on the zoning maps, and that have the effect of allowing the uses set out in the corresponding text of the by-law at some time in the future, when the holding symbol is removed by an amendment to the zoning by-law once specified conditions are met (e.g. such as conditions related to environmental, transportation, servicing matters).

### **1.3.7 Primary Zones**

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

### **1.3.8 Subzones**

Subzones are created by adding a number to the primary zone code, and have the effect of modifying the uses or the regulations of the primary zone to the extent set out in the text of the provisions for that subzone.

### **1.3.9 Exception Zones**

Where a zone classification is followed by square brackets [ ] and a number (e.g. RR[10]), this denotes an Exception Zone. Lands so zoned shall be subject to all of the provisions of the zone represented by the classification except as otherwise provided by the Exception provisions, which are listed in Section 5 in this By-law.

### **1.3.10 Temporary Use By-law**

Where a zone classification is followed by a dash (-) and the letter "T", this denotes a temporary use By-law pursuant to Section 39 of the Planning Act, R.S.O. 1990. Details concerning the temporary use are listed at the end of the specific zone category and/or listed in the Exceptions Section of this By-law.

### **1.3.11 Split Zoning**

Those lands shown on the Schedules to this By-law which have two zone categories such as RR-HL are subject to the most restrictive zone with respect to permitted uses and zone provisions.

### **1.3.12 Conflict**

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

### **1.3.13 Request for Amendments**

Minor amendments to the Zoning By-law are permitted without adopting an amendment provided they do not change the intent of the Zoning By-law. Minor amendments could include: number changes; cross-referencing; correcting grammatical or typographical errors.

## **1.4 Structure**

This zoning by-law is composed of six (6) main sections:

- 1) Administration and Interpretation
- 2) Definitions

- 3) General Provisions
- 4) Zones
- 5) Exceptions
- 6) Zoning Schedules (Maps)

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

**Section 2 – Definitions** outlines the definitions of key terms used throughout the By-law in order to facilitate the interpretation of the document. Illustrations are also provided in Section 2 to illustrate a definition.

**Section 3 – General Provisions** sets out uses regulations that apply to all zones and matters such as parking, landscaping, and other provisions for land development. It also outlines those circumstances in which provisions of this By-law shall not apply.

**Section 4 – Zones** sets out the general intent of each zone, the permitted uses and the zoning regulations for development.

**Section 5 – Exceptions** sets out site-specific uses and provisions that apply to certain properties that are subject to exception provisions through Zoning By-law amendments or special consideration under previous by-law. Properties subject to exception zones are indicated on the Maps.

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

### 1.5 Zoning Schedules (Maps)

#### 1.5.1 Zones

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

#### 1.5.2 Schedules

Schedule A consists of (Maps 1 to 6) which form part of this By-law. The extent and boundaries of all zones are shown on Schedule A (Maps 1 to 6). A key map of the area of the City is provided on each Map in the top right hand corner for geographical reference purposes.

The colours provided on Schedule A (Maps 1 to 6) are for easy reference and zone distinctions. The colours do not form part of this By-law.

#### 1.5.3 Determination of Zone Boundaries

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

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

### **1.6 Illustrations**

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

### **1.7 References to Statutes and Agencies**

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

Where this By-law makes reference to the jurisdiction of a public agency, and where the name or responsibilities of such public agency are changed hereafter, the said reference shall be deemed to include any and all successors to such public agency having jurisdiction over the matters to which the said reference applies.

### **1.8 Permits**

No building permit or license shall be issued where the permit is required for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in violation of any provisions of this By-law.

### **1.9 Change of Use**

No person shall change the existing use of any lands, building or structure to a different type or class of use without determining that the intended use is in accordance with the provisions of this By-law.

### **1.10 Application for Building Permits**

Applications for building permits are required, per the *Ontario Building Code Act* and *Ontario Building Code*.

### **1.11 Provincial Statutes**

References to Provincial Statutes throughout this by-law shall include any amendments and successors thereto.

### **1.12 Enforcement and Penalties**

#### **1.12.1 Enforcement**

Unless otherwise stated, this By-law shall be administered and enforced by the City's Community Development Manager or designate, including City of Kenora By-law Officers [Kenora By-law #70-2014].

#### **1.12.2 Penalty**

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

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

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

#### **1.12.3 Remedy of Violation**

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

### **1.13 Severability**

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

### **1.14 Repeal of Existing By-laws**

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

### **1.15 Effective Date**

This By-law shall take effect the day after the last date for the filing of objections where there are no objections received or where objections are received upon approval of the Ontario Municipal Board.

### **1.16 Request for Amendments**

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

## **Section 2 Definitions**

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

### **A**

#### **Abattoir**

A building, structure, or lot or part thereof used for the slaughter of livestock or other animals for the purpose of processing or rendering.

#### **Abut or Abutting**

Abut means to share a common lot line, and abutting has a corresponding meaning.

#### **Accessory**

Accessory means aiding or contributing in a secondary way to a principal use to carry out its function, and having regard to this definition:

- a) an accessory use is a land use that is accessory to a principal use;
- b) an accessory building is a building that houses an accessory use;
- c) an accessory structure is a structure, that is not a land use, but is accessory to a principal use and this definition is broadened to include tower antennas, satellite dishes, wind turbines, and helicopter landing pads.

#### **Act**

The Planning Act, R.S.O. 1990, as amended.

#### **Additional Residential Unit**

A self-contained residential unit with private kitchen, bathroom facilities, and sleeping areas within dwellings or within structures ancillary to a single-detached, semi-detached, or multiple attached dwelling. It can be located within the main residential building and/or in an accessory building on the same lot and has a smaller gross floor area than the primary residential unit. [By-law No. 38-2023]

#### **Agricultural Use**

The cultivation of the soil to produce crops and the raising of farm animals, and without limiting the generality of the foregoing includes:

- a) the growing of crops.
- b) nurseries, greenhouses, market gardens, orchards, vineyards, agro-forestry operations and maple syrup production.
- c) the keeping and raising of livestock, fowl, fish, bees, fur or wool-bearing animals.
- d) farm-based home industry involving the production of value-added or value-retained products from produce grown or raised on-site.

- e) a farm produce outlet selling agricultural products produced on the premises;  
or
- f) uses of a farm-tourism nature that are secondary to and subordinate to the agricultural use such as seasonal festivals or events, recreational activities, or educational displays.
- g) any building or structure customarily used in connection with a farm, and as defined in the *Ontario Building Code* as a farm building.

**Airport**

The use of lands, buildings or structures for the purposes of air transportation services and certified by Transport Canada.

**Alcove**

A recessed or built in area of a room usually including both sides and top.

**Alter**

When used in reference to a building or part thereof, means to change any one or more of the external dimensions of such building or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, means to change any of the lot dimensions, or to change any of the required yard dimensions, landscaped open space or parking areas, or to change the location of any boundary of such lot in relation to a public highway or laneway, whether such alteration is made by conveyance or otherwise. The words "altered" and "alteration" shall have corresponding meanings.

**Amenity Area**

The total passive or active recreational area provided on a lot for the personal, shared or communal use by the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.

**Ancillary Use**

A listed, permitted land use that is additional, secondary and complementary to a permitted principal use, but not accessory to the permitted principal use.

**Animal Care Establishment**

An establishment for the caring, grooming and training of household pets, but does not include a kennel or an animal hospital.

**Animal Hospital**

A facility:

- a) operated by one or more licensed veterinarians and associated staff.
- b) providing medical, surgical, grooming or similar services solely for household pets, but may include livestock where this use is permitted in a Rural or Industrial zone; and

- c) providing shelter in conjunction with the hospital only during the period of recovery.

**Attached**

When used in reference to a building, means a building otherwise complete in itself, which is dependent for structural support, or complete enclosure, upon a wall or walls shared in common with an adjacent building or buildings.

**Art Gallery**

A building, place or area where paintings, sculptures or other works of art are exhibited, and shall also include a cultural interpretive centre.

**Attic**

The space between the roof and the ceiling of the top storey or between a dwarf wall and a sloping roof, as defined in the *Ontario Building Code*.

**Auction Centre**

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

**Automobile Body Shop**

A place where the painting, major or structural repairs are made to motor vehicles.

**Automobile Dealership**

A building or structure where a dealer displays new or used motor vehicles for sale or lease and may be in conjunction with an automobile service station, automobile gas bar or an automobile body shop, but shall not include any other establishment otherwise defined or classified in this By-law.

**Automobile Gas Bar**

A development used for the sale of automotive fuel, oils, propane, automotive fluids and associated convenience store products. The gas bar may include a car wash as an accessory use.

**Automobile Rental Establishment**

A place where new or used motor vehicles other than heavy vehicles are rented.

**Automobile Service Station**

A place that has one or more service bays or facilities for a mechanic to service and repair motor vehicles other than heavy vehicles, which may also retail fuel and other automotive products; or has one or more service bays which provide one or more single or specialized service product installation for motor vehicles other than heavy vehicles such as mufflers or oil changes.

## **B**

### **Bakery**

A building where the production, mixing, compounding of baked goods is carried out, and which may have an associated retail component.

### **Balcony Barn**

A horizontal structure that projects from the exterior of a building and can only be accessed from within the building.

### **Barn**

A building used for the storage of equipment, supplies and vehicles related to agricultural use, the housing of livestock and may include a workshop area.

### **Basement**

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

### **Bed and Breakfast**

An owner-occupied private home where accommodation and meals are provided to the travelling public but does not include a boarding house, hostel, hotel, motel, or resort.

### **Boarding House**

A building containing rooming units, and which may also contain dwelling units and an accessory administration office.

### **Boathouse**

A detached accessory building or structure for the storage of watercraft and watercraft related equipment but does not include open walkways or uncovered docking facilities or kitchen and bathroom facilities, and is not for human habitation.

### **Boat Port**

An unenclosed accessory building or structure which is used to place a boat into or take a boat out of a water body or used to moor, berth or store a boat. This definition may include a boat launching ramp, boatlift, or dock, but shall not include any building used for human habitation nor any boat service, repair or sales facility or retail use.

### **Boat Slip**

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

### **Breezeway**

A roofed enclosed passage connecting two or more buildings or the main wall and a deck, where the deck is part of the main building.

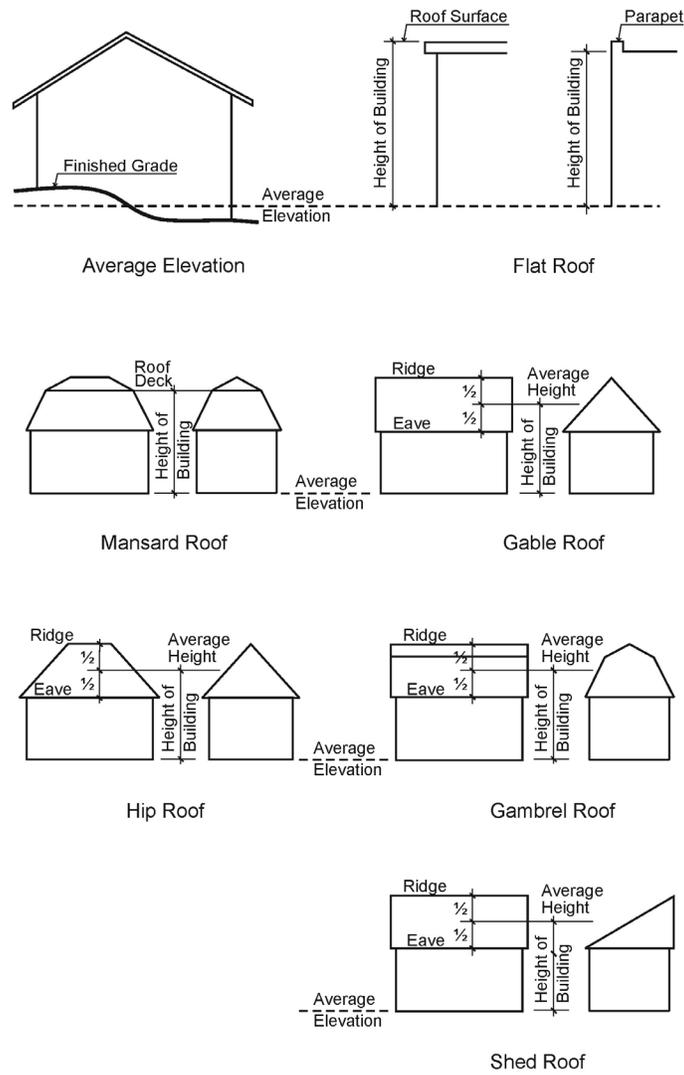
**Building**

A fully or partially enclosed structure having a roof supported by walls, columns, piers or other structural systems.

**Building height**

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

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



Illustrations of Building Heights

**Bulk Sales and Storage Establishment**

The use of land, a structure, or building for the purposes of buying and selling coal, fuel, oil, wood, lumber and/or building materials but does not include any manufacturing, assembling or processing uses.

## **C**

### **Campground**

Land used for the parking and temporary use campsites occupied by tents, trailers, recreational vehicles and accessory uses and facilities such as administrative offices, sanitary facilities, recreational facilities and a convenience store.

### **Camp Site**

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

### **Car Wash**

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

### **Carport**

An accessory building either attached to or detached from the main building and which has at least 40% of the perimeter open and unobstructed by any wall, door, post or pier and which is used for the parking of vehicles. For the purpose of this By-law, perimeter includes the wall of a building to which the carport is attached.

### **Cellar**

A portion of a residential building, used for storage purposes only, which is more than 50% below grade.

### **Cemetery**

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

### **Chief Building Official**

The official appointed by the City of Kenora under the Building By-law or pursuant to the provisions of the *Ontario Building Code Act*, as amended.

### **Cinema**

A place where motion pictures are exhibited for public viewing.

### **City**

The Corporation of the City of Kenora.

**Clinic**

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

**Commercial Storage Facility**

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

**Communication Facility**

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

**Community Centre**

A multi-purpose facility that offers recreational, cultural, day care, social, community service, informational or instructional programs, and may include a clinic as an ancillary use.

**Community Garden**

A communal garden provided for the sole use of or consumption by the individual or individuals working the garden.

**Conservation**

The preservation, protection and improvement of the natural environment through a comprehensive management and maintenance program administered by a public agency for individual or public use. [By-law No. 85-2019]

**Continuum Care Facility**

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

**Contractor Service**

A place of business for persons employed in trades such as construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support services areas shall be accessory to the principal Contractor Service use.

**Convenience Store**

A retail store where a range of day-to-day items such as newspapers, confections, foodstuffs, sundries and other such household items are sold in small quantities.

**Conversion**

Change in use of land or a building or an act done in relation to land or a building which results in, or is likely to result in, the change in the use of such land or building.

**Correctional Facility**

A place of secure temporary detention and a place of secure custody such as a secure custody group home.

**Council**

The municipal Council of the Corporation of the City of Kenora.

## **D**

**Day Nursery**

A premises as defined by the Day Nurseries Act, RSO, 1990, that receives more than five children primarily for the purpose of providing temporary care or guidance (or both) for a continuous period not exceeding 24 hours, and the children are:

- a) under 10 years of age; or
- b) under 18 years of age if the day nursery will be for children with a developmental disability.

**Deck**

A structure without a roof, having a foundation to hold it erect, the floor which at any point of the perimeter is more than 600 mm above adjacent grade, either accessible from within the building or from outside when at grade and attached to or abutting one or more walls of a building or constructed separate from a building, with or without direct access to the ground, but shall not include a landing or step.

**Development**

The creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act.

**Dock, Private**

A private non-commercial wharf or pier where boats can remain for loading, unloading or storage and shall include the water space occupied by any boat.

**Drive-Through Facility**

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

**Driveway**

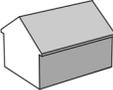
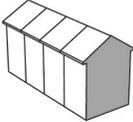
A private way used for vehicular access from a parking space or parking lot to a public street, and includes a right-of-way, or any land used to access other land.

**Dry Cleaning Establishment**

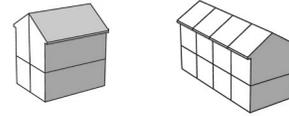
A building where dry cleaning, dry dyeing, cleaning or pressing of articles or goods of fabric is carried on.

**Dwelling**

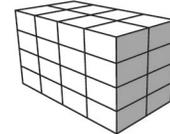
A building or part of a building occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or seasonally, irrespective of tenure or ownership, but shall not include a seasonal dwelling, recreational vehicle, trailer or motor home. Dwelling includes:

- a) **Dwelling unit**, which means a room or rooms in which kitchen, sanitary conveniences and sleeping quarters are provided for the exclusive use of the occupants and with a private entrance from outside the building or from a common corridor or stairway inside the building.
- b) **Dwelling unit, Accessory**, means a dwelling unit that is in a separate building or structure which is accessory to and located on the same lot as the principal use, building or structure, but not including a building or structure which is used as a dwelling unless specifically permitted.
- c) **Single-detached dwelling**, which means a detached building containing one dwelling unit only. 
- d) **Semi-detached dwelling**, which means a residential use building divided vertically into two separate dwelling units each of which has an independent entrance. 
- e) **Duplex dwelling**, which means the whole of a two-storey building divided horizontally into two separate dwelling units, each of which has an independent entrance either directly or through a common vestibule. 
- f) **Triplex dwelling**, which means whole of a three-storey building divided horizontally into three separate dwelling units, each of which has an independent entrance either directly or through a common vestibule. 
- g) **Multiple attached dwelling**, which means the whole of a residential use building containing three or more dwelling units that are divided vertically, each of which has an independent entrance. For the purpose of this Zoning By-law, a rowhouse is considered to be a multiple-attached dwelling. 

- h) **Stacked dwelling**, which means a residential use building containing four or more dwelling units, where the units in each pair are divided horizontally, and the pairs are divided vertically, and in which each dwelling unit has an independent entrance.



- i) **Apartment dwelling**, which means a building containing four or more dwelling units, in which dwelling units have a common entrance from street level and are served by a common corridor.



- j) **Secondary dwelling (Additional Residential Unit)**: A self-contained residential unit with private kitchen, bathroom facilities, and sleeping areas within dwellings or within structures ancillary to a single-detached, semi-detached, or multiple attached dwelling. It can be located within the main residential building and/or in an accessory building on the same lot and has a smaller gross or equivalent floor area than the primary residential unit. [By-law No. 038-2023]

- k) **Converted dwelling**, which means a residential use building that has been altered, but not demolished and replaced, to increase the number of dwelling units to three or more.

## E

### **Embayment**

A bay or bay-like formation on Black Sturgeon Lake.

### **Emergency Service**

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

### **Emergency Shelter**

An establishment providing temporary accommodation to individuals who are in immediate need of emergency accommodation and food, and may include ancillary health care, counselling and social support services.

**Equestrian Establishment**

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

**Erect**

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

**Existing**

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

## **F**

**Farm**

The use of land, building or structure for agricultural purposes, such as, without limitation, the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry and maple syrup production.

**Financial Establishment**

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

**Floor Area, Gross**

The total area of all floors above grade measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of firewalls except that, in any other occupancy than a residential occupancy, where an access or a building service penetrates a firewall, measurements shall not be taken to the centre line of such firewall.

**Floor Area, Gross Leasable**

The total floor area designed for tenant occupancy and exclusive use, measured from the interiors of outside walls excluding floor area occupied by party walls and excluding:

- a) floor area occupied by mechanical, service and electrical equipment that serve the building;
- b) hallways; corridors; stairwells, elevator shafts and other voids; steps and landings;
- c) pedestrian malls serving as a common area between stores;

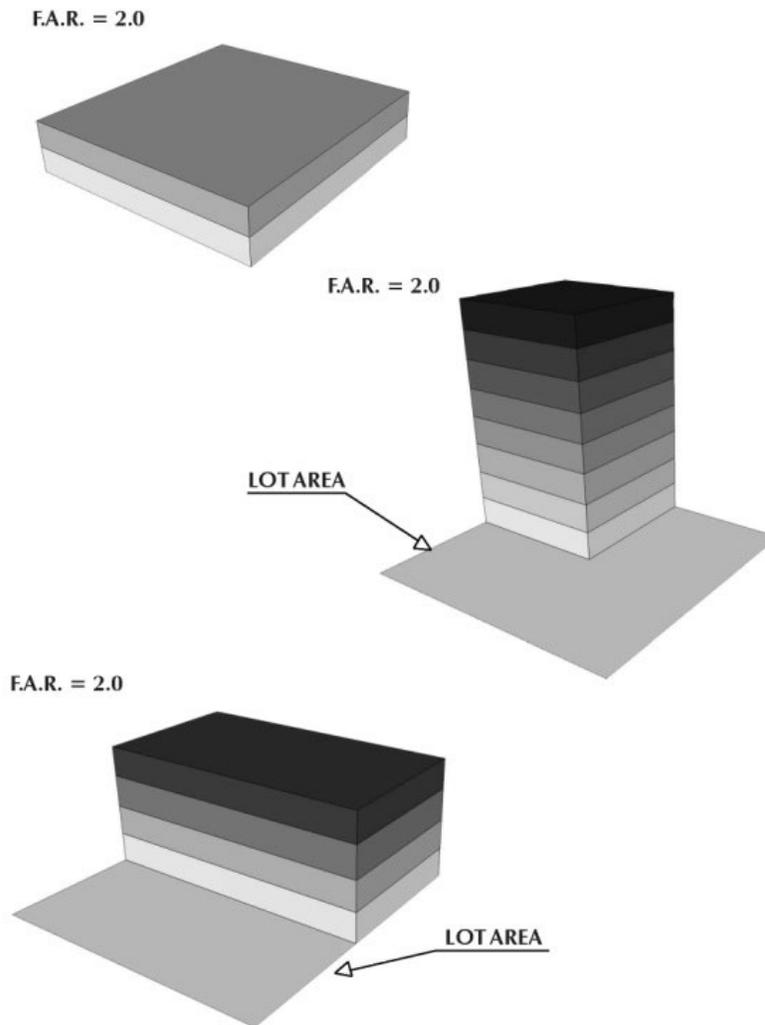
- d) administration or management offices;
- e) bicycle parking; motor vehicle parking or loading facilities;
- f) common washroom facilities that serve the building or tenants;
- g) storage areas that are accessory to the principal use of the building; and
- h) living quarters for a caretaker of the building.

**Floor Area, Habitable**

Means the design of floor areas and spaces as permitted by the *Ontario Building Code*.

**Floor Area Ratio**

The ratio of the gross floor area of a building to the total area of the lot on which the building is located.



**Food Processing Plant**

An industrial use where agricultural or fish products are prepared, processed, preserved, graded or stored, but does not include a restaurant or abattoir.

**Food Service Vehicle**

Any vehicle from which ready-made food is sold for consumption by the public offsite and includes, without limiting the generality of the foregoing, wagons, trailers and trucks, but does not include push carts, bicycle carts or other similar devices which rely on human motive power to move, or a restaurant as defined elsewhere in this By-law.

**Forestry Use**

The general raising, harvesting and milling of wood.

**Fuel Storage Tank**

A tank for the bulk storage of petroleum products or other inflammable fluids or kept on the premises of a retail store or in a storage tank incidental to the primary use of the premises, in compliance with applicable regulations.

**Funeral Home**

The business premises of an undertaker or funeral director whether or not the same includes a school of instruction in embalming or preparation for burial of the human remains.

**G**

**Garage, Private**

An accessory building or structure, including a portion of a building designed or used for the sheltering of private motor vehicles and recreational vehicles and is incidental to the residential occupancy and in which there are no facilities for the repairing or servicing of vehicles for remuneration or commercial use. This definition includes a carport.

**Golf Course**

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

**Grade**

The average level of proposed or finished ground adjoining a building at all exterior walls, as defined by the *Ontario Building Code*.

**Group Home**

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

## **H**

### **Heavy Equipment and Vehicle Sales, Rental and Servicing**

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

### **Heavy Industrial Use**

Uses of a heavy industrial nature including:

- a) the manufacture or processing of products from raw materials;
- b) the production or use of flammable, explosive or other hazardous materials;
- c) the storage of these products and materials; or
- d) a wrecking yard.

### **Heavy Vehicle**

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

### **Home Day Care**

Premises used for the temporary care of five persons or less where such care is provided in a dwelling unit, for a continuous period not exceeding twenty-four hours.

### **Home Industry**

Any occupation conducted entirely within a building or part of building accessory to a main dwelling unit that includes but not limited to processing, assembly, manufacturing or a workshop within.

### **Home Occupation**

Home occupations shall include occupations or professions which are conducted entirely within a dwelling unit. Home occupations shall not be permitted in accessory buildings.

### **Horticultural Nursery**

Buildings or structures and associated lands, used for the growing of flowers, fruits, vegetables, plants, shrubs, trees or similar vegetation together with gardening tools

and associated goods which are sold at retail from such building or lot to the general public.

**Hospital**

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

- a) persons afflicted with or suffering from sickness, disease or injury;
- b) convalescent or chronically ill persons;
- c) persons suffering from substance addictions; or
- d) persons suffering from emotional, or psychological disorders; and may include ancillary uses such as a restaurant, or a hostel for the short-term accommodation of patients’ families during treatment or convalescence.

**Hostel**

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

**Hotel**

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

**I**

**Instructional Facility**

A facility that provides practical instruction or training in an art, hobby, skill or trade; and includes a studio, a computer training facility, a martial arts school and any other similar facility.

**Interpretive Centre**

A building or group of buildings that provides interpretation of a place of interest, such as the natural environment through a variety of media, such as video displays, information panels and exhibitions of material, and which may also include facilities such as a refreshment stand or gift shop.

**K**

**Kennel**

A place for the keeping, breeding or temporary shelter of domestic animals, and may include the following specific types of kennels as defined in the City of Kenora Animal Control By-law, as amended:

- a) Shelter kennel, which means a place where animals are kept, for a fee, and operated as a commercial business or by the Humane Society as a service to the community.
- b) Breeding kennel, which means a place where animals are kept for the purposes of reproduction, and the use of or sale of the offspring. A breeding kennel may be hobby or a professional type enterprise where the breeding is to produce improved specimens of the breed and there is no more than two (2) breeding animals of no more than two (2) breeds.
- c) Working kennel, which means a place where a group of dogs are kept for a specific purpose, such as hunting, security, tracking, obedience or rescue, or mushing. The kennel owner must be a member in good standing of The Canadian Kennel Club for a minimum of six (6) years and are registered with a recognized association.

## **L**

### **Landscaped Open Space**

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

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

### **Landscaped Buffer Strip**

An open space free of buildings or structures which is used for the growing and maintenance of a continuous row of shrubs, trees or other natural vegetation to screen or separate land uses from one another or a public street.

### **Lane**

A public roadway of no more than 6.1 m in width which is intended primarily to give access to the rear of buildings and associated parking.

### **Library**

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

### **Light Equipment Sales And Rental Establishment**

A building or structure or part of a building or structure in which light machinery and equipment such as automotive tools, cleaning equipment, concrete and masonry equipment, electric tools and accessories, gasoline generators, moving equipment; painting and decorating equipment; plumbing tools and other similar tools and accessories are offered or kept for sale or rent under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

**Light Industrial Use**

Uses of a light industrial nature, including:

- a) warehousing or distribution of finished parts or finished products;
- b) the manufacture from previously prepared materials of finished parts or finished products;
- c) factory or assembly-line processes that involve the manufacture, processing, assembly or packaging of finished parts or finished products made from previously prepared materials; or
- d) the repair or servicing of such products.

**Loading Space**

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

**Lot**

A parcel of land or an assembly of contiguous parcels, including a:

- a) corner lot which means a lot situated at the intersection of two or more streets or at the intersection of a street and a railway right-of way having an angle of intersection of less than 135 degrees;
- b) irregular lot which means a lot where any interior angle formed by any two lot lines is other than ninety (90) degrees;
- c) through lot which means a lot bounded on two opposite sides by streets, provided that if any lot qualifies both as a through lot and a corner lot as defined herein, such lot is considered to be a corner lot for purposes of applying the zoning by-law;
- d) interior lot which means a lot other than a corner lot and a through lot;
- e) waterfront lot which means a lot that has water access on a shoreline either directly, or by abutting a shore reserve or unopened shore road allowance;
- f) backlot is a lot without water frontage but with frontage onto a publicly maintained road, but near a waterfront area that has been created through a

severance or subdivision where access to the water is provided through tenants in common or other approved legal interest.

**Lot Area**

The total area within the lot lines of a lot.

**Lot Coverage**

The proportion of the lot area that is covered by buildings, structures and covered decks excluding parking areas, driveways, patios and sidewalks.

**Lot Depth**

The horizontal distance measured between the midpoint of the front lot line and the midpoint of the rear lot line.

**Lot Frontage**

The horizontal distance between the side lot lines of a lot, measured parallel to the front lot line at a point that is equal to the front yard setback requirement for the zone. For a waterfront lot as defined in this By-law, the frontage shall be measured as the horizontal straight line distance between the intersections of the side lot lines with the shoreline.

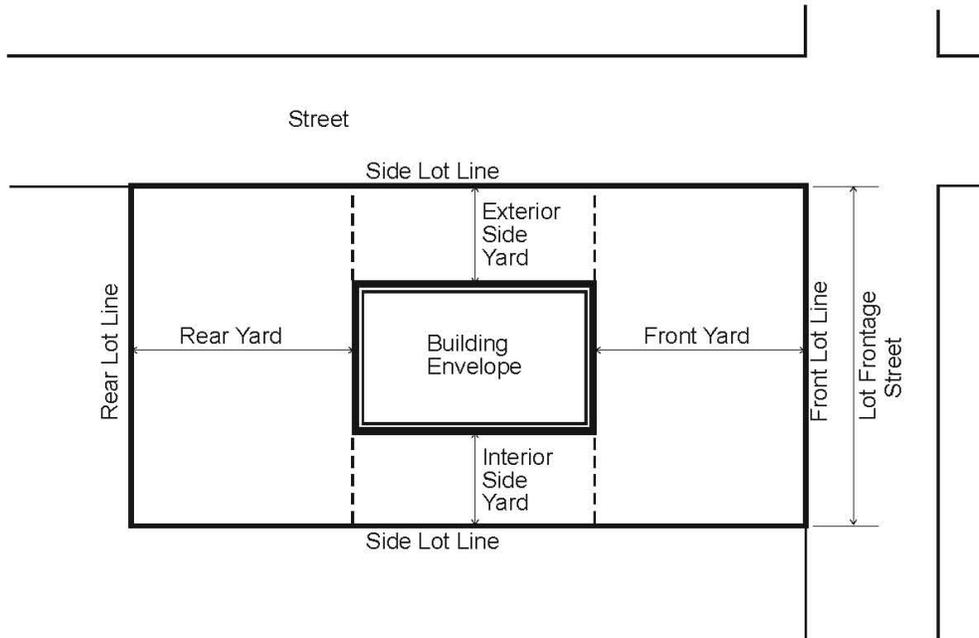


Illustration of Corner Lot (Parallel Lot Lines)

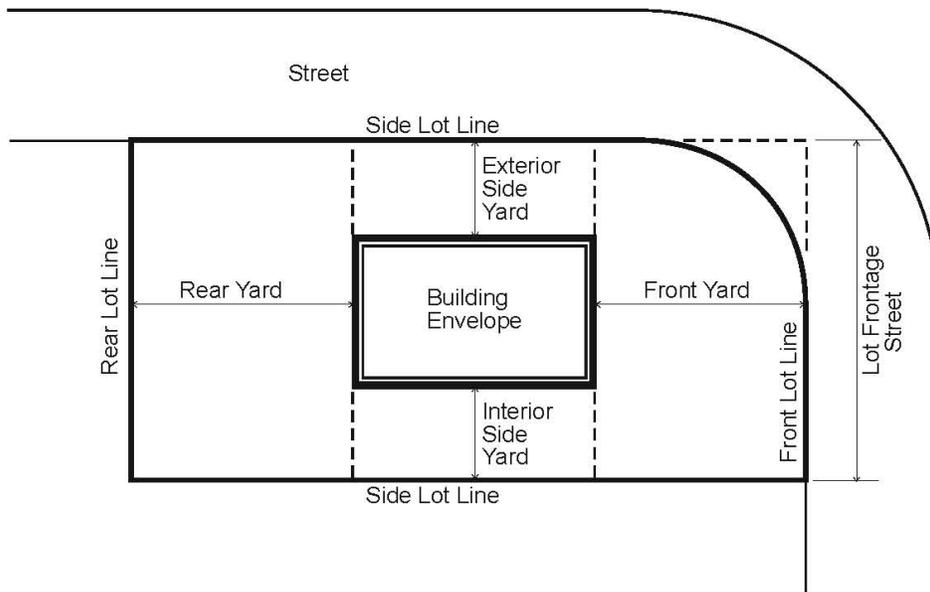


Illustration of Corner Lot (Curved Side)

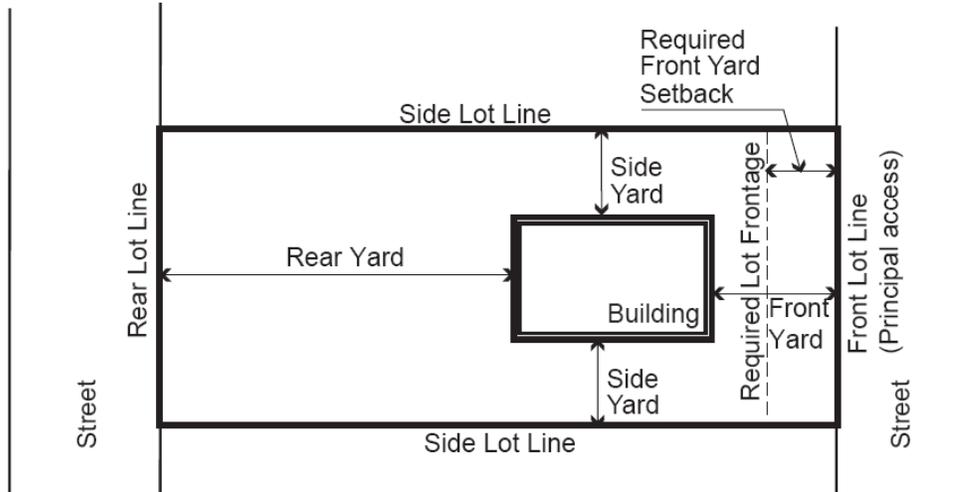


Illustration of Through Lot

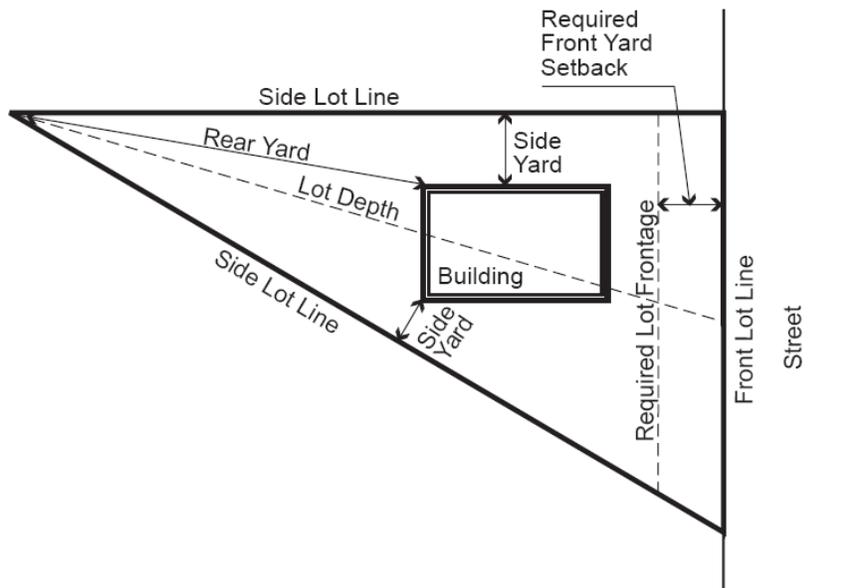


Illustration of Irregular Lot (No Rear Lot Line)

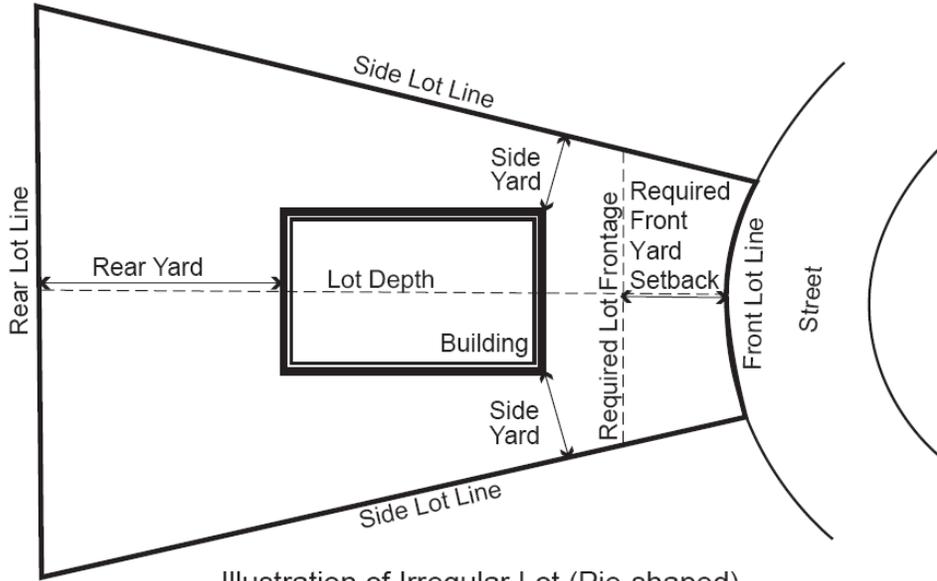


Illustration of Irregular Lot (Pie-shaped)

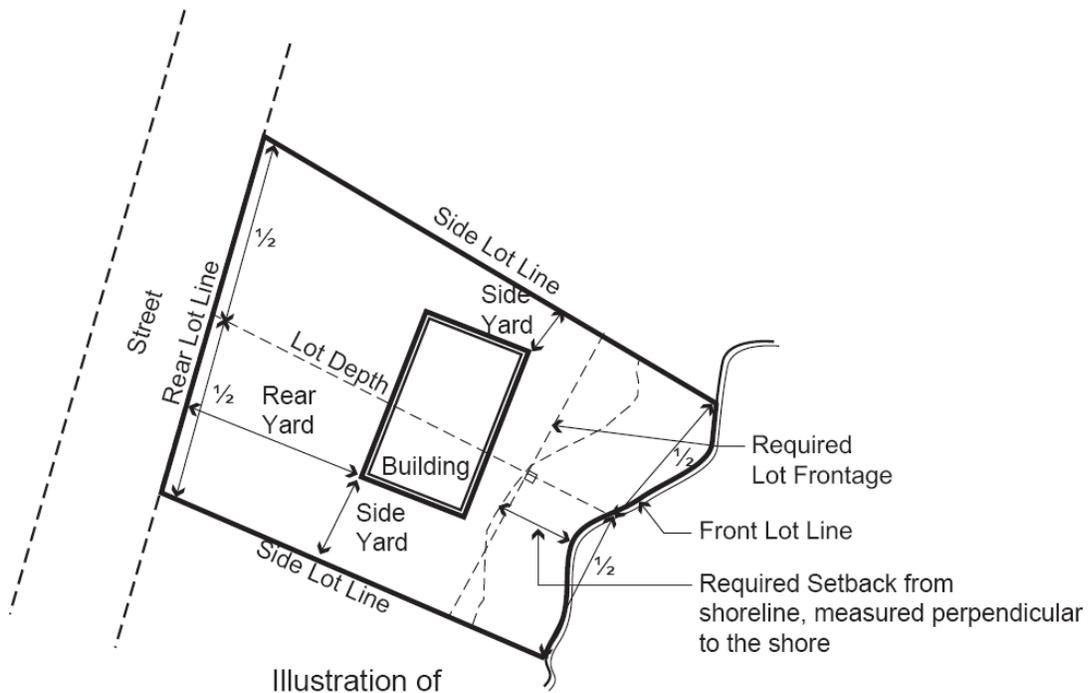


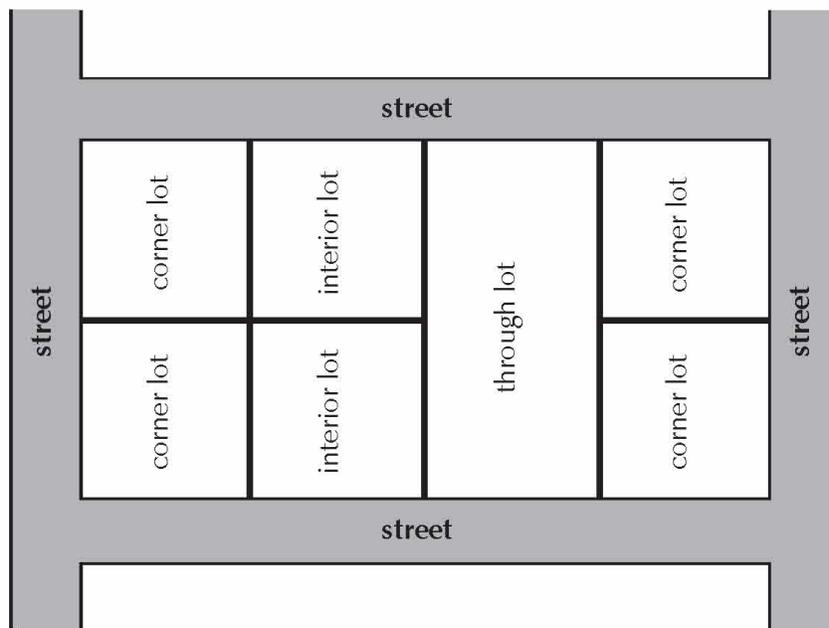
Illustration of Waterfront Lot Abutting a Street

**Lot Line**

Any boundary line of a lot, including a:

- a) front lot line which means, in the case of an interior lot, the line dividing the lot from the street. In the case of a through lot or a corner lot, the shorter lot line abutting a street shall be the front lot line. In the case of a corner lot or a through lot where the lot lines abutting a street have the same length, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. In the case of a waterfront lot, the lot line abutting the waterway shall be the front lot line.
- b) rear lot line, which means the lot line farthest from or opposite to the front lot line. If the lot has less than four (4) lot lines there shall be deemed to be no rear lot line.
- c) side lot line, which means a lot line other than a front or rear lot line.

**ILLUSTRATION OF LOT TYPES**



**M**

**Maintenance and Storage Yard**

Any land, building and/or structure owned by a public entity that is used for the storage, maintenance and/or repair of material, equipment, machinery and/or motor vehicles used in connection with public works.

**Marina**

A commercial establishment or premises, containing docking facilities and located on a watercourse or navigable waterway, where boats or boat accessories are

berthed, launched, stored, serviced, repaired or kept for sale or rent and where facilities for the sale of marine fuels and lubricants may be provided and may include a convenience store and/or a restaurant as an accessory use.

### **Micro-Brewery**

A brewery, completely contained within a structure that produces less than 12,500 hectolitres of beer per year. Microbreweries sell to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and directly to the consumer through carryout's and/or on-site tap-room or restaurant sales. Ancillary tasting of beer shall be permitted.

[The definition of Micro-Brewery is amended by By-law 22-2022, as it applies to the land described in that by-law]

### **Mineral Aggregate Operation**

An operation that includes:

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

### **Mineral Mining Operation**

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

### **Mobile Home**

A dwelling unit transported in one piece suitable for long term occupancy, designed to be transported on its own wheels or by other means and arriving at a site ready for occupancy apart from incidental accessories and mechanical connections such as location on foundation supports or anchoring arrangements and connections to utilities. Such dwellings shall be certified to have been manufactured to the structural requirements for mobile homes as specified in CAN/CSA standard Z240.2.1 and to the Plumbing Requirements for Mobile Homes as specified in CAN/CSA Standard Z240.3.1.

### **Mobile Home Park**

A tract of land under single ownership, or condominium, which has been planned and intended for the placement of mobile homes, and which consists of a group of not less than two (2) individually serviced sites for the location of mobile homes.

**Mobile Home Site**

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

**Modular Home**

Means a prefabricated or factory built residential building consisting of two or more sections, neither of which comprises a dwelling unit, that may be attached side-by-side or above and below to form one or more complete dwelling units for year round residential occupancy, but this definition does not include recreational vehicles, or mobile homes. The building shall be designed and constructed in compliance with CSA A277 "Procedures for Factory Certification of Buildings".

**Motel**

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

**Motor Vehicle**

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

**Museum**

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

**N**

**Navigable Waterway**

A body of water that is capable of affording reasonable passage of floating vessels of any description for the purpose of transportation, recreation or commerce.

**Night Club**

A place where alcoholic beverages are served to the public for a fee, with or without food.

**Non-Commercial Farm**

A lot used principally for residential use and where accessory uses may include small scale market gardening for retail. Livestock, including horses, will be limited to a maximum of 4 nutrient units, as defined by the Nutrient Management Act, and able to meet the Minimum Distance Separation formula.

**Non-Complying**

A permitted use which does not comply with one or more regulations of this By-law for the Zone in which such building or structure is located on the date of passing of this By-law or amendments thereto.

**Non-Conforming**

A use of land that is not listed as a permitted use in the zone in which it is located but which is tolerated because Section 34.(9), Planning Act (R.S.O. 1990) allows it to continue so long as the use is not changed or discontinued from the date when the zoning by-law was passed or amended.

**Normal High Water Mark**

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

**O**

**Obnoxious Use**

Any use which is offensive by the creation or transmission of noise, vibration, illumination, emissions, fumes, odour, dust or radiation, or any combination of these, beyond any lot lines of the premises.

**Office**

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

**Off-Leash Dog Area**

A fenced facility where residents have the opportunity to exercise and socialize their dogs off leash within a controlled environment.

**Open Air Market**

A temporary market held in an open area or in a building or structure where groups of individual sellers display and offer goods or agricultural produce for sale to the public, but does not include a garage sale.

**Open Storage**

Goods, materials, or refuse associated with a use, located outside of a building or structure visually screened by a fence or other visual barrier, but shall not include such items where they are not in the direct ownership of the occupant.

**Outdoor Recreational Facility**

An area available to the public at large for sports and active recreation conducted outdoors and may also include accessory buildings or structures and may also include a restaurant.

**P**

**Park**

Includes a playground, sports field, botanical garden, outdoor public swimming pool or parkway, and may also include accessory buildings or structures such as a maintenance building, washroom or canteen.

**Parking Lot**

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

**Parking Space**

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

**Patio**

A platform or surfaced area without a roof that is accessory to a dwelling or commercial use which at any point of the walking surface perimeter is 600 mm or less in height from adjacent grade.

**Person**

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

**Personal Service Business**

Personal service business means a place where:

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

**Place of Assembly**

A building or part of a building in which facilities are provided for such purposes as meetings for civic, educational, political or social purposes and shall include a banquet hall, convention centre or private club.

**Place of Worship**

Includes, but is not limited to churches, chapels, temples, mosques, parish halls and synagogues including offices for the administration of the religious institution, convents, seminaries, monasteries, rectories, parsonages and parish houses.

**Portable Asphalt Plant**

A small, portable facility:

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

**Portable Concrete Plant**

A small, portable facility:

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

**Post-Secondary Institution**

A public educational institution that includes a:

- a) university which means a place of higher education, which has a body of teachers and students on the premises, and that offers instruction at the undergraduate level, post-graduate level, or both, and which is empowered by law to grant a degree upon the successful completion of a prescribed course of study;
- b) college which means a college of applied arts and technology or other similar place of post secondary education which has a body of teachers and students on the premises, and that provides instruction in business, a trade, or a craft; and that is empowered by law to grant diplomas, licenses or certificates that permit the holders to represent themselves as qualified to work in a particular trade or occupation; or
- c) any residential use buildings, dwelling units or rooming units ancillary to and located on the same lot as a university or college.

**Principal**

The primary use of land or of a building.

**Provincial Highway**

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

**Public Agency**

Any Federal, Provincial, District or Municipal agencies, and includes any public department, ministry, commission, corporation, authority, board, utility, or other agency established from time by such agencies. [By-law No. 85-2019]

**Public Use**

A use which is owned, occupied, used, or administered by a public agency. [By-law No. 85-2019)

# R

**Recreational Facility**

Premises where entertainment is offered for profit such as a cinema, public hall, billiard or pool rooms, an establishment offering three or more electronic games for public use, bowling alley, ice or roller skating rink, and all other similar places of amusement, and may include a restaurant.

**Recreational Rental Establishment**

The use of land or structures for the rental of outdoor sports and games equipment, including but not limited to boating and water sports, which may be run for-profit or non-profit, but does not include a recreational vehicle or boat sales establishment.

**Recreational Vehicle**

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

**Recreational Vehicle or Boat Sales Establishment**

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

**Research and Development Centre**

A place used for systematic research, data collection and manipulation, or technical or scientific development of information or new products, and may include a research laboratory; but excludes industrial and manufacturing operations other than those required as part of the research.

**Resort**

A tourist establishment that provides accommodation throughout all or part of the year and that may or may not have facilities for serving meals and furnishes equipment, supplies or services to persons in connection with angling, hunting,

camping or recreational purposes, and which may also include accommodation facilities for staff.

**Resort Commercial Establishment**

An establishment with associated accommodation units under single ownership, condominium, or other shared ownership structure, with shared resort amenities and offering lodging by way of permit, lease, license, rental agreement, or similar commercial arrangement. [By-law 41-2019]

**Restaurant**

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

**Retail Store**

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

**Retirement Home**

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

**Rooming Unit**

A room, or a suite of rooms, that constitutes a separate, independent residential occupancy, but which is not self-contained and which requires access to other parts of the principal dwelling or building intended to serve the residents, including shower or bathtub facilities, kitchens, eating areas or bathrooms.

**S**

**Satellite Dish**

A structure used for the reception of television or radio signals relayed via a transmitter.

**School**

As defined in the Education Act, and includes any other place of primary, elementary, or secondary education which has a body of teachers and students on the premises, and that provides instruction in the primary, elementary or secondary courses of study authorized or approved by the Minister of Education for Ontario, and also includes adult education and English or French as a second language programs.

**Seasonal Dwelling**

A single-detached dwelling constructed according to the cottage standards established in the *Ontario Building Code*.

**Secondary Dwelling**

A self-contained residential unit with private kitchen, bathroom facilities, and sleeping areas within the dwellings or within structures ancillary to a single-detached, semi-detached or multiple attached dwelling. It can be located within the main residential building and/or in an accessory building on the same lot and has a smaller gross or equivalent floor area than the primary residential unit. [By-law No. 167-2023]

**Service and Repair Shop**

A place where personal effects and household goods and appliances are repaired, but does not include the repair of large equipment such as motor vehicles or heavy equipment.

**Setback**

The least horizontal distance measured from and at right angles to the street line abutting a front lot line to the nearest part of any building or structure on the lot, or the nearest open storage use of the lot.

**Sewage Facility**

Any works by a public agency for the collection, storage, or treatment and disposal of sewage. [By-law No. 85-2019]

**Shipping Container**

An article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal shipping containers, body of transport trailer or straight truck box but does not include a motor vehicle. Shipping containers include containers originally used as an article of transportation equipment.

**Shopping Centre**

A group of predominantly commercial and service occupancies that:

- a) is designed, developed and managed as a unit whether by a single owner or a group of owners or tenants acting in collaboration;
- b) is either in a single building or in multiple buildings on the same lot or abutting lots, and may, but shall not be required to, be considered as one lot for zoning purposes;
- c) is made up entirely of uses permitted or lawful non-conforming on the site;
- d) has a minimum size greater than a cumulative total of 2,000 m<sup>2</sup> of gross leasable floor area; and has either:
  - i. a common parking lot or parking garage or a combination thereof; or

- ii. a group of parking lots or parking garages or a combination thereof which are managed as a unit by the same owner, owners or tenants of the commercial and service occupancies required in subparagraph (a) above, and are on the same lot or lots as the commercial and service occupancies required in subparagraph (a) above.

**Shore Road Allowance**

Means a 20 m wide allowance along the shore of a navigable waterway and designated road allowance originally reserved by the Crown along the shore of a navigable waterway, but does not include an allowance that has become a road or has been closed and conveyed.

**Shore Reserve**

A 20 m reserve owned by the Crown along a navigable waterway.

**Sidewalk**

A paved area for pedestrians and is usually beside a street or road.

**Sleep Cabin**

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

**Snow Disposal Facility**

A facility to which snow is transported for storage from other off-site locations.

**Solid Waste Disposal Facility**

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

**Storage Yard**

Land used for outdoor storage, including:

- a) the storage of vehicles, including an automobile salvage operation or scrap yard;
- b) the storage of road maintenance material such as gravel or sand;
- c) the storage of construction, building or landscaping material; and
- d) the storage of heavy vehicles or construction equipment, and includes an accessory maintenance garage used for the service and repair of the stored vehicles and equipment.

**Storey**

That portion of a building other than a cellar or attic storey which is included between one floor level and the next higher floor level or the ceiling.

**Street or Road**

Any highway, road, boulevard, or other improved thoroughfare which has been dedicated or deeded for public use.

**Structure**

Anything constructed that is fastened to or rests on the earth.

**Studio**

Building, or part thereof, used as a workplace for a photographer, craftsman or artist, or for the instruction of art, music, dancing, languages or similar disciplines. The sale of any artifacts produced therein shall only be as an accessory use.

**Supportive Housing**

A residential use building containing rooming units or a combination of rooming and dwelling units, providing residence to any persons requiring supports to live, and support services on-site which may or may not include collective dining facilities, laundry facilities, counselling, educational services, and transportation. This does not include Retirement Homes, Continuum Care Facilities, Correctional Facilities, or Emergency Shelters. [By-law No. 54-2019]

**Swimming Pool**

A structure which is located on or in or above the ground, or within a building, and which is capable of containing an artificial body of water for swimming, wading, diving or recreational bathing with a water depth of 0.6 m or more at its deepest point and may include a hot tub.

**T**

**Taxi Stand**

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

**Technology Industry**

An operation where advanced or sophisticated devices especially in the fields of electronics and computers are manufactured, assembled, packaged or stored in an office, studio or laboratory setting.

**Theatre**

A place where live theatrical performances or concerts are given on a stage before an audience.

**Trailer**

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

**Transportation Depot**

Any building or land where buses, trucks or tractor-trailers are rented, leased, kept for hire, stored or parked for commercial purposes, or for ticket purchases, and may include a convenience store or restaurant.

**U**

**Use**

Means a use of land for any purpose; and “used” and “using”, and other such forms of the word, have a corresponding meaning.

**Utility Installation**

The actual building plant, works, utility line, tower, transmitter, relay, receiver, pedestal or other equipment used to make or deliver a utility product, commodity or service, and includes a storm water management facility, wind turbine, wind turbine farm, solar panels, solar farm or similar facility. It also includes electricity generation facilities, as well as transmission and distribution systems.

**W**

**Warehouse**

A building or part of a building used for the storage and distribution of goods, wares, merchandise, substances or articles and may include accessory wholesale facilities, but shall not include a truck or transport terminal or yard.

**Waste Processing and Transfer Facility**

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

**Watercourse**

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

**Waterfront**

A piece of land that has lot frontage along a watercourse.

**Wayside Pit or Quarry**

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

**Wildlife Conservation Reserve**

A natural area including land and/or water used for the purpose of planned management of natural resources, including wood lot management and the preservation and enhancement of the natural environment, and which may also include facilities for active and/or passive recreation.

**Wind Turbine**

A machine or device for converting the kinetic energy in wind into electrical energy that is suitable for use. A wind turbine includes a tower, housing, blades, and related appurtenances.

**Wind Turbine, Height**

The vertical distance between the average finished grade and the highest point of the structure measured as the aggregate total of the base, tower and blade, when the blade is in a vertical position.

# Y

**Yard**

An area of a lot abutting a building that is intended for use for such purposes as privacy space, landscaping, parking or access, and includes a:

- a) front yard which means that yard that extends across the full width of the lot between a front lot line and the nearest point of the principal building, not including any permitted projections;
- b) rear yard which means that yard that extends across the full width of the lot between a rear lot line and the nearest point of the principal building not including any permitted projections;
- c) interior side yard which means that yard not abutting a public street or lane that extends from the front yard to the rear yard between a side lot line and the nearest point of the principal building, not including any permitted projections; and
- d) exterior side yard which means that yard abutting a public street or lane that extends from the front yard to the rear yard between a side lot line and the nearest point of the principal building, not including any permitted projections.

**Yard, Required**

The minimum distance required by this By-law between a lot line and a building, and includes a required:

- a) front yard which means the shortest distance between the front lot line and any part of a building, not including any permitted projections;
- b) rear yard which means the shortest distance between the rear lot line and the nearest point of the principal building, not including any permitted projections;
- c) interior side yard which means the shortest distance between the side lot line not abutting a street or lane and any part of a building between the front and rear yards, not including any permitted projections; and
- d) exterior side yard which means the shortest distance between a side lot line abutting a street or lane and any part of a building between the front and rear yards, not including any permitted projections.

**Youth Camp**

A facility designed for overnight accommodations for youth and staff, which may include multiple single buildings designed to provide sleeping quarters without water and sewer services and/or a communal youth hostel. [By-law 67-2022]

## **Section 3      General Provisions**

### **3.1      Access to Provincial Highways**

Direct access onto a Provincial Highway shall be restricted. Development is encouraged to utilize municipal roads wherever possible. Access will only be considered to properties that meet the minimum safety and geometric requirements of the Ministry of Transportation.

In addition to all applicable municipal requirements, all development located adjacent to Provincial Highways shall require all necessary permits from the Ministry of Transportation prior to any construction.

### **3.2      Adequate Municipal Services**

No land shall be used or the intensity of any use of land expanded or any building placed, erected, altered, enlarged, or used within the City of Kenora unless the land is serviced by municipal water and sewer systems that have adequate capacity, except under the following conditions:

- a) where municipal water and/or sewage systems are not available, private services approved by the Northwestern Health Unit may be permitted; or
- b) where lands are subject to unique servicing constraints or restricted connection privileges through separate municipal by-laws and through legal and servicing agreement with the City of Kenora, such lands are considered to be in compliance with this By-Law.

### **3.3      Amenity Area**

Amenity areas must be provided for a residential use that is a permitted use in the zone in which it is located, in accordance with Table 1 and the following provisions:

- a) Amenity area must be located on the same lot as the use for which it is provided.
- b) Amenity area provided outdoors must not be located in a required front or exterior side yard.
- c) Where amenity area is located outside at grade, it may be included in the landscaped area requirements.
- d) Minimum required community amenity area may only be included as part of a required landscaped buffer strip where it is aggregated into areas of 54 m<sup>2</sup> or more.

**Table 1: Amenity Area Requirement**

<b>Use</b>	<b>Total Amenity Area</b>	<b>Communal Amenity Area</b>	<b>Layout of Communal Amenity Area</b>
Apartment dwelling, Boarding house, Nine (9) or more dwelling units above commercial uses, Retirement home, Stacked dwelling with nine (9) or more dwelling units	6 m <sup>2</sup> per dwelling unit and/or 10% of the gross floor area of each rooming unit	Minimum of 50% of the total required amenity area	Aggregated into areas of up to 54 m <sup>2</sup> , and where more than one aggregated area is provided, at least one must be a minimum of 54 m <sup>2</sup> .
Continuum care facility	10% of the gross floor area of each rooming unit	All of the total amenity area	
Other uses	Not required		

**3.4 Bed and Breakfast**

A bed and breakfast shall comply with the following:

- a) The bed and breakfast forms part of a single-detached dwelling;
- b) A new bed and breakfast shall meet the provisions of the zone in which it is located;
- c) A bed and breakfast shall be operated by a live-in owner with a maximum of four (4) guest rooms; and
- d) A bed and breakfast shall not change the residential character of an existing dwelling unit.

**3.5 Boarding House**

A boarding house shall provide accommodation for at least three people and no more than ten. Additional occupancy regulations may be specified in the relevant provisions for each zone.

**3.6 Boat, Recreational Vehicle, and Trailer Storage**

Parking and storage of boats, recreational vehicles, trailers and similar vehicles shall be permitted in any zone subject to the following provisions:

- a) Boats, recreational vehicles, trailers or similar vehicles shall not be parked or stored overnight in any commercial zone, unless commercial storage or commercial sales are permitted.

- b) Boats, recreational vehicles, trailers or similar vehicles shall not be parked or stored in any portion of a front yard.
- c) Boats, recreational vehicles, trailers or similar vehicles may be parked or stored in a garage.
- d) Boats, recreational vehicles, trailers or similar vehicles shall be parked or stored in an interior side or rear yard provided that the boat, recreational vehicle, trailer, or similar vehicle is set back a minimum of 0.6 m from any lot line, and the line dividing the side yard from the front yard, and shall be visually buffered from the view of a street and abutting properties.
- e) Any recreational vehicle or trailer shall not be occupied while parked or stored on a lot.
- f) Any number of boats, recreational vehicles, trailers or similar vehicles, together not exceeding a total length of 11m may be stored in an interior side or rear yard in any residential, rural residential or rural zone, provided that the boat(s), recreational vehicles or trailers being stored are setback a minimum of 0.6m from any lot line and the line dividing the side or rear yard from the front yard.
- g) The regulations of this section do not apply to any recreational vehicles or trailers parked or stored within a campground.
- h) The regulations of this section do not apply to any boats or trailers parked or stored within a marina, or boat sales or commercial storage, or in conjunction with any permitted dock, boathouse or boat port on the same lot.
- i) Notwithstanding any other provision in this By-law, boats, recreational vehicle and trailer storage shall be permitted in any residential driveway between May 1<sup>st</sup> and October 31<sup>st</sup>.

### **3.7 Communication Towers**

Notwithstanding any other provision of this By-law, the erection of communication towers shall be subject to the City's Installation of Communication Towers Policy, as amended, and the federal Radio-communication Act.

### **3.8 Compliance with Existing Setbacks**

Notwithstanding any other provisions of this By-law, in any zone where undeveloped lots exist or are created by consent between developed lots, or where a dwelling is to be reconstructed on a lot between developed lots, said lots being within the same block and abutting the same street, the required front yard may be:

- a) not less than the minimum required within that zone, if adjoining buildings comply with or exceed the required set-back;
- b) not less than the average of the setbacks of the adjoining primary use buildings if that average is less than the required yard setback for that zone.

### **3.9 Existing Vacant Undersized Lots**

Lots individually owned on the effective date of this By-law shall be deemed to meet the frontage and lot area requirements of the applicable zone provided that all other applicable provisions of this By-law are complied with.

An existing vacant lot having less than the minimum lot frontage or lot area required by this By-law may be developed for all uses in the appropriate zone provided that:

- a) all other provisions of the By-law are satisfied;
- b) the lot is serviced by public water supply and public sanitary sewer disposal facilities or alternatively meets the requirements of the authority having jurisdiction; and
- c) the lot has a minimum frontage of 7.5 m or on a publicly owned and maintained road or street.

Development may be permitted in any zone on a lot which is substandard with regard to lot frontage or lot area, provided that the lot was legally registered and existing at the time of final passage of this By-law and that the development meets all other requirements of this By-law regarding that zone.

### **3.10 Expropriation**

Notwithstanding any other provisions of this By-law, a lot that becomes undersized by reason of expropriation or purchase by any government agency for road use, the lot may be used for a purpose permitted in the zone in which it is located provided that all other requirements of the By-law are complied with.

### **3.11 Frontage on a Public Road**

All lots shall front on a provincial or municipal road. Notwithstanding this requirement, existing lots that do not front on a public road may be used in accordance with the other provisions of this By-law.

### **3.12 General Provisions for Commercial and Industrial Zones**

#### **3.12.1 Adjacent to a Residential Zone**

Notwithstanding any other provisions of this By-law, where a lot in any Commercial Zone or Industrial Zone fronts on a road opposite a Residential Zone or abuts a Residential Zone, the following provisions shall apply:

- a) No employee or visitor parking spaces, loading spaces or open storage shall be permitted in any required front yard adjacent to a Residential Zone;
- b) Open storage shall be prohibited in any required yard adjacent to a Residential Zone.

**3.12.2 Automobile Service Stations**

Notwithstanding any other provisions of this By-law, where Automobile Service Stations and Gas Bars are permitted in Commercial Zones, the following provisions apply:

- a) No portion of any pump island shall be located closer than 4.5 m to the lot line along any street;
- b) No portion of any ingress or egress driveway shall be located closer than 9 m to the intersection of any street;
- c) No portion of any ingress or egress driveway along any street line shall be located closer than 3 m to any side lot line which abuts any other lot;
- d) The width of any ingress or egress driveway along any street line shall not be more than 9 m or less than 7.5 m;
- e) The minimum distance between two driveways shall not be less than 9 m; and
- f) The minimum interior angle of any driveway to the street line shall be greater than 60 degrees.

**3.12.3 Drive-Through Facility**

Where a drive-through facility is a listed permitted use, and is provided on a site, off-street motor vehicle queuing space must be provided for that drive-through facility leading both to and from each service bay, window, kiosk or booth for the uses specified and at the rate set out in Table 2.

**Table 2 – Minimum Number of Queuing Spaces Required**

Land Use		Minimum Number of Queueing Spaces Required	
		Leading to Use	Leaving Use
Car Wash	Conveyor Type	10 before/in each wash bay	1 after each wash bay (if a through bay)
	Automatic Type	10 before/in each wash bay	
	Manual Type	5 before/in each wash bay	
Financial establishment with accessory bank machine		3 before/at each machine	1 after each machine
Restaurant		No order board: 4 spaces before/at service window;	
		With order board: 11 spaces	
In all other cases		3 spaces before/at service window	

All drive through facilities and queuing spaces shall be designed, constructed and maintained in accordance with Table 2 and the following provisions:

- a) each queuing space shall be a minimum of 3 m in width and 5.7 m in length;
- b) no queuing line, drive-through window or order board may be located within 3 m of any lot line abutting a residential zone.
- c) despite subsection b), where a queuing line, drive-through window or order board is located 3 m or more from a residential zone, but is still within a yard abutting a residential zone, it must be screened from view from that residential zone by an opaque screen with a minimum height of 1.5 m.

**3.13 General Provisions for Residential and Rural Zones**

**3.13.1 Residential Lot Occupancy**

No more than one single-detached, semi-detached, duplex, triplex, stacked, apartment, multiple attached or converted dwelling shall be erected on any lot. Accessory structures may include Additional Residential Unit, in accordance with specific zone provisions. In the Black Sturgeon Lake (Restricted Development Area), Rural Residential or Rural Zones one (1) sleep cabin shall also be permitted provided that the sleep cabin complies with all other zone requirements. [By-law No. 038-2023] [By-Law No. 167-2023]

**3.13.2 Through Lots**

- a) Notwithstanding any other provisions in this By-law, for any through lot that is not also a corner lot in any Residential Zone, the minimum required front yard setback applies on each street in accordance with the provisions of the Residential zone in which the lot is located and the minimum required rear yard setback does not apply.
- b) Where through lot is also a corner lot in a Residential Zone, the exterior side yard and rear yard provisions apply.

**3.13.3 Parking and Storage of Commercial Vehicles and Equipment in Residential Zones**

- a) A maximum of one (1) commercial vehicle may be parked or stored on a serviced lot in a residential zone, provided that the commercial vehicle has a permitted load capacity of 1.0 metric tonne or less and the commercial vehicle is operated by the resident of the associated dwelling unit on the lot.
- b) On unserviced residential or rural lots, commercial vehicles may be parked or stored at a ratio of one (1) vehicle per 2,000 m<sup>2</sup> of lot area.
- c) Within the Rural (RU) zone, a maximum of two (2) school buses which are operative and currently licensed may be parked or stored on any lot.

**3.13.4 Conversion of Residential Buildings**

A converted dwelling may be created from a single-detached dwelling in any R3 Zone provided that:

- a) The single-detached dwelling existed prior to the passing of this By-law;

- b) Each dwelling unit within the converted dwelling shall have a gross floor area of at least 45 m<sup>2</sup>;
- c) No external stairways other than an open fire escape are created as part of the conversion.

### **3.13.5 Lot Depth**

Notwithstanding any other provisions of this By-law, no lot created after the effective date of this By-law shall have a lot depth that is more than five (5) times the frontage of the lot.

### **3.13.6 Swimming Pools & Hot Tubs**

The swimming pool and / or hot tub shall be enclosed by a fence in accordance with the City of Kenora Fence By-law as amended.

### **3.13.7 Outdoor Wood Burning Furnaces**

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

- a) Shall be permitted only in the RR and RU zones;
- b) May only be installed on lots having an area of 1.0 hectares or greater;
- c) Shall be supported by a non-combustible base or foundation that is designed according to the manufacturer's instructions to support the weight of the appliance. The base must in all cases extend a minimum of 0.3 m in all directions from the appliance on all sides;
- d) The top of the chimney for an appliance using solid fuel and installed and erected outdoors shall be a minimum of 5 m above the adjacent ground and shall be equipped with a spark arrestor and a rain cap;
- e) Shall be located at least 15 m from any property line;
- f) Shall be located at least 3 m from any trees or non-habitable structures;
- g) Shall not be located in a front yard.

### **3.14 Group Homes and Emergency Shelters**

Group homes and emergency shelters are permitted in the R1, R2, R3, RR, and RU zones subject to the following provisions:

- a) A group home or emergency shelter shall occupy a dwelling unit that is permitted in the zone;
- b) When a residential use building is converted to a group home or emergency shelter, the group home or emergency shelter must occupy the whole of the building including all attached units within the building;

**3.15 Home Occupations and Home Industries**

**3.15.1 Home Occupations**

- a) Permitted uses as a Home Occupation may include:
  - i. Business and professional offices such as professions in the field of engineering, accounting, planning, architecture/landscape architecture, lawyer, family and personal counselling;
  - ii. Health related professionals such as a physician, dentist or veterinarian, physiotherapist, drugless practitioner, or chiropractor, so long as the use is a general practice and does not function as a clinic for any type of surgical procedure;
  - iii. Personal services businesses services such as a hairdresser, aesthetician and pet grooming, dressmaker, tailor, seamstress, tutor, music teacher;
  - iv. Artist’s studio for the production and sale of arts and crafts;
  - v. Mobile services such as boat cleaning/repair, business equipment repair, chimney cleaning services, physical therapy, window cleaning services, gardening/landscaping, handyman/maintenance, janitorial services, so long as the service is not provided on the premises;
  - vi. Catering services;
  - vii. Mail order services, providing no merchandise is sold to customers attending the property on which the dwelling, or home occupation is located.

Where home occupations are permitted subject to the individual zones, the following shall apply:

- b) The home occupation shall be operated by an occupant of the dwelling unit;
- c) Not more than one assistant who is not a resident in the dwelling unit may operate in and from the dwelling;
- d) Not more than 25% or 41.8 m<sup>2</sup> of the total floor area of the dwelling unit, whichever is the lesser, is devoted to the home occupation;
- e) The residential character of the dwelling shall not be altered or changed in any way as a result of the home occupation;
- f) There shall be no goods, wares or merchandise, other than arts and crafts produced on the premises, offered for sale on the premises;
- g) The occupation shall not create or become a nuisance by way of noise, fumes, dust, odour, traffic or otherwise interfere with the enjoyment of the residential amenities of the neighbourhood;
- h) There shall be no outside storage or display of materials, containers, or finished products, and no mechanical equipment used except that of a type used for housekeeping purposes and/or recreational hobbies;
- i) Where a home occupation is the office of a veterinarian, physician, or dentist, the use shall be for consultation and emergency treatment only and not as a clinic or hospital; and,

- j) There shall be no display, other than a non-illuminated sign of less than 0.3 m<sup>2</sup> in size, attached to the residence, to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential.
- k) Except for one licensed motor vehicle with a maximum of 3500 kgs gross vehicle weight (gvw), no business related materials, including machinery or vehicles, shall be visible at any time on any lot upon which a home occupation is carried out, nor shall any machinery or vehicles be parked or stored on the lot unless completely enclosed within a building.
- l) The width of the driveway, or any area dedicated to off street parking on the premises, shall not exceed 40% of the width of the front lot line.

### **3.15.2 Home Industries**

- a) Home Industries shall be permitted in the Rural (RU) and Rural Residential zone (RR), provided that the minimum lot size is 2.0 ha.
- b) Permitted uses as a Home Industry could include, but not limited to:
  - i. Welding;
  - ii. Service and repair shop;
  - iii. Wood working shop.
- c) The home industry shall be operated by an occupant of the dwelling unit;
- d) A maximum of three non-resident employees per principal dwelling unit shall be permitted on site;
- e) The residential character of the dwelling shall not be altered or changed in any way as a result of the home occupation;
- f) If the home industry is located within a dwelling unit, the cumulative size of the home industry shall not exceed 25% of the unit's gross floor area or 28 m<sup>2</sup> whichever is the greater;
- g) Sales areas are restricted to within the principle dwelling unit and accessory buildings only;
- h) No part of any garage or accessory building used for a home industry shall be located closer than 10 m to any residential use on another lot, or to the side lot line if the neighbouring lot is not developed within a residential use;
- i) A maximum cumulative 5% of the total lot area or 100 m<sup>2</sup>, whichever is the lesser shall be permitted to be used for outdoor storage associated with the home industry;
- j) Outdoor storage shall be restricted to the rear yard and shall be located within 10 m of the rear lot line. Outdoor storage shall be screened from view from any abutting public street or abutting property with an opaque screen or fence, with a minimum height of 1.4 m;
- k) On-site storage of hazardous chemicals or explosives is prohibited;
- l) No open storage shall lead to the creation of a salvage yard.

### **3.16 Kennels**

Kennels are only permitted in the Rural (RU) zone and shall comply with the following provisions in addition to the requirements of the RU zone:

- a) The kennel shall comply with all applicable municipal animal control and licensing by-laws;
- b) The kennel shall not create or become a nuisance by way of noise, fumes, dust, odour, or traffic; There shall be no outside storage or display of materials or containers; and
- c) The kennel shall be a minimum distance separation of 150 m between the kennel and any residence (not including the kennel owner's residence).

### **3.17 Landscaped Open Space and Landscaped Buffer Strips**

Landscaped open space and buffer strips shall be provided in accordance with the following general provisions:

- a) Any part of a lot subject to Site Plan Control which is not occupied by buildings, structures, parking area, loading spaces, driveways, excavations or permitted outdoor storage areas shall be screened or buffered, except that this provision shall not apply to any agricultural use.
- b) Where landscaped open space of any kind, including a landscaped buffer strip, is required adjacent to any lot line or elsewhere on a lot, nothing in this By-law shall apply to prevent such landscaped open space from being crossed by pedestrian walkways or a permitted driveway, provided that the minimum angle of intersection between a driveway and a required landscaped buffer strip shall be 60 degrees.
- c) No part of any driveway, parking area, loading space, porch, roof-top terrace, balcony, swimming pool or space enclosed within a building, other than a landscaped area located above an underground parking area, shall be considered part of the landscaped open space on a lot.
- d) Where the lot line of a lot containing a non-residential use abuts a Residential Zone, or abuts a street, then the portion of the non-residential use lot directly abutting the residential zone or the street shall be used for a continuous landscaped buffer strip with a minimum width of 3.0 m.

### **3.18 Loading Space Requirements**

#### **3.18.1 Loading Spaces Required**

Any non-residential use or building, shall provide and maintain on the same lot as the permitted use, facilities comprised of one (1) or more off-road loading spaces in accordance with the provisions outlined in Table 7 and this Section.

**Table 3: Required Loading Spaces**

Use		Minimum Number of Loading Spaces Required
All Non-Residential Uses (Gross floor area)	0 – 500 m <sup>2</sup>	0
	501 – 2,500 m <sup>2</sup>	1
	2,501 – 7,500 m <sup>2</sup>	2
	Over 7,500 m <sup>2</sup>	3

**3.18.2 Loading Space Regulations**

All loading spaces shall be designed, constructed and maintained in accordance with the following provisions:

- a) Each loading space shall have a minimum width of 3.5 m, a minimum length of 9 m and a minimum vertical clearance of 4.2 m, and each space shall be visibly designated and marked;
- b) Driveways used for ingress and egress shall be clearly marked.
- c) Loading spaces shall not be located within any required front or exterior side yards and may not overlap any required parking spaces.
- d) Where a loading space is located in a front or exterior side yard, or in any yard abutting a residential zone, the loading space(s) must be screened from the roadway or the residential zone by an opaque fence or hedgerow of at least 2 m in height, except within the sight triangle area.

**3.19 Multiple Uses**

Where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be satisfied. Where there is a conflict such as in the case of lot size or lot frontage, the more restrictive or stringent standards shall apply.

**3.20 Multiple Zones on One Lot**

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

### **3.21 Non-Conforming/Non-Complying Uses**

#### **3.21.1 Non-Complying Building and Structures**

- a) Reconstruction, Enlargement and Extension
  - i. Where a legal non-complying building or structure is damaged, destroyed, or demolished, the building or structure may be reconstructed within its original location, provided:
    - The situation of non-compliance is not further increased; and
    - All other provisions of the By-law are complied with.
  - ii. A legal non-complying building or structure may be enlarged or extended provided the situation of non-compliance is not further increased and it complies with all other provisions of the By-law.
- b) Development is permitted on any vacant lot existing as of the date of the passing of this By-law and which lot is legally non-complying with respect to lot width and lot area, provided:
  - i. The proposed use is a use permitted in the zone in which the lot is located; and
  - ii. The proposed use does not contravene any other provisions.

#### **3.21.2 Non-Conforming Uses**

##### a) Continuation of Existing Uses

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

##### b) Restoration of Buildings to a Safe Condition

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or part thereof, lawfully used on the date of the passing of this By-law, provided that such strengthening or restoration does not increase the building height, size, volume, or change the use of such building.

##### c) Reconstruction of Damaged Existing Building

Nothing in this By-law shall apply to prevent the reconstruction of any legal non-conforming building which existed on the date of the passing of this By-law, which is damaged by causes beyond the control of the owner, and such building maybe be reconstructed in accordance with the previously existing standards, even if such did not conform with one or more of the provisions of this By-law, provided that the building height, size, volume, or lot coverage is not increased. [City of Kenora By-law #12-2013]

### **3.22 Open Storage**

Notwithstanding any other provisions of this By-law, open storage shall not be permitted in any required front yard in any zone within the Municipality.

### **3.23 Parking Provisions**

#### **3.23.1 Parking Spaces Required**

When any new development is constructed, or a use is changed, provision shall be made for off-road motor vehicle parking spaces in accordance with the requirements of Table 4 and this Section.

All parking and loading spaces, and all associated driveways and aisles shall be provided in accordance with the provisions of this By-law, and shall:

- a) be set aside for and used exclusively for that purpose;
- b) not be obstructed; and
- c) be located on the same lot as the use or building for which they are provided, except where otherwise permitted.

**Table 4: Required Parking Spaces**

<b>Use</b>	<b>Minimum Number of Parking Spaces Required</b>
<b>Residential Uses</b>	
Apartment dwelling	1 per dwelling unit [By-law No. 88-2025]
Bed and breakfast	1 per dwelling unit plus 1 per guest room
Boarding house	0.5 per boarding unit
Continuum care facility	0.25 per rooming unit or 4 beds plus 1 per 100 m <sup>2</sup> of gross floor area used for medical, health or personal services
Converted dwelling	0.5 per dwelling unit
Duplex	1 per dwelling unit
Emergency shelter	1 per 100 m <sup>2</sup> of gross floor area
Group home	1 per 100 m <sup>2</sup> of gross floor area
Mobile home park / mobile home site	1 per mobile home site plus 5 for each accessory commercial or recreational use building
Multiple attached dwelling	1 per dwelling unit [By-law No. 88-2025]
Retirement home	0.5 per dwelling unit or 4 beds plus 1 per 100 m <sup>2</sup> of gross floor area used for medical, health or personal services
Secondary dwelling	1 per dwelling unit
Semi-detached dwelling	1 per dwelling unit
Single-detached dwelling	1 per dwelling unit
Stacked dwelling	1 per dwelling unit [By-law No. 88-2025]
Supportive Housing	0.25 per rooming unit or 4 beds plus 1 per 100m <sup>2</sup> of gross floor area used for medical, health or personal services. [By-law No. 54-2019]
Triplex dwelling	1 per dwelling unit
<b>Non-Residential Uses</b>	
Abattoir	0.9 per 100 m <sup>2</sup> of gross floor area plus 3.3 per 100 m <sup>2</sup> of accessory office space
Agricultural use	2 per farm plus 3 per 100m <sup>2</sup> of floor area of farm produce outlet
Airport	0.5 per 100m <sup>2</sup> of gross floor area used for passenger terminal or aircraft hangar
Animal care establishment	4 per 100 m <sup>2</sup> of gross floor area
Animal hospital	4 per 100 m <sup>2</sup> of gross floor area

<b>Use</b>	<b>Minimum Number of Parking Spaces Required</b>
Art gallery	2 per 100 m <sup>2</sup> of gross floor area
Auction centre	2.2 per 100 m <sup>2</sup> of gross floor area
Automobile body shop	3 per service bay
Automobile dealership	Sales/showroom area: 2 per 100 m <sup>2</sup> of gross floor area Service area: 2 per service bay Other areas: 1 per 100 m <sup>2</sup> of gross floor area
Automobile gas bar	Greater of 1 per 100 m <sup>2</sup> of gross floor area or 2 per service bay
Automobile rental establishment	Sales/showroom area: 2 per 100 m <sup>2</sup> of gross floor area Service area: 2 per service bay Other areas: 1 per 100 m <sup>2</sup> of gross floor area
Automobile service station	Greater of 1 per 100 m <sup>2</sup> of gross floor area or 2 per service bay
Bakery	2 per 100 m <sup>2</sup> of gross floor area
Boat port	None
Campground	1 per camping site within campground
Car wash	None
Cemetery	None
Cinema	1 per 4 fixed seats
Clinic	5 spaces per practitioner
Commercial storage facility	0.8 per 100 m <sup>2</sup> of gross floor area
Communication facility	2.3 per 100 m <sup>2</sup> of gross floor area
Community centre	4 per 100 m <sup>2</sup> of gross floor area
Contractor service	0.8 per 100 m <sup>2</sup> of gross floor area
Correctional facility	1 per 100 m <sup>2</sup> of gross floor area
Convenience store	3.4 per 100 m <sup>2</sup> of gross floor area
Day nursery	2 per 100 m <sup>2</sup> of gross floor area
Dry cleaning establishment	0.8 per 100 m <sup>2</sup> of gross floor area
Emergency service	1 per 100 m <sup>2</sup> of gross floor area
Equestrian establishment	None
Financial establishment	3.4 per 100 m <sup>2</sup> of gross floor area
Food processing plant	0.9 per 100 m <sup>2</sup> of gross floor area plus 3.3 per 100 m <sup>2</sup> of accessory office space
Forestry use	None except where an office is associated with the use, the office parking space requirement shall apply
Funeral home	7 per 100 m <sup>2</sup> of gross floor area
Golf course	1 per 100 m <sup>2</sup> of gross floor area plus 4 per hole

<b>Use</b>	<b>Minimum Number of Parking Spaces Required</b>
Heavy equipment and vehicle sales, rental and servicing	0.75 per 100 m <sup>2</sup> of gross floor area
Heavy industrial use	0.8 per 100 m <sup>2</sup> of gross floor area
Home day care	2 per 100 m <sup>2</sup> of gross floor area
Home industry	1 per home industry in addition to residential dwelling type requirement
Home occupation	1 per home occupation in addition to residential dwelling type requirement
Horticultural nursery	3 per 100 m <sup>2</sup> of floor area of farm produce outlet
Hospital	1.4 per 100 m <sup>2</sup> of gross floor area
Hostel	0.5 per guest room plus one space per 10 m <sup>2</sup> of gross floor area devoted to public uses such as dining rooms, licensed beverage rooms and banquet rooms
Hotel	1 per guest room plus one space per 10 m <sup>2</sup> of gross floor area devoted to public uses such as dining rooms, licensed beverage rooms and banquet rooms
Instructional facility	3.4 per 100 m <sup>2</sup> of gross floor area
Kennel	1 per kennel with 4 or less dog runs 4 per kennel with more than 4 dog runs
Library	2 per 100 m <sup>2</sup> of gross floor area
Light equipment sales and rental establishment	2.5 per 100 m <sup>2</sup> of gross floor area
Light industrial use	0.8 per 100 m <sup>2</sup> of gross floor area
Maintenance and storage yard	2.3 per 100 m <sup>2</sup> of gross floor area
Marina	1 per boat slip plus any required parking spaces required hereby for associated uses, including but not limited to, a Restaurant and a Retail Store
Mineral aggregate operation	None
Mineral mining operation	None
Motel	1 per guest room plus 1 space per 100 m <sup>2</sup> of gross floor area for accessory office areas
Museum	2 per 100 m <sup>2</sup> of gross floor area
Non-commercial farm	2 per farm plus 3 per 100m <sup>2</sup> of floor area of farm produce outlet
Office	2.3 per 100 m <sup>2</sup> of gross leasable floor area
Off-leash dog area	None
Open air market	3.4 per 100 m <sup>2</sup> of gross leasable area
Open storage	None

<b>Use</b>	<b>Minimum Number of Parking Spaces Required</b>
Outdoor recreational facility	4 per game surface plus 10 per 100 m <sup>2</sup> of gross floor area used for dining assembly or common area
Park	Sports field – the greater of 1 per 4 fixed seats or 4 per sports field Other cases - none
Parking lot	None
Personal service business	3.4 per 100 m <sup>2</sup> of gross leasable floor area
Place of assembly	10 per 100 m <sup>2</sup> of gross floor area
Place of worship	10 per 100 m <sup>2</sup> of gross floor area
Portable asphalt plant	None
Portable concrete plant	None
Post-secondary institution	1 per 100 m <sup>2</sup> of gross floor area
Recreational facility	4 per game surface plus 10 per 100 m <sup>2</sup> of gross floor area used for dining assembly or common area
Recreational vehicle or boat sales establishment	Sales/showroom area: 2 per 100 m <sup>2</sup> of gross floor area Service area: 2 per service bay Other areas: 1 per 100 m <sup>2</sup> of gross floor area
Research and development centre	0.8 per 100 m <sup>2</sup> of gross floor area
Resort	1 per guest unit plus one space per 10 m <sup>2</sup> of gross floor area devoted to public uses such as dining rooms, licensed beverage rooms and banquet rooms
Restaurant	10 per 100 m <sup>2</sup> of gross floor area
Retail store	3.4 per 100 m <sup>2</sup> of gross leasable floor area
Shopping centre	3.4 per 100 m <sup>2</sup> of gross floor area
School	Elementary School: 1.5 per classroom (includes portables) Secondary School: 4 per classroom (includes portables)
Service and repair shop	3.4 per 100 m <sup>2</sup> of gross floor area
Sewage facility	None
Sleep cabin	None
Solid waste disposal facility	None
Snow disposal facility	None
Storage yard	1 per 100 m <sup>2</sup> of gross floor area
Studio	2.5 per 100 m <sup>2</sup> of gross floor area
Taxi stand	Three (3)
Technology industry	0.8 per 100 m <sup>2</sup> of gross floor area
Theatre	1 per 4 fixed seats
Transportation depot	0.8 per 100 m <sup>2</sup> of gross floor area

<b>Use</b>	<b>Minimum Number of Parking Spaces Required</b>
Utility installation	0.8 per 100 m <sup>2</sup> of gross floor area
Warehouse	0.8 per 100 m <sup>2</sup> of gross floor area
Waste processing and transfer facility	2.4 per 100 m <sup>2</sup> of accessory office space
Wayside pit or quarry	None
Wildlife conservation reserve	None

**3.23.2 Minimum Visitor Parking**

Visitor parking shall be provided on the same lot for the following residential uses: apartment dwelling, multiple attached dwelling, and stacked dwelling. The minimum visitor parking shall be 0.2 spaces per dwelling unit.

**3.23.3 Driveway Provisions for Residential Zones**

The following provisions shall apply to residential uses that are permitted in all Residential Zones in this By-law:

- a) Driveways shall be permitted subject to other provisions of the Zoning By-law and subject to the approval of an entrance permit application by the City’s Road Supervisor.
- b) The maximum width of driveways shall be 6 m in R1 and R2.
- c) The maximum width of any abutting driveways along a common lot line shall be 9 m.
- d) The maximum width of a driveway cannot exceed 40% of the lot frontage, or 10 m, whichever is less in the R3, RR, and RU zones.
- e) The minimum distance of 15 m shall be required for two driveways on 1 lot.

**3.23.4 Design of Parking Areas and Spaces**

All off street parking areas and spaces and below-grade parking areas and spaces shall be designed, constructed and maintained in accordance with Table 5 and the following provisions:

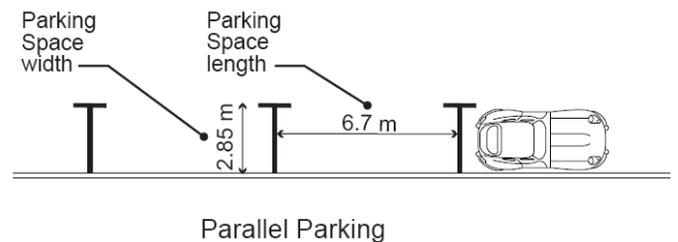
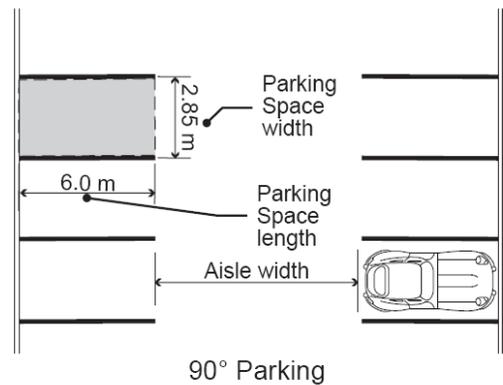
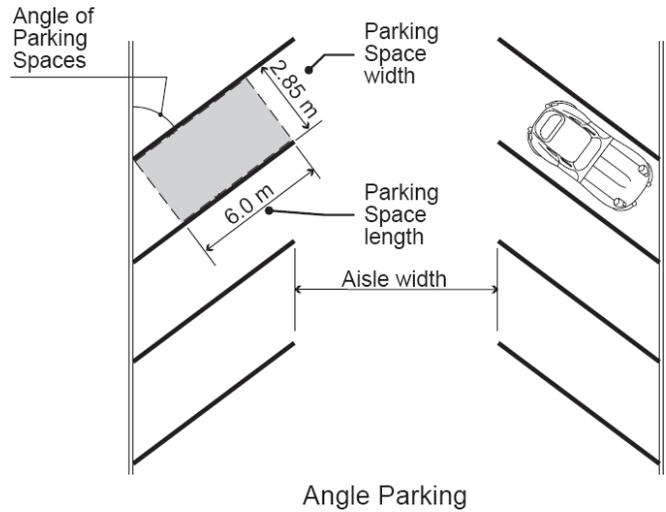


Illustration of Parking Space Definitions

- a) Except in the case of single-detached, semi-detached, duplex dwellings, multiple attached, stacked, no parking spaces may access directly onto a public road.
- b) Each regular or angled parking space shall have a minimum width of 2.85 m and a minimum length of 6 m and shall be visibly designated and marked.
- c) Each parallel parking space shall have a minimum width of 2.85 m and a minimum length of 6.7 m.
- d) Driveways used for ingress and egress shall be clearly marked.
- e) Any off-street parking area providing more than four (4) parking spaces shall be designed with adequate drainage facilities and may be maintained with a hard, stabilized and dust-preventative surface, dependant on Site Plan Control Agreement.

**Table 5: Design of Parking Areas and Spaces**

<b>Angle of Parking Spaces</b>	<b>Parking Space Width (Minimum)</b>	<b>Parking Space Length (Minimum)</b>	<b>Aisle Width (Minimum)</b>
90°	2.85 m	6.0 m	6.7 m
60°	2.85 m	6.0 m	5.5 m
45°	2.85 m	6.0 m	4.0 m
30°	2.85 m	6.0 m	3.4 m
Parallel	2.85 m	6.7 m	3.0 m

**3.23.5 Barrier-Free Parking Spaces**

Barrier-free parking spaces shall be provided at the rate specified in Table 6, and shall meet all specifications of the Accessibility for Ontarians with Disabilities Act, including but not limited to O.Reg 413/12: INTEGRATED ACCESSIBILITY STANDARDS, regarding Barrier-Free Parking Design including, at a minimum:

**a) Types of Barrier-free Parking Spaces**

Off-street parking facilities must provide the following two types of parking spaces for the use of persons with disabilities:

- I. Type A has a wider parking space, with a minimum width of 3.4 m, and has signage that identifies the space as “van accessible”. These spaces are for people using larger mobility devices, such as wheelchairs or scooters, who need more space to enter or exit vehicles.
- II. Type B, a standard parking space which has a minimum width of 2.4 m. These spaces are for people who do not need extra space because they do not use mobility devices or they use smaller devices, such as canes or crutches.

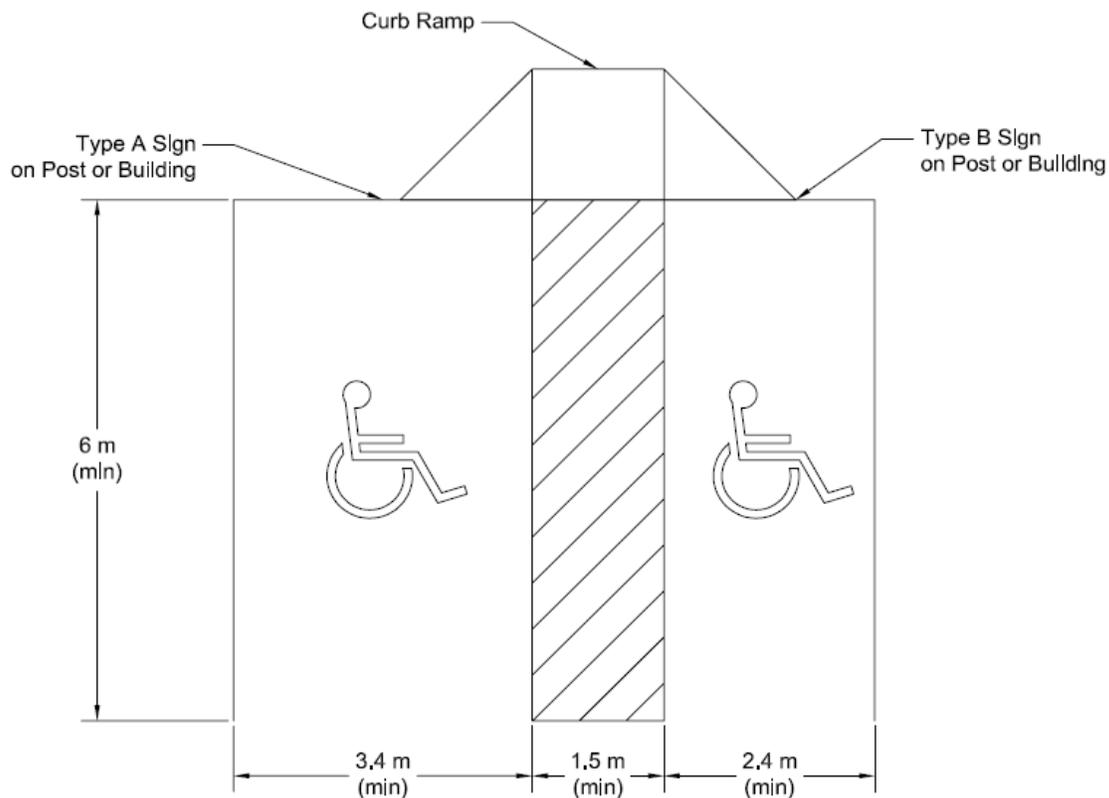
Access aisles, that is the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all

parking spaces for the use of persons with disabilities in off-street parking facilities.

**b) Access Aisles**

All barrier-free parking stalls must have at least one access aisle. Access aisles may be shared by two parking spaces for the use of persons with disabilities in an off-street parking facility and must meet the following requirements:

- i. They must have a minimum width of 1.5 m.
- ii. They must extend the full length of the parking space.
- iii. They must be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface.



**Table 6: Required Barrier-Free Parking Spaces**

<b>Required Number of Parking Spaces*</b>	<b>Minimum Number of Barrier-Free Parking Spaces</b>
1-25	1
26-100	Four percent of the total required
101-200	1 plus three percent of total required
201-1,000	2 plus two percent total required
more than 1,000	11 plus one percent of total required

**c) Minimum Number and Type of Barrier-Free Parking Spaces**

- i. **Number** - The minimum number of barrier-free parking spaces required will use the calculations as outlined in Table 6. All calculated minimum barrier-free parking spaces must be rounded up to the nearest whole number. The calculation of barrier-free parking spaces must use the number of parking spaces calculated using the Zoning By-law, **Table 4: Required Parking Spaces**. Any reduction in the number of parking spaces permitted through zoning amendments, minor variances, or other planning applications cannot be used for these calculations. Barrier-free parking spaces are to be included in the total number of required parking spaces, including any permitted relief or reductions, and are not intended to increase the total number of parking spaces required for a development.
- ii. **Type** – where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements outlined in Table 6, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided. Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements outlined in Table 6, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space.

**d) Location of Barrier-Free Parking Spaces**

In determining the location of parking spaces for the use of persons with disabilities that must be provided where there is more than one off-street parking facility at a site, an obligated organization may distribute them among the off-street parking facilities in a manner that provides substantially equivalent or greater accessibility in terms of distance from an accessible

entrance or user convenience. The following factors may be considered in determining user convenience:

*Protection from the weather.*

- *Security*
- *Lighting*
- *Comparative maintenance*
- *Grading.*

### **e) Signage**

Parking spaces for the use of persons with disabilities shall be distinctly indicated by erecting an accessible permit parking sign in accordance with Section 11 of Regulation 581 of the Revised Regulations of Ontario, 1990 (Accessible Parking for Persons with Disabilities) made under the Highway Traffic Act. Type A barrier-free parking stalls must have signage that identifies signage that identifies the space as “van accessible”.

[By-law 20-2025]

### **3.23.6 New Uses in Existing Buildings**

Notwithstanding any other provision in this By-law, when a new use commences in an existing building, the new use need only supply the difference between the required parking for the old use, and the required parking for the new use, as outlined in Table 3. These spaces are in addition to the actual number of spaces that existed on the day of the passing of this By-law, provided that the building’s gross floor area is not increased. The barrier-free parking requirements outlined in Table 5 shall only be applied to the new parking spaces that are supplied on the lot.

### **3.23.7 New Uses in Existing Buildings in Harbourtown Centre**

When a new use commences in an existing building located in the area designated Harbourtown Centre in the Official Plan, no additional parking is required beyond that already supplied, provided that the building’s gross floor area is not increased. If the building’s gross floor area is increased, the parking requirements in Table 4 shall be applied to the additional gross floor area. The barrier-free parking requirements outlined in Table 5 shall only be applied to the new parking spaces that are supplied on the lot.

### **3.23.8 Off-Site Parking**

Within any Commercial Zone, the required parking spaces may be supplied off-site within 90 m of the main pedestrian access of the building, structure or use for which the parking spaces are required, provided that a Site Plan Agreement is registered on the title of the lands used for parking, which commits the parking spaces to the related commercial site.

**3.23.9 More than One Use**

Where more than one use is located on a lot, the total number of parking spaces required shall be the sum of the parking space requirements for each separate use.

**3.23.10 Prohibition of Tandem Parking in Parking Calculations**

- a) Tandem parking, defined as parking spaces arranged in a configuration where one vehicle is positioned directly behind another, requiring the movement of one vehicle to access the other, shall not be counted toward the minimum parking requirements established in this By-law.
- b) Notwithstanding 3.23.10(a), a parking space that is provided and maintained for the exclusive use of the occupant of an additional residential unit (ARU) may be a tandem parking space.
- c) Except for the provision for ARUs, only independently accessible parking spaces, where each vehicle has direct access to a driveway, aisle, or public street without the need to relocate another vehicle, shall be included in the calculation of required parking spaces.
- d) Tandem parking spaces may be permitted but shall not contribute to the required number of parking spaces for multi-unit residential, commercial, institutional, or mixed-use developments.

**3.23.11 Stall Width for Covered or Underground Parking**

- a) Notwithstanding any other provisions in the By-law, a reduced minimum parking stall width of 2.6 metres shall be permitted for parking spaces located within a covered or underground structure.
- b) The reduced stall width shall not apply to accessible parking spaces, which must comply with applicable accessibility standards.
- c) No more than 75% of the total required parking stalls, inclusive of outdoor, underground, and/or covered, for any development may have a width less than 2.85 metres.

**3.23.12 Accommodations for Obstructions Adjacent to Parking Spaces**

- a) Where a parking space is located adjacent to a fixed obstruction such as a wall, column, or other structural element, the minimum width of the parking space shall be increased by 0.3 metres for each obstructed side.
- b) An obstruction is defined as any fixed object situated within 0.3 metres of the side of the parking spaces and more than 1.5 metres from the front or rear of the space.

[By-law 88-2025]

**3.24 Permitted Projections Above the Height Limit**

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

- a) barn, silo, or other farm-related buildings or structures
- b) bridge
- c) chimney or smokestack
- d) clock tower, church spire, steeple or belfry
- e) construction equipment during the construction process
- f) mechanical and service equipment or penthouse, elevator or stairway penthouses
- g) flag pole
- h) hydro and other utility transmission and distribution towers
- i) landscaped areas, roof-top gardens and terraces and associated safety guards and access structures
- j) ornamental dome, skylight, cupola or parapet
- k) solar panels or solar collectors
- l) utility poles
- m) television, radio or telecommunication antenna, excluding a satellite dish or tower antenna accessory to a permitted use in a residential zone
- n) water tower
- o) wind turbine and tower on a lot greater than 1.0 ha in area.

**3.25 Permitted Yard Encroachments**

Despite any other provision to the contrary, the following features are permitted to encroach into a required yard in accordance with Table 3. This section does not apply to:

- a) accessory buildings; or
- b) the encroachment of any listed feature into the minimum required setback from watercourses or waterbodies; or
- c) the encroachment of any listed feature into any required sight triangle.

**Table 3: Permitted Yard Encroachments**

Feature	Required Yard	Maximum Extent of Encroachment
Ornamental structures: Sills, belt courses, cornices, eaves, canopies, chimneys, pilasters or other ornamental structures	Any required yard	0.75 m but not closer than 0.6 m to any lot line

<b>Feature</b>	<b>Required Yard</b>	<b>Maximum Extent of Encroachment</b>
Fire escapes, exterior stairways, stoops, landings, steps and ramps	Side or rear yard	1.5 m but not closer than 1.0 m to any lot line
Exterior stairway from a dwelling to waterfronts.	Side or rear yard	No limit
Accessibility ramps	Any required yard	No limit
Alcoves	Front, rear, interior or exterior side yard	0.5 m
Bay windows	Front, rear or exterior side yard	1 m but not closer than 0.6 m to any lot line
Balconies attached to single-detached, semi-detached, duplex, triplex and stacked dwellings;	Front, rear or exterior side yards	1.8 m or half the required yard whichever is least
Balconies attached to other residential buildings	Any required yard	1.8 m or half the required yard whichever is least.
Unenclosed porches, decks and uncovered terraces	Front or rear yard	2.5 m including eaves and cornices, but not closer than 1.0 m to any lot line.
Clotheslines	Interior side or rear yard	No limit
Carports	Interior side or rear yard	No closer than 1 m to any lot line.
Private swimming pools, hot tubs, saunas and gazebos, pump houses including any accessories	Interior side or rear yard in a Residential Zone	No closer than 1.5 m to the side or rear lot line
Drop awnings, flag poles, trellises, and signs	Any required yard	No closer than 1.0 m to any lot line
Retaining walls	Any required yard	No closer than 1.0 m for retaining walls exceeding 1,000 mm in exposed height.
Air conditioners, heat pumps or similar equipment	Interior side or rear yard	1.0 m but not closer than 0.3 m to any lot line
Boathouses, boat ports, boat slips and docks (private)	Front yard of a lot fronting on a navigable waterway	No closer than 4.5 m to a side lot line. Boathouses and boat ports shall not project more than 15 m from the high water mark. Docks shall not project more than 20 m from the high water mark. On the Winnipeg River, the

Feature	Required Yard	Maximum Extent of Encroachment
		following elevations are from the Dalles First Nation upstream to the rapids below Rideout Bay at Old Fort Island below 320.6 m Canadian Geodetic Vertical Datum of 1928(CGVD28); old Fort Island upstream to the Lake of the Woods dams below 321.4 m CGVD28 datum. On the Lake of the Woods, the elevation is 324.60 m CGVD28 datum.
Fences	Fence regulations are subject to the City’s Fence By-law.	Fence regulations are subject to the City’s Fence By-law.
Roof-top solar panel	Any Yard	1.0 m but no closer than 0.3 m to any lot line.

**3.26 Prohibited Uses**

Notwithstanding anything contained in this By-law, no land or building in any zone shall be used for any purpose which from its nature or from the materials used is declared to be a health hazard under the Health Protection and Promotion Act without the consent of the local Medical Officer of Health as provided in that Act.

**3.27 Regulation For Consolidated Lot Development**

Where two or more abutting lots owned by the same entity are consolidated for the purpose of development, the internal lot lines of the original lots shall not be construed to be lot lines for the purposes of any zoning regulations, provided that development on the consolidated lots complies with all applicable regulations of this By-law.

Where a comprehensive plan of condominium or plan of subdivision has received draft plan approval, as well as any required site plan approval, and where registration of the plan is intended to occur in phases and/or stages, the lands to which the draft approved plan of condominium or plan of subdivision is to be located, shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall plan of condominium or plan of subdivision, not to internal lot lines resulting from the registration of any phase of a plan of condominium or plan of subdivision.

### **3.28 Secondary Dwelling Units and Sleep Cabins**

#### **3.28.1 Secondary Dwelling Units in Urban Areas**

Secondary dwelling units are permitted on any lot containing a single-detached dwelling, semi-detached dwelling or multiple attached dwelling in the R1 – Residential First Density Zone, the R2 – Residential Second Density Zone, R3 – Residential Third Density Zone, and the SH - Residential Small Home Zone, subject to the following provisions:

- a) A maximum of two secondary dwelling units are permitted per lot.
- b) One secondary dwelling unit is permitted in an ancillary building or structure if the principal dwelling contains no more than one secondary dwelling unit and no other building or structure ancillary to the primary use contains any residential units.
- c) Secondary dwelling units must be connected to both municipal water and municipal sewage services. [By-law No. 167-2023]

#### **3.28.2 Secondary Dwelling Units and Sleep Cabins in Rural Areas**

Secondary dwellings unit and sleep cabins are permitted on any lot containing a single-detached dwelling in the RU – Rural Zone, and RR – Rural Residential Zone, subject to the following provisions:

- a) A maximum of one secondary dwelling unit is permitted per lot.
- b) A secondary dwelling unit is permitted in the dwelling if no ancillary building or structure contains any residential dwelling units.
- c) One secondary dwelling unit is permitted in an ancillary building or structure if the primary dwelling contains no more than one residential unit and no other building or structure ancillary to the primary use contains any residential units or sleeping quarters.
- d) One sleep cabin is permitted in an ancillary building or structure if no other building or structure ancillary to the primary use contains any residential units or sleeping quarters.
- e) If located within an ancillary building, the habitable floor area of a secondary dwelling or sleep cabin shall not exceed 70 m<sup>2</sup>.
- f) A secondary dwelling or sleep cabin may be incorporated into the second floor of a detached garage.
- g) A secondary dwelling or sleep cabin shall not be incorporated into a boathouse or any other building, except as provided in subsection (f) above; and
- h) Secondary dwellings and sleep cabins containing washroom, laundry or kitchen facilities must be connected to private sewer and water services approved by the Northwestern Health Unit. [By-law No. 167-2023]

Sleep cabins are permitted on any lot containing a single-detached dwelling in the BSL – Black Sturgeon Lake (Restricted Development Area) Zone, subject to the following provisions:

- a) The habitable floor area of a sleep cabin shall not exceed 53.5 m<sup>2</sup>;
- b) A maximum of one (1) sleep cabin is permitted on a lot
- c) Sleep cabins shall not be equipped with kitchen facilities;
- d) A sleep cabin may be incorporated into the second floor of a detached garage, provided that the building height of the garage is less than 7 m; and
- e) A sleep cabin shall not be incorporated into a boathouse or any other building, except as provided in subsection (d) above. [By-law No. 167-2023]

### **3.28.3 General Regulations for Secondary Dwelling Units**

The following regulations apply to all secondary dwelling units:

- a) Secondary dwelling units must be located on the same lot as the principal dwelling unit;
- b) The following shall apply to vehicular access and parking for secondary dwelling units:
  - i. A secondary dwelling unit must not eliminate a required parking space for the principal dwelling unit;
  - ii. Parking for the secondary dwelling unit shall be provided in accordance with the parking provisions in this by-law. Notwithstanding this, one required parking space for a secondary dwelling unit may be stacked behind the required parking of the host dwelling in a driveway but must be wholly located within the boundaries of the lot;
- c) 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.
- d) A secondary dwelling unit shall not form part of a bed and breakfast, emergency shelter, group home, rooming unit, or boarding house and shall not be permitted on the same lot where any of the said uses are proposed.
- e) A secondary dwelling unit is not permitted in any ancillary building or structure that is not compliant with section 3.34.1 of this by-law.”
- f) A parking space must be provided in compliance with section 3.23 of this by-law.

[By-law No. 167-2023]

**3.29 Septic Systems**

No building or structure shall be erected on land used for a septic leaching bed or within 5 m of the perimeter of a raised or partially raised septic field. No buildings or structures shall be erected in the downslope direction of a raised or partially raised septic leaching bed for 15 m from the perimeter of the raised area. On-site septic disposal fields shall be located at least 30 m from a watercourse or water body, or as far back from the watercourse or waterbody as determined by the Chief Building Official of the approval authority.

**3.30 Setback from Watercourses and Waterbodies**

The following provisions shall apply to all setbacks from watercourses, waterbodies, and shore reserves and subject to the setbacks established in each zone.

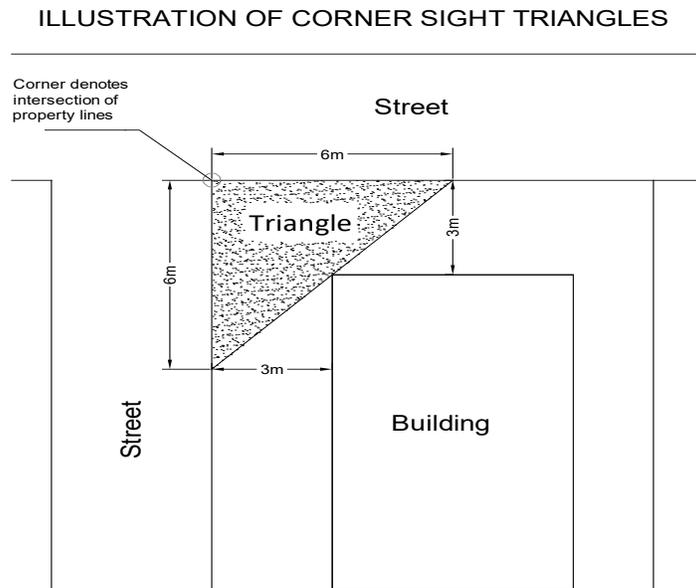
- a) Subject to subsection (c), despite the provisions of the underlying zone, the minimum setbacks set forth in subsection (b) must be provided to provide a margin of safety from hazards associated with flooding and unstable slopes and to help protect the environmental quality of watercourses and water bodies.
- b) Except for flood or erosion control works, or a public bridge or a marine facility, no building or structure, including any part of a sewage system, which does not require a plan of subdivision, or Site Plan Control approval, shall be located closer than:
  - i. 20 m to the normal high water mark of any watercourse or water body, or
  - ii. 15 m to the top of the bank of any watercourse or water body, whichever is greater.
- c) Development requiring a plan of subdivision or development that is subject to Site Plan Control will be subject to the watercourse or water body setbacks as determined by the conditions of draft approval or site plan approval respectively.

**3.31 Sight Triangle****3.31.1 Sight Triangle Area**

On any corner lot no building or structure shall be erected, and no hedge, shrub, bush, tree or other plant shall be permitted to grow to a height greater than 0.9 m above the grade of the roadways that abut the lot, within a triangular area formed by the part of the lot lines measured along each property line from the intersection of those lines at the corner of the property closest to the street corner and a line joining points on the property lines at a distance of 6 m from the point of intersection.

**3.31.2 Fences within the Sight Triangle**

Fences located within the sight triangle area are permitted in accordance with the City of Kenora Fence By-law.



~~**3.32 Sleep Cabin**~~

~~Sleep cabins shall only be permitted in the Black Sturgeon Lake (Restricted Development Area), Rural or Rural Residential Zone subject to the following provisions:~~

- ~~a) The habitable floor area of a sleep cabin shall not exceed 53.5 m<sup>2</sup>;~~
- ~~b) A maximum of one (1) sleep cabin is permitted on a lot;~~
- ~~c) Sleep cabins shall not be equipped with kitchen facilities;~~
- ~~d) A sleep cabin may be incorporated into the second floor of a detached garage, provided that the building height of the garage is less than 7 m; and~~
- ~~e) A sleep cabin shall not be incorporated into a boathouse or any other building, except as provided in subsection (d) above.~~

~~[By-law No. 167-2023]~~

**3.33 Special Land Use Provisions**

**3.33.1 Minimum Distance Separation Formulae**

All farm and non-farm development is to be established in compliance with the Minimum Distance Separation formulae established by the Province in order to

minimize odour conflicts between livestock facilities and development, as amended from time to time.

a) Minimum Distance Separation I (MDS I)

Notwithstanding any other provisions of this By-law to the contrary, lands to be rezoned from a RU zone to a Zone to permit residential, institutional, commercial, industrial or recreational use, will comply with the MDS I calculated using the requirements of the Ministry of Agriculture, Food and Rural Affairs, as amended.

Notwithstanding any other provisions of this By-law to the contrary, a residential use to be located upon an existing lot of record, greater than 1.0 hectares in size and permitted by a RU zone, will comply with the MDS I calculated using the requirements of the Ministry of Agriculture, Food and Rural Affairs, as amended.

Notwithstanding any other provisions of this By-law to the contrary, a residential use to be located upon an existing lot of record 1.0 hectares or less in size and permitted by a RU zone, will not be required to comply with the MDS I calculated using the requirements of the Ministry of Agriculture, Food and Rural Affairs, as amended.

b) Minimum Distance Separation II (MDS II)

Notwithstanding any other provisions of this By-law to the contrary, a new or expanding livestock facility permitted by a RU zone, will comply with the MDS II calculated using the requirements of the Ministry of Agriculture, Food and Rural Affairs, as amended.

Notwithstanding any other provisions of this By-law to the contrary, the MDS II calculated separation distances will be measured from the nearest point of an existing vacant lot of record 1.0 ha in size, or less, to the nearest point of the proposed livestock facility.

A new or expanding livestock operation permitted by a RU zone in proximity to an active cemetery shall comply with MDS II calculated using the requirements of the Ministry of Agriculture, Food and Rural Affairs, as amended, and in accordance with Official Plan policies.

A closed cemetery will be subject to MDS II Guidelines and will be treated as Type A uses in accordance with Ministry of Agriculture, Food, and Rural Affairs, as amended.

### **3.33.2 Separation Distances - Solid Waste Facilities**

- a) No person shall use any land, building or structure for a sensitive land use (e.g. residential use, daycare centre, educational and health facility) or for a

use that would impact a sensitive land use or other as identified unless it complies with the following minimum separation distances:

Separation distances shall meet the following requirements:

- i. No development shall be permitted within 30 m of the perimeter of a licensed Solid Waste Disposal Facility or Waste Processing and Transfer Facility.
- ii. No Solid Waste Disposal Facility or Waste Processing and Transfer Facility shall be located within 30 m of the high water mark of any water body. The distance separation shall be measured from the property boundary of the Solid Waste Disposal Facility or Waste Processing and Transfer Facility.
- iii. No Solid Waste Disposal Facility or Waste Processing and Transfer Facility shall be permitted on land covered by water or in any area subject to flooding.

### **3.33.3 Height Restrictions on Lands in the Vicinity of the Airport**

Lands in the vicinity of the Kenora Airport are subject to the federal Kenora Airport Zoning Regulations (SOR/93-524), as amended. All development in this area shall comply with these height restrictions and all other applicable federal regulations.

## **3.34 Uses Permitted in All Zones**

Any lands may be used and any building or structure may be erected, altered, enlarged or used in any zone for the following purposes, provided that such uses, buildings, or structures shall be in compliance with the provisions and standards of the zone in which they are located:

### **3.34.1 Accessory Buildings, Uses or Structures**

- a) An accessory use is permitted in any zone if:
  - i. it is on the same lot as the principal use to which it is accessory; and
  - ii. it exists to aid and contribute to the principal use to carry out the function of that principal use.
- b) Accessory buildings, uses or structures are permitted in any zone, subject to the provisions of this By-law for the particular zone in which said building, use or structure is located and provided that such accessory building, use or structure shall not (be):
  - i. used for human habitation, except where a dwelling is a permitted accessory use;
  - ii. built closer to the front lot line or waterfront than the minimum distance required by this By-law for the main building on the lot;
  - iii. located in the required front yard or the required exterior side yard in the case of a corner lot;

- iv. built closer to the street than the main building is to that street, except in the case of a waterfront property in the R1 – Residential First Density Zone, a waterfront property in the R2 – Residential Second Density Zone, or a property in the RR – Rural Residential, BSL – Black Sturgeon Lake (Restricted Development Area) or in the RU – Rural zones. In the case of a waterfront property in the R1 – Residential First Density Zone or R2 – Residential Second Density Zone, the accessory structure shall be located at least 3 m from the rear lot line.
  - v. built closer than 1 m to any interior side or rear lot line;
  - vi. exceed 10% coverage of the total lot area;
  - vii. built within 2 m of the main building or structure; and,
  - viii. exceed 7.0 m in height.
- c) When a boathouse, boat port, sauna, gazebo / picnic shelter, storage building, pump house, dock, shoreline deck is erected on a lot that abuts a navigable waterway, including for commercial and industrial uses, the following provisions shall apply:
- i. no minimum setback is required for marine accessory uses on the lot line that abuts the navigable waterway, but other uses are subject to setback provisions in the applicable zone;
  - ii. a minimum side yard setback of 4.5 m is required for accessory uses located between the principal building and the navigable waterway;
  - iii. a minimum rear yard setback of 3 m where access to the rear yard is from a lane or street;
  - iv. a minimum rear yard setback of 1 m in all other cases;
  - v. any accessory buildings or structures located in the yard abutting the navigable waterway shall be limited to the following:
    - boathouse (except in the Black Sturgeon Lake [Restricted Development Area] Zone)
    - boat port
    - sauna
    - gazebo/picnic shelter
    - storage building
    - pump house
    - dock
    - shoreline deck; and
    - the accessory building or structure shall not exceed 80 m<sup>2</sup> in size.
  - vi. Only one of a boathouse or boat port is permitted per lot, which shall not exceed 83 m<sup>2</sup> in area, measured independently of any other accessory building, use, or structure permitted in this section.
  - vii. Docks shall not exceed 80 m<sup>2</sup>, measured independently of any other accessory building, use, or structure permitted in this section.

- d) When a dwelling accessory to a non-residential use is permitted, such dwelling unit shall:
  - i. have a minimum gross floor area of 37 m<sup>2</sup>;
  - ii. have bathroom and kitchen facilities that are separate from the non-residential use;
  - iii. have a separate parking space; and,
  - iv. have a building entrance that is separate from the non-residential use.
  
- e) Where a satellite dish or a television/radio antenna is established as an accessory structure in any zone, it shall:
  - i. not be located in any front or exterior side yard;
  - ii. have a maximum height of 4 m in the case of a satellite dish, or 10 m for a television/radio antenna; and
  - iii. not be permitted in a non-residential zone except by Site Plan Control.
  
- f) When an accessory garage is permitted it may not be built in advance of the principal dwelling, except in the RR – Rural Residential Zone, RU – Rural Zone, and the BSL – Black Sturgeon Lake (Restricted Development Area) Zone.
  
- g) When a shipping container is permitted, such shipping container shall:
  - i. be used exclusively for the storage of goods and materials and shall not be used as a garage, as human habitation, or to accommodate uses such as work areas, shops, or offices;
  - ii. only be permitted in the following zones: HC – Highway Commercial, ML – Light Industrial, MH – Heavy Industrial, MX – Extractive Industrial and RU – Rural, Open Space and I – Institutional;
  - iii. be located no closer to the road than the principle structure;
  - iv. not be located in any front yard where there is no other structure; and
  - v. Site Plan Control shall be used for exterior finishes.

### **3.34.2 Construction Facilities**

Any sheds, scaffolds, portable trailers, or other structures incidental to construction or repair work in progress, which work has not been abandoned or finished, shall be permitted in any zone, so long as the said structure(s) are not equipped with kitchen facilities, sleeping quarters or other overnight accommodations. Structures incidental to construction do not include recreational vehicles, trailers etc.

### **3.34.3 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants**

Wayside pits and quarries, portable asphalt plants and portable concrete plants are permitted in any zone for the duration of the construction of a public road or similar project with the consent of the City.

### **3.34.4 Utility Installations**

- a) A utility installation including electricity generation facilities and transmission and distribution systems are permitted in all zones other than EP, MX or HL subject to the following provisions:
  - i. the form and appearance of any building containing the utility installation must blend in with surrounding development and must comply with zone setback provisions;
  - ii. no offices, maintenance uses or indoor or outdoor storage facilities are permitted except where otherwise allowed in the zone; and
  - iii. no dust, smoke, noise or odour may be produced that is likely to be dangerous or obnoxious.
- b) Despite any provisions of this By-law, utility installations that are subject to the requirements of the Environmental Assessment Act are permitted in all zones, and are not subject to the provisions of this Section.
- c) A utility installation need not comply with the minimum lot area and minimum lot frontage specified for the zone in which it is located.
- d) Hydro distribution and transmission and telecommunications towers providing service from utility operators may exceed the height limit applicable to the zone, but must be no higher than is necessary to operate effectively and safely.
- e) Parking shall be provided on the basis of the actual gross floor area of the utility installation.
- f) Despite subsection (a), poles, pedestals, drop lines, cables, pipelines, kiosks, cabinets and other similar equipment used to provide services from a utility installation to a use, building or structure are not considered to constitute a utility installation and are not subject to the provisions this Section.
- g) Despite subsection (a), electrical substations are not permitted within the EP or HL zones.
- h) Despite the yard and setback requirements of the By-law to the contrary, ground-mounted solar panels may be permitted in any zone provided that:

**In residential zones:**

- i. It is setback at least 0.3 m from a lot line;
- ii. It may not be located in a front yard, except within the RR – Rural Residential Zone; and
- iii. It may not be located in an exterior side yard.

**In non-residential zones:**

- i. In a yard abutting a residential zone, it is setback at least 0.3 metres from a lot line;
- ii. It may not be located in a front yard, except within the RU – Rural Zone;
- iii. Despite provision (ii), solar panels shall not be permitted in the front yard of lots abutting a navigable waterway in the RU – Rural Zone; and

- iv. In all other cases, there are no restrictions.

### **3.34.5 Public Uses**

This By-law permits the use of land in any zone or the use, construction or re-construction, of any building or structure for the purposes of the provision of public services by the City or of any telephone company, cable company, transportation or other public utility owned, operated or authorized by or for the City of Kenora, any department of the Federal or Provincial Governments, including TransCanada Pipeline, Hydro One or any conservation authority established by the Government of Ontario provided that:

- a) the use, building or structure complies with the provisions of that zone;
- b) any building or structure is designed and maintained in general harmony with the buildings and structures in that zone; and
- c) there is no exterior storage of goods, materials or equipment in any Residential zone.

Secondary uses, such as active and passive recreation, agriculture, community gardens, other utilities and uses such as parking lots and outdoor storage that are accessory to adjacent land uses, are encouraged on hydro corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of the primacy of the electricity transmission and distribution facilities and that secondary uses require technical approval from Hydro One Networks Inc.

Notwithstanding any other provisions of this By-law, the use of land or the use, construction or re-construction of any building or structure for the purposes of a public use, including but not limited to an institutional use, housing, and supportive housing, but excluding a correctional facility, shall be permitted in the following Zones:

- a) Residential – First Density Zone (R1).
- b) Residential – Second Density Zone (R2).
- c) Residential – Third Density Zone (R3).
- d) Local Commercial Zone (LC).
- e) General Commercial Zone (GC).
- f) Highway Commercial Zone (HC); and
- g) Institutional Zone (I).

[By-law No. 85-2019]

## **Section 4            Zones**

### **4.1 Residential – First Density Zone (R1)**

#### **4.1.1 General Purpose**

This zone allows for the development of single-detached housing and other compatible uses serviced by municipal water and sewer or with municipal water only.

#### **4.1.2 Permitted Uses**

- Bed and breakfast
- Community garden
- Emergency shelter
- Group home
- Home day care
- Home occupation
- Modular home
- Park
- Secondary dwelling
- Single-detached dwelling

#### **4.1.3 Zone Regulations**

The following zone regulations apply to all permitted uses in the R1 Zone:

<b>Zoning Mechanism</b>	<b>Provisions for servicing conditions</b>	
	<b>Municipal Water and Sewer</b>	<b>Municipal Water Only</b>
(a) Lot frontage (minimum)	15 m	30 m
(b) Lot area (minimum)	450 m <sup>2</sup>	1,200 m <sup>2</sup>
(c) Front yard (minimum)	7.5 m	7.5 m
(d) Interior side yard (minimum)	1 storey: 1.5 m 2 storeys: 2.5 m	1 storey: 1.5 m 2 storeys: 2.5 m
(e) Exterior side yard (minimum)	4 m	4 m
(f) Rear yard (minimum)	8 m	8 m
(g) Gross floor area (minimum)	80 m <sup>2</sup>	80 m <sup>2</sup>
(h) Lot coverage (maximum)	40%	40%
(i) Building height (maximum)	10 m	10 m

(j) In cases where waterfront lots are adjacent to a 20 m shore reserve, the minimum front yard requirement shall be reduced to 1 m.

(k) Modular homes must be a minimum width of 6 m.

**4.2 Residential – Second Density Zone (R2)**

**4.2.1 General Purpose**

This Zone allows for the development of single detached, semi-detached and duplex housing, and other compatible uses on municipal water and sewer services.

**4.2.2 Permitted Uses**

The following are permitted uses in the R2 Zone:

- Bed and breakfast
- Boarding house
- Community garden
- Duplex dwelling
- Emergency shelter
- Group home
- Home day care
- Home occupation
- Modular home
- Park
- Secondary dwelling
- Semi-detached dwelling
- Single detached dwelling

**4.2.3 Zone Regulations**

The following zone regulations apply to all permitted uses in the R2 Zone:

<b>Zoning Mechanisms</b>	<b>Provisions</b>
(a) Lot frontage (minimum)	15 m
(b) Lot area (minimum)	450 m <sup>2</sup>
(c) Front yard (minimum)	7.5 m
(d) Interior side yard (minimum)	1 storey: 1.5 m 2 storeys: 2.5 m
(e) Exterior side yard (minimum)	4 m
(f) Rear yard (minimum)	8 m
(g) Gross floor area (minimum)	80 m <sup>2</sup>
(h) Lot coverage (maximum)	40%
(i) Building height (maximum)	10 m

(j) In cases where waterfront lots are adjacent to a 20 m shore reserve, the minimum front yard requirement shall be reduced to 1 m.

(k) The minimum interior side yard setback shall be reduced to zero for the lot line corresponding to the party wall of a semi-detached dwelling.

(l) For any boarding house, the maximum number of rented rooms is four (4).

(m) Modular homes must be a minimum width of 6 m.

**4.3 Residential – Third Density Zone (R3)**

**4.3.1 General Purpose**

This Zone allows for the development of a full range of housing forms and other compatible uses serviced by municipal sewer and water.

**4.3.2 Permitted Uses**

The following are Permitted Uses in the R3 Zone:

- Apartment dwelling
- Bed and breakfast
- Boarding house
- Community garden
- Converted dwelling
- Duplex dwelling
- Emergency shelter
- Group home
- Home day care
- Home occupation
- Modular home
- Multiple attached dwelling
- Park
- Retirement home
- Secondary dwelling
- Semi-detached dwelling
- Single-detached dwelling
- Stacked dwelling
- Triplex dwelling

**4.3.3 Zone Regulations**

The following zone regulations apply to all permitted uses in the R3 Zone:

Zoning Mechanism	Provision					
	Dwelling Type					Other permitted uses
	Single-Detached Dwellings	Semi-Detached and Duplex Dwellings	Triplex and Converted Dwellings	Multiple - Attached and Stacked Dwellings	Apartment Dwellings	
(a) Lot frontage (minimum)	15.0 m	18.0 m	23.0 m	6.0 m/unit	30.0 m	15.0 m
(b) Lot area (minimum)	450 m <sup>2</sup>	600 m <sup>2</sup>	700 m <sup>2</sup>	180 m <sup>2</sup> /unit	800 m <sup>2</sup>	450.0 m <sup>2</sup>
(c) Front yard (minimum)	7.5 m	7.5 m	7.5 m	6.0 m	7.5 m	7.5 m

(d) Interior side yard (minimum)	1 storey: 1.5 m 2 storeys: 2.5 m	1 storey: 1.5 m 2 storeys: 2.5 m	4.0 m	2.5 m	4.0 m	1 storey: 1.5 m 2 storeys: 2.5 m
(e) Exterior side yard (minimum)	4 m	4 m	4 m	4 m	4m	4m
(f) Rear yard (minimum)	8 m	8 m	10 m	8 m	10m	8m
(g) Gross floor area (minimum)	80 m <sup>2</sup>	65 m <sup>2</sup> /unit	45 m <sup>2</sup> /unit	65 m <sup>2</sup> /unit	37 m <sup>2</sup> /unit	80 m <sup>2</sup>
(h) Lot coverage (maximum)	40%	40%	40%	40%	40%	40%
(i) Building height (maximum)	10 m	10 m	10 m	11 m	10 m	10 m

(j) For semi-detached and duplex dwellings fronting onto a Provincial Highway, the minimum lot frontage shall be 45 m when the posted speed limit is 80 km/h, and 31.5 m when the posted speed limit is 50 km/h.

(k) The minimum interior side yard setback shall be reduced to zero for the lot line(s) corresponding to the vertical party wall(s) of semi-detached, multiple attached and stacked dwellings.

(l) The maximum number of dwelling units in a multiple attached dwelling is eight (8).

(m) For any boarding house, the maximum number of rented rooms is four (4).

(n) Modular homes must be a minimum width of 6 m.

#### **4.4 Residential – Mobile Home Zone (RM)**

##### **4.4.1 Purpose**

This Zone allows for the use of mobile homes and other compatible uses, serviced by piped municipal sewer and water.

##### **4.4.2 Permitted Uses**

The following are Permitted Uses in the RM Zone:

- Home occupation
- Mobile home
- Mobile home park
- Park

**4.4.3 Zone Regulations**

The following zone regulations apply to all permitted uses in the RM Zone:

<b>Zoning Mechanism</b>	<b>Provision</b>
(a) Lot frontage (minimum)	15 m
(b) Lot area (minimum)	450 m <sup>2</sup>
(c) Front yard (minimum)	6 m
(d) Interior side yard (minimum)	3 m
(e) Exterior side yard (minimum)	4 m
(f) Rear yard (minimum)	6 m
(g) Gross floor area (minimum)	60 m <sup>2</sup>
(h) Lot coverage (maximum)	40%
(i) Building height (maximum)	8 m

(j) The maximum density shall be fifteen (15) lots per gross hectare.

(k) At least seven (7) percent of the mobile home park area shall be provided for the park.

(l) A buffer strip of at least 7.5 m in depth adjoining all boundaries and free from any buildings or structures shall be provided. Such strip shall be utilized for landscaping in accordance with the Landscaped Open Space and Landscaped Buffer Strips section of the By-law.

**4.5 Rural Residential Zone (RR)**

**4.5.1 Purpose**

This Zone allows for the development of low density single-detached, seasonal or permanent housing and compatible uses in a rural setting.

**4.5.2 Permitted Uses**

The following are permitted uses in the RR Zone:

- Bed and breakfast
- Boarding house
- Community garden
- Emergency shelter
- Group home
- Home day care
- Home industry
- Home occupation
- Modular home
- Non-commercial farm
- Park
- Seasonal dwelling
- Single-detached dwelling
- Sleep cabin

**4.5.3 Zone Regulations:**

The following zone regulations apply to all permitted uses located on surveyed roadways in the RR Zone:

<b>Zoning Mechanism</b>	<b>Provision</b>
(a) Lot frontage (minimum)	61 m
(b) Lot area (minimum)	1.0 ha
(c) Front yard (minimum)	15 m
(d) Interior side yard (minimum)	3 m
(e) Exterior side yard (minimum)	15 m
(f) Rear yard (minimum)	8 m
(g) Gross floor area (minimum)	80 m <sup>2</sup>
(h) Lot coverage (maximum)	25%
(i) Building height (maximum)	10 m

(j) For lots abutting a non-surveyed roadway, the front property line shall be deemed to be 10 m from the centre-line of the roadway. All zone regulations shall follow from this measurement.

(k) For waterfront lots, the minimum front yard requirement shall be 20 m. In cases where waterfront lots are adjacent to a 20 m shore reserve, the minimum front yard requirement shall be reduced to 1 m.

(l) For those permitted uses fronting on both a navigable waterway and a municipal street, the minimum lot frontage requirement along the street shall be 11 m and for the waterfront side shall be 61 m.

(m) For any non-commercial farm, the minimum lot area shall be 2 hectares.

(n) For any boarding house, the maximum number of rented rooms is four (4).

(o) Modular homes must be a minimum width of 6 m.

## **4.6 Local Commercial Zone (LC)**

### **4.6.1 Purpose**

This zone allows for the development of commercial, office and service uses to meet the day to day needs of residents, along with limited residential uses above the ground floor.

### **4.6.2 Permitted Uses**

The following are permitted uses in the LC Zone:

- Animal care establishment
- Bakery
- Clinic
- Community garden
- Convenience store
- Day nursery
- Drive through facility
- Dwelling unit
- Financial establishment
- Light equipment sales and rental establishment
- Office
- Personal service business
- Recreation facility
- Restaurant
- Retail store
- Service and repair shop
- Studio

### **4.6.3 Zone Regulations**

The following are zone provisions for permitted uses in the LC Zone:

<b>Zoning Mechanism</b>	<b>Servicing Condition</b>	
	<b>Municipal Water and Sewer</b>	<b>Municipal Water Only or No Piped Municipal Services</b>
(a) Lot frontage (minimum)	18 m	25 m
(b) Lot area (minimum)	500 m <sup>2</sup>	1.0 ha
(c) Front yard (minimum)	6 m	6 m
(d) Interior side yard (minimum)	3 m	4 m
(e) Exterior side yard (minimum)	7 m	7 m
(f) Rear yard (minimum)	8 m	8 m
(g) Floor area ratio (minimum)	1.0	1.0
(h) Lot coverage (maximum)	40%	40%
(i) Building height (maximum)	10 m	10 m

(j) Dwelling units may only be located above or to the rear, but within the same building, of one or more permitted uses that occupy the first floor of a non-residential building.

(k) For lots abutting a non-surveyed roadway, the front lot line shall be deemed to be 10 m from the centre-line of the roadway. All zone regulations shall follow from this measurement.

(l) For any permitted convenience store, restaurant, drive through facility, or retail store the maximum total gross floor area of the permitted use shall be 300 m<sup>2</sup>.

(m) For lots where the side or rear yard abuts a residential zone, the required side yard shall be 6 m and the required rear yard shall 7.5 m, respectively.

## **4.7 General Commercial Zone (GC)**

### **4.7.1 Purpose**

This Zone allows for a wide range of uses and services to meet the needs of residents, businesses and tourists.

### **4.7.2 Permitted Uses**

The following are permitted uses in the GC Zone:

- Animal care establishment
- Animal hospital
- Art gallery
- Automobile gas bar
- Automobile rental establishment
- Automobile service station
- Bakery
- Car wash
- Cinema
- Clinic
- Communication facility
- Community garden
- Continuum care facility
- Day nursery
- Apartment dwelling unit(s)
- Financial establishment
- Funeral home
- Hostel
- Hotel
- Instructional facility
- Library
- Marina
- Micro-brewery
- Office
- Open air market
- Outdoor recreation facility
- Parking lot
- Personal service business
- Place of assembly
- Recreation facility
- Recreational rental establishment
- Retail store
- Restaurant
- Service and repair shop
- Shopping centre
- Studio
- Taxi stand

### **4.7.3 Zone Regulations**

The following are zone regulations for permitted uses located on surveyed roads in the GC Zone:

<b>Zoning Mechanism</b>	<b>Land Use Condition</b>
	<b>GC Zone abuts a residential zone</b>
(a) Side yard (minimum)	5 m
(b) Rear yard (minimum)	8 m

(c) The maximum building height of any permitted use is 11.0 m.

(d) Dwelling units may only be located within the same structure and above one or more permitted uses that occupy the first floor of a non-residential use building. In

one-storey buildings in the GC Zone, residential dwelling units are permitted, provided that:

- i. Commercial uses occupy the front of the building; and
- ii. Residential uses comprise no more than 40% of the gross floor area of the building.

(e) Residential dwelling units in multi-storey buildings are not permitted on the ground floor.

(f) Each permitted dwelling unit shall have a minimum gross floor area of 37 m<sup>2</sup>.

(g) Commercial uses are permitted only on the ground floor of a building in the GC Zone, unless the commercial use on upper storeys is an extension of the ground floor use.

(h) Restaurants shall not include drive through facilities.

## **4.8 Highway Commercial Zone (HC)**

### **4.8.1 Purpose**

This Zone allows for commercial development along major roads that serves the travelling public and often requires large land areas for development.

### **4.8.2 Permitted Uses**

The following are permitted uses in the HC Zone:

- Automobile dealership
- Automobile gas bar
- Automobile service station
- Automobile rental establishment
- Animal hospital
- Car wash
- Clinic
- Commercial storage facility
- Community garden
- Convenience store
- Drive through facility
- Financial establishment
- Food service vehicle
- Funeral home
- Horticultural nursery
- Hostel
- Hotel
- Light equipment sales and rental establishment
- Light industrial use
- Micro-brewery
- Motel
- Office
- Outdoor recreation facility
- Parking lot
- Personal service business
- Place of assembly
- Recreation facility
- Recreational rental establishment
- Recreational vehicle or boat sales establishment
- Restaurant
- Retail store
- Service and repair shop
- Studio
- Resort Commercial Establishment [By-law 41-2019]

### **4.8.3 Zone Regulations**

The following are zone regulations for permitted uses in the HC Zone:

<b>Zoning Mechanism</b>	<b>Servicing Condition</b>	
	<b>Municipal Water and Sewer</b>	<b>Municipal Water Only or No Piped Municipal Services</b>
(a) Lot frontage (minimum)	18 m	25 m
(b) Lot area (minimum)	600 m <sup>2</sup>	1.0 ha
(c) Front yard (minimum)	6 m	10 m
(d) Side yard (minimum)	3 m	3 m

(e) Rear yard (minimum)	4 m	4 m
(f) Floor area ratio (minimum)	1	1.0
(g) Lot coverage (maximum)	50%	50%
(h) Building height (maximum)	10 m	10 m

(i) A maximum of one dwelling unit shall be permitted as an accessory use to any commercial use. The dwelling unit must be occupied by the business owner, caretaker, security guard or similar employee.

(j) For lots abutting a non-surveyed roadway, the front property line shall be deemed to be 10 m from the centre-line of the roadway. All zone regulations shall follow from this measurement.

(k) For lots where the side or rear yard abuts a residential zone, the required side yard shall be 6 m and the required rear yard shall be 7.5 m, respectively.

**4.9 Tourist Recreational Zone (TR)**

**4.9.1 Purpose**

This zone allows for a variety of accommodations to be established for recreational and tourism purposes.

**4.9.2 Permitted Uses**

The following are Permitted Uses in the TC Zone:

- Automobile gas bar
- Automobile rental establishment
- Bed and breakfast
- Campground
- Community garden
- Convenience store
- Food service vehicle
- Marina
- Motel
- Outdoor recreation facility
- Recreation facility
- Recreational vehicle or boat sales establishment
- Recreational rental establishment
- Resort

**4.9.3 Zone Regulations**

The following are zone regulations for permitted uses in the TC Zone:

<b>Zoning Mechanism</b>	<b>Servicing Condition</b>	
	<b>Municipal Water and Sewer</b>	<b>Municipal Water Only or No Piped Municipal Services</b>
(a) Lot frontage (minimum)	20 m	50 m
(b) Lot area (minimum)	2,000 m <sup>2</sup>	1.0 ha
(c) Front yard (minimum)	8 m	10 m
(d) Side yard (minimum)	4.5 m	10 m
(e) Rear yard (minimum)	8 m	10 m
(f) Floor area ratio (minimum)	1.0	1.0
(g) Lot coverage (maximum)	40%	40%
(h) Building height (maximum)	10 m	10 m

(i) A maximum of one dwelling unit shall be permitted as an accessory use to any commercial use. The dwelling unit must be occupied by the business owner, caretaker, security guard or similar employee.

(j) For lots abutting a non-surveyed roadway, the front property line shall be deemed to be 10 m from the centre-line of the roadway. All zone regulations shall follow from this measurement.

(k) For rental units within any permitted resort, motel or campground, the minimum total gross floor area shall be 20 m<sup>2</sup> per unit.

(l) For any convenience store accessory to any permitted resort, motel or campground, the maximum total gross floor area of the convenience store use shall be 300 m<sup>2</sup>.

**4.10 Light Industrial Zone (ML)**

**4.10.1 Purpose**

This zone allows for a wide range of low-impact light industrial land uses as well as complementary commercial uses.

**4.10.2 Permitted Uses**

The following are permitted uses in the ML Zone:

- Animal hospital
- Automobile dealership
- Automobile body shop
- Automobile service station
- Automobile rental establishment
- Bulk sales and storage establishment
- Commercial storage facility
- Contractor service
- Drive through facility
- Dry cleaning establishment
- Emergency service
- Financial establishment
- Food processing plant
- Forestry use
- Funeral home
- Light equipment sales and rental establishment
- Light industrial use
- Modular home (as an accessory use)
- Office
- Open storage
- Outdoor recreation facility
- Parking lot
- Recreation facility
- Recreational rental establishment
- Recreational vehicle or boat sales establishment
- Service and repair shop
- Snow disposal facility
- Transportation Depot
- Warehouse
- Waste processing and transfer facility

**4.10.3 Zone Regulations**

The following are zone provisions for permitted uses in the ML Zone:

<b>Zoning Mechanism</b>	<b>Servicing Condition</b>	
	<b>Municipal Water and Sewer</b>	<b>Municipal Water Only or No Piped Municipal Services</b>
(a) Lot frontage (minimum)	18 m	25 m
(b) Lot area (minimum)	1,000 m <sup>2</sup>	1.0 ha
(c) Front yard (minimum)	6 m	8 m
(d) Interior side yard (minimum)	4 m	6 m
(e) Exterior side yard	6 m	6 m

(f) Rear yard (minimum)	6 m	8 m
(g) Floor area ratio (minimum)	1.0	1.0
(h) Lot coverage (maximum)	75%	75%
(i) Building height (maximum)	11 m	11 m

(j) A maximum of one dwelling unit shall be permitted as an accessory use to any permitted use. The dwelling unit must be occupied by the business owner, caretaker, security guard or similar employee.

(k) For lots where the front, side or rear yard abuts a residential zone, the required front and/or side yard shall be 12 m and the required rear yard shall 15 m, respectively.

(l) For any permitted waste processing and transfer facility, the nature of the wastes will be limited to inorganic and non-hazardous wastes that do not have the potential to generate significant odours (e.g. a recycling plant or depot).

(m) For any permitted restaurant or drive through facility, the maximum total gross floor area of the permitted use shall be 300 m<sup>2</sup>.

**4.11 Heavy Industrial Zone (MH)**

**4.11.1 Purpose**

This zone allows for a wide range of industrial uses, which by their nature, may generate noise, fumes, odours and that may be obnoxious or hazardous. Some limited complementary commercial and service-oriented uses are also permitted.

**4.11.2 Permitted Uses**

The following are permitted uses in the MH Zone:

- Abattoir
- Airport
- Animal hospital
- Auction centre
- Automobile body shop
- Automobile dealership
- Automobile gas bar
- Automobile service station
- Automobile rental establishment
- Bulk sales and storage establishment
- Car wash
- Contractor service
- Drive through facility
- Dry cleaning establishment
- Emergency service
- Food processing plant
- Forestry use
- Fuel storage tank
- Heavy industrial use
- Heavy equipment and vehicle sales, rental and servicing
- Light equipment sales and service establishment
- Light industrial use
- Maintenance and storage yard
- Modular Home (as an accessory use)
- Open storage
- Parking lot
- Recreational facility
- Recreational vehicle or boat sales establishment
- Research and development centre
- Restaurant
- Retail store
- Service and repair shop
- Sewage facility
- Snow disposal facility
- Storage yard
- Technology industry
- Transportation depot
- Warehouse
- Waste processing and transfer facility

**4.11.3 Zone Regulations**

The following are zone provisions for permitted uses in the MH zone:

Zoning Mechanism	Servicing Condition	
	Municipal Water and Sewer	Municipal Water Only or No Piped Municipal Services
(a) Lot frontage (minimum)	18 m	25 m
(b) Lot area (minimum)	500 m <sup>2</sup>	1.0 ha

(c) Front yard (minimum)	6 m	6 m
(d) Interior side yard (minimum)	3 m	4 m
(e) Exterior side yard	6 m	6 m
(f) Rear yard (minimum)	8 m	8 m
(g) Building height (maximum)	10 m	10 m

(h) A maximum of one dwelling unit shall be permitted as an accessory use to any permitted use. The dwelling unit must be occupied by the business owner, caretaker, security guard or similar employee.

(i) For lots where the front, side or rear yard abuts a residential zone, the required front, side or rear yard shall be 18 m, respectively.

(j) A retail store is only permitted as an accessory use to another permitted use in the MH zone and may not exceed 25% of the gross floor area of the principal use on the lot.

**4.12 Extractive Industrial Zone (MX)**

**4.12.1 Purpose**

This Zone allows for industrial uses associated with mineral and aggregate extraction and processing as well as complementary industrial and commercial uses.

**4.12.2 Permitted Uses**

The following are permitted uses in the MX zone:

- Contractor service
- Forestry use
- Mineral aggregate operation
- Mineral mining operation
- Open storage
- Transportation depot

**4.12.3 Zone Regulations**

The following are the zone regulations for permitted uses in the MX Zone:

<b>Zoning Mechanism</b>	<b>Provision</b>
(a) Lot frontage (minimum)	25 m
(b) Lot area (minimum)	2 ha
(c) Front yard (minimum)	20 m
(d) Side yard (minimum)	20 m
(e) Rear yard (minimum)	20 m
(f) Lot coverage (maximum)	75 %
(g) Building height (maximum)	30 m

(h) For lots abutting a non-surveyed roadway, the front lot line shall be deemed to be 10 m from the centre-line of the roadway. All zone regulations shall follow from this measurement.

(i) For commercial uses fronting onto a Provincial Highway, the minimum lot frontage shall be 45 m when the posted speed limit is 80 km/h, and 31.5 m when the posted speed limit is 50 km/h.

**4.13 Rural Zone (RU)**

**4.13.1 Purpose**

This Zone allows for the production of farm produce as well as recreational and other compatible uses, as well as limited development of low density single-detached, seasonal or permanent housing compatible uses in a rural setting.

**4.13.2 Permitted Uses**

The following are Permitted Uses in the Rural Zone:

- Agricultural use
- Animal hospital
- Art gallery
- Bed and breakfast
- Boarding house
- Cemeteries
- Community garden
- Contractor service
- Day nursery
- Emergency shelter
- Equestrian establishment
- Food processing plant
- Forestry use
- Golf course
- Group home
- Home day care
- Home industry
- Home occupation
- Horticultural nursery
- Interpretive centre
- Kennel
- Library
- Marina
- Mineral aggregate operation
- Mineral mining operation
- Mobile home
- Modular home
- Museum
- Non-commercial farm
- Open storage
- Outdoor recreation facility
- Park
- Recreation facility
- Retirement home
- Seasonal dwelling
- Single-detached dwelling
- Sleep cabin
- Snow disposal facility
- Wildlife conservation reserve

**4.13.3 Zone Regulations**

The following zone regulations apply to all permitted uses located on surveyed roadways in the RU Zone:

<b>Zoning Mechanism</b>	<b>Provision</b>
(a) Lot frontage (minimum)	90 m
(b) Lot area (minimum)	2.0 ha
(c) Front yard (minimum)	15 m
(d) Side yard (minimum)	10 m
(e) Rear yard (minimum)	15 m
(f) Gross floor area (minimum)	90 m <sup>2</sup>

(g) Lot coverage (maximum)	10 %
(h) Building height (maximum)	24 m

(i) A maximum of one accessory dwelling unit shall be permitted in conjunction with any agricultural use.

(j) For lots abutting a non-surveyed roadway, the front property line shall be deemed to be 10 m from the centre-line of the roadway. All zone regulations shall follow from this measurement.

(k) For waterfront lots, the minimum front yard requirement shall be 20 m. In cases where waterfront lots are adjacent to a 20 m shore reserve, the minimum front yard requirement shall be reduced to 1 m.

(l) Any open storage must be associated with another permitted use, and shall comply with the open storage provisions in this By-law.

(m) For those permitted uses fronting on both a navigable waterway and a municipal street, the minimum lot frontage requirement along the street shall be 11 m.

(n) Modular homes must be a minimum width of 6 m.

**4.14 Open Space Zone (OS)**

**4.14.1 Purpose**

This Zone provides land for active and passive recreational uses and landscaped buffers.

**4.14.2 Permitted Uses**

The following are permitted uses in the OS Zone:

- Community centre
- Community garden
- Food service vehicle
- Golf course
- Interpretive centre
- Off-leash dog area
- Open-air market
- Outdoor recreational facility
- Park
- Parking lot
- Recreational facility
- Recreational rental establishment
- Wildlife conservation reserve

**4.14.3 Zone Regulations**

The following zone regulations apply to permitted uses in the OS Zone:

<b>Zoning Mechanism</b>	<b>Provision</b>
(a) Front yard (minimum)	6 m
(b) Interior side yard (minimum)	3 m
(c) Exterior side yard (minimum)	6 m
(d) Rear yard (minimum)	8 m
(e) Building height (maximum)	15 m

(f) Notwithstanding any other provision in this By-law, a park, parking lot, outdoor recreational facility, and a wildlife conservation reserve shall be permitted uses on Tunnel Island.

**4.14.4 OS1 - TransCanada Pipeline Subzone**

Any development adjacent to TransCanada Pipeline facilities shall comply with the following regulations:

- a) Pre-consultation with the City and with TransCanada or its designated representative is required for any development within 200 m of the OS1 subzone.
- b) Any excavation, blasting or moving of heavy equipment within the OS1 subzone or within 30 m of the OS1 subzone must be approved in writing by TransCanada.

- c) No permanent building or structure may be located within the OS1 subzone or within 7 m of the OS1 subzone.

**4.15 Institutional Zone (I)**

**4.15.1 Purpose**

This zone allows for the development of public and privately owned facilities of an institutional or community service nature.

**4.15.2 Permitted Uses**

The following are permitted uses in the Institutional (I) Zone:

- Art gallery
- Cemetery
- Clinic
- Community centre
- Community garden
- Continuum care facility
- Correctional facility
- Day nursery
- Emergency service
- Group home
- Hospital
- Instructional facility
- Library
- Museum
- Office
- Off-leash dog area
- Outdoor recreational facility
- Park
- Place of assembly
- Place of worship
- Post-secondary institution
- Recreational facility
- Retirement home
- School
- Studio
- Theatre

**4.15.3 Zone Regulations**

The following zone regulations apply to permitted uses in the Institutional (I) Zone:

Zoning Mechanism	Servicing Condition	
	Municipal Water and Sewer	Municipal Water Only or No Piped Municipal Services
(a) Lot frontage (minimum)	15 m	25 m
(b) Lot area (minimum)	450 m <sup>2</sup>	1.0 ha
(c) Front yard (minimum)	6 m	6 m
(d) Interior side yard (minimum)	3 m	4 m
(e) Exterior side yard (minimum)	4 m	6 m
(f) Lot coverage (maximum)	40%	40%
(g) Rear yard (minimum)	10 m	10 m
(h) Building height (maximum)	10 m	10 m

**4.16 Waste Disposal Zone (WD)**

**4.16.1 Purpose**

This Zone is intended for uses associated with disposal and treatment of municipal solid waste.

**4.16.2 Permitted Uses**

The following are permitted uses in the WD Zone:

- Solid waste disposal facility
- Waste processing and transfer facility

**4.16.3 Zone Regulations**

The following zone provisions apply to permitted uses in the WD Zone:

<b>Zoning Mechanism</b>	<b>Provision</b>
(a) Lot frontage (minimum)	100 m
(b) Lot area (minimum)	10 ha
(c) Front yard (minimum)	20 m
(d) Side yard (minimum)	20 m
(e) Rear yard (minimum)	20 m

## **4.17 Environmental Protection Zone (EP)**

### **4.17.1 Purpose**

This Zone provides protection to those areas which have historical and natural significance such as First Nation burial grounds, fish and wildlife habitat. In addition, this zoning is applied to land that is designated as Provincially Significant Wetland in the City of Kenora Official Plan.

### **4.17.2 Permitted Uses**

The following are permitted uses in the EP Zone:

- Wildlife conservation reserve

### **4.17.3 Zone Regulations**

The following zone regulations apply to permitted uses in the EP Zone:

- a) The cutting, removal or burning of trees and other natural vegetation is prohibited.
- b) The placement or removal of topsoil is prohibited.

### **4.17.4 EP1 Subzone**

- a) Notwithstanding any other provision in this By-law, no buildings or structures shall be permitted on the Provincially Significant Wetlands zoned as EP1 on the Zoning Schedule (Maps) to this By-law.

## **4.18 Hazard Land Zone (HL)**

### **4.18.1 Purpose**

This Zone identifies lands which are susceptible to flooding or erosion or any other physical characteristic which could cause harm to persons or lead to the deterioration of buildings and structures.

### **4.18.2 Permitted Uses**

- Wildlife conservation reserve
- Dock
- Farm, excluding any building
- Park, provided there are no buildings located thereon except building used as an open pavilion and for sanitary facilities or change houses for bathers.
- Parking lot or any similar non-structural use accessory to a permitted use or accessory to a permitted use in an adjacent zone, but on the same lot

### **4.18.3 Zone Regulations**

- a) The placement or removal of fill is subject to engineering studies demonstrating minimal risk of environmental damage and/or the reduction of potential hazards for which the land is designated.
- b) All lands within 250 m of an abandoned mine hazard site, as designated on Schedule A of the Official Plan, shall be included in the HL Zone.
- c) No habitable building or structure in this Zone shall have a window or other opening on the Winnipeg River for the following elevations:
  - i. from the Dalles First Nation upstream to the rapids below Rideout Bay at Old Fort Island below 320.6 m Canadian Geodetic Vertical Datum of 1928(CGVD28);
  - ii. Old Fort Island upstream to the Lake of the Woods dams below 321.4 m CGVD28 datum.
- d) No habitable building or structure in this Zone shall have a window or other opening on the Lake of the Woods where the elevation is below 324.60 m CGVD28 datum.

**4.19 Black Sturgeon Lake (Restricted Development Area) Zone (BSL)**

**4.19.1 Purpose**

The purpose of the Black Sturgeon Lake (Restricted Development Area) Zone is to implement the Black Sturgeon Lake (Restricted Development Area) Special Policy Overlay in the City’s Official Plan.

**4.19.2 Permitted Uses**

- Dock, private
- Seasonal dwelling
- Single-detached dwelling
- Sleep cabin

**4.19.3 Zone Regulations**

The following zone regulations apply to permitted uses in the BSL Zone:

<b>Zoning Mechanism</b>	<b>Provision</b>
(a) Lot area (minimum)	1.0 ha
(b) Lot area for back lot (minimum)	2 ha
(c) Lot frontage in areas that are not in a restricted development area (minimum)	61 m
(d) Lot frontage in a restricted development area (minimum)	122 m
(e) Road frontage for back lot	90 m
(f) Front yard – Backlot	15 m
(g) Front yard – Waterfront lot	20 m
(h) Front yard – Waterfront lot, adjacent to a 20-metre shore reserve	1 m
(i) Side yard (minimum)	3 m
(j) Rear yard (minimum)	8 m
(k) Lot coverage (maximum)	10%
(l) Building height (maximum)	7.5 m
(m) Gross Floor Area (minimum)	80 m <sup>2</sup>

(n) For those permitted uses fronting on both a navigable waterway and a municipal street, the minimum lot frontage requirement along the street shall be 11 m and for the waterfront side shall be minimum 90 m, or 61 m in a restricted development area, as per the above table.

(o) Shoreline disturbance for any land on Black Sturgeon Lake shall be restricted to a maximum of 25% of the lot frontage. This applies to, but is not limited to, all structures, removal of vegetation, pathways, decks and docks.

## **4.20 Future Development Overlay**

### **4.20.1 Purpose**

The purpose of the Future Development Overlay is to recognize land designated as Special Policy Overlay – Future Development Area in the City’s Official Plan that represent older industrial sites or rural areas that may be prime locations for development or redevelopment.

### **4.20.2 Permitted Uses**

Notwithstanding the permitted uses in the underlying zone, development in the Future Development Overlay shall be restricted to the following uses:

- Existing uses

### **4.20.3 Overlay Regulations**

Development on lands within the Future Development Overlay is subject to the provisions of the underlying zone.

**4.21 Residential – Small Home Zone (SH)**

**4.21.1 General Purpose**

This zone allows for the development of single-detached housing and other compatible uses serviced by municipal water and sewer.

**4.21.2 Permitted Uses**

- Community garden
- Home day care
- Home occupation
- Modular home
- Park
- Single-detached dwelling

**4.21.3 Zone Regulations**

The following zone regulations apply to all permitted uses in the SH Zone:

Zoning Mechanism	Provisions for servicing conditions
	Municipal Water and Sewer
(a) Lot frontage (minimum)	15 m
(b) Lot area (minimum)	375 m <sup>2</sup>
(c) Front yard (minimum)	7.5 m
(d) Interior side yard (minimum)	1 storey: 1.5 m 2 storeys: 2.5 m
(e) Exterior side yard (minimum)	4 m
(f) Rear yard (minimum)	8 m
(g) Gross floor area (minimum)	65 m <sup>2</sup>
(h) Lot coverage (maximum)	40%
(i) Building height (maximum)	7 m

(j) In cases where waterfront lots are adjacent to a 20 m shore reserve, the minimum front yard requirement shall be reduced to 1 m.

(k) Modular homes must be a minimum width of 6 m.  
[By-law No. 98-2019]

## Section 5 Exceptions

The provisions of this By-law have been modified for the lands to which the exceptions described in the table below have been applied and are shown on the Zoning Schedules (Maps) by the applicable exception number indicated in square brackets “[#]” in the zone code.

Where an exception applies, the provisions imposed by that exception prevail over any other provision in this By-law.

<b>EXCEPTION #</b>	<b>PROVISION</b>	<b>ZBL #</b>	<b>BY-LAW TEXT</b>
[1] – R1	The minimum side yard requirement shall be 1.5 m for both 1 and 2 storey dwellings.		Pertains to <b>Sunset Place &amp; Sunrise Place Development</b>
[2] – R1	Are subject to a minimum front yard setback of 20 m.		Pertains to <b>68, 70 &amp; 72 Lakeside Cres.</b>
[3] – R1, RR	Additional permitted uses are: meat processing, meat packing and associated retail facility.	149-2014	Pertains to <b>951 Airport Rd. (Weiner Shack) and 89 McDonald Rd. (Carnivore Cuts)</b>
[4] - HC	That the following additional uses are permitted: <ul style="list-style-type: none"> <li>• Dwelling units above commercial uses, not to exceed 6 storeys and 20 m in height; and</li> <li>• Business and/or professional offices.</li> </ul> That the yard setbacks be established as follows: <ol style="list-style-type: none"> <li>1) Front setback 7 metres</li> <li>2) Rear setback 5 metres</li> <li>3) North side 1.5 metres</li> <li>4) South side 3 metres.</li> </ol>	129-2002	Notwithstanding other provisions, the property specifically described as <b>40 Minnesota St.</b> at the location of the Norman Hotel, <b>Registered Plan M248, Lots 1, 2, 3, 4, 5, 6 and 7, Parcels 30826 and 36910</b> be zoned HC[4].
[5] – R3	The minimum front yard setback requirement shall be zero (0) m.		Pertains to <b>20 Nash Street</b>
[6] - RU	With the additional permitted use of a training centre.	105-2005	Notwithstanding other provisions, the property specifically described as <b>Concession 7 of Jaffray, Part of Lot 4 Part 1 of KR 612, former Pine Grove School, 168 Redditt Rd.</b> be rezoned from I – Institutional to RU – Rural.
[7] -GC	The GC – General Commercial zoning shall apply to the Museum Annex and 6 m on the east side of the building and 6 m on the south side of the building.	4-2007	Pertains to <b>300 Main Street S.</b>

[8] - HC	With a single-family dwelling added as a use.	7-2007	Notwithstanding other provisions, the property specifically described as <b>1987 Highway 17 W, Mining Location 280P, Part 1 of Reference Plan 23R-9024, Parcel 40281</b> be rezoned with an added use to HC – Highway Commercial.
[9] – R3	And to increase the maximum building height from 10 metres to 15 metres.	6-2008	Notwithstanding other provisions, the property specifically described as <b>Pin 42161-0600 being Pt. of Block on Tunnel Island, described as Pt 1, Plan 23R-11404, locally know as the Abitibi Staff House property</b> , be rezoned from HC - Highway Commercial to R3 – Residential Density.
[10] - RR	Hereby amended by adding the use of retail fabric outlet.	67-2007	Notwithstanding other provisions, the property specifically described as <b>1815 Highway 17 West, Part Location 274P PCL 20479</b> , be rezoned to RR – Rural Residential Exception.
[11] - ML	To permit a single-family dwelling as a permitted use in ML – Light Industrial designation.	23-2008	Notwithstanding other provisions, the property specifically described as <b>Part 1 on Plan 23R-11341</b> , by rezoning from RU-Rural to ML-Light Industrial.
[12] - HC	By adding “drive through restaurant facility” as a permitted use.	24-2008	Notwithstanding other provisions, the property specifically described as <b>714 Lakeview Drive, Part of Bulmer’s Mill Loc, RP 23R4575 Part 1, PCL 33315</b> adding the permitted use to HC – Highway Commercial Zone.
[13]-EP	EP[13]- placement or removal of topsoil or fill shall not be permitted without expressed permission of the City of Kenora; or the cutting, removal or burning of trees and other natural vegetation shall not be permitted without the expressed permission of the City of Kenora.	30-2008	Notwithstanding any other provisions, the property specifically described as <b>46 Johnson Landing Road, CON 7J N PT LOT 3 RP KR687 Part 1 PCI 28112</b> from current zoning to EP-Environmental Protection *with mitigation measures permitted.
[14] - RR	That the minimum lot size is reduced from .8 hectares to .78 hectares.	32-2008	Notwithstanding other provisions, the property specifically described as <b>716 Essex Road, CON 1 MEL NPT N PT LOC FM66, RP 23R4210 PARTS 2 &amp; 3; PCL 31146 &amp; 23R7224 PT 2 PCL 38796</b> , be rezoned from RU – Rural to RR – Rural Residential

[15] – R3	A reduction in required lot size from 700 square metres to 450 square metres and reduce site width from 23 metres to 15.24 metres.	44-2008	Notwithstanding other provisions, the property specifically described as <b>39 Rupert Rd. Plan M1 BLK 2 W PT Lot 102</b> be rezoned to R3[15] – Residential Third Density.
[16] – R3	Permitting a maximum of four (4) units	16-2005	Notwithstanding other provisions, the property specifically described as <b>Concession 6 of Jaffray, North Part of Lot 6, Part 2 of Plan KR725, 418 Rabbit Lake Road, in the former Town of Jaffray Melick, now in the City of Kenora</b> , be rezoned from R1 – Residential, First Density to R3 – Residential Third Density.
[17] - RR	To reduce the permitted lot size requirement from 1 ha to .4 ha and <b>Specifically for Lot 14</b> , to require a 50 ft. side yard requirement on the east side of the lot.	104-2005	Notwithstanding other provisions, the property specifically described as <b>Farm Location 222E, Duffus Road, Kenora ON.</b>
[18] – LC, R3	LC[18] - to permit only a clinic, personal service establishment, studio, dental or other professional offices & a residential use above. R3[18] – with reduced frontage requirement for each unit in a stacked dwelling from 6 m per unit (24 m) to 3.35 m per dwelling unit (13.4m), and to increase the maximum width of a driveway in the R3 zone from 40% (or 10m) of the lot frontage to 64% or 8.55 metres.	160-2004 175-2010	Notwithstanding other provisions, the property specifically described as <b>503 First Street S., Plan 3 BLK 2 Lot 168, and 21 Mikado Ave. Plan M1 BLK 2 RP KR 428 Part 1 &amp; 21 ½ Mikado Plan M1 BLK 2E of Lot 6, respectively</b> be rezoned by changing the zoning designation from R2-Residential Second Density to LC[18]-Local Commercial and R3[18]-Residential Third Density.
[19] – R3	A maximum of four dwelling units and to reduce the west side yard from 2.5 metres to 2.13 metres.	78-2011	Notwithstanding other provisions, the property specifically described as <b>540 Second St. S. Plan 3, Blk 2 Lot 149E</b> be rezoned from R2-Residential Second Density to R3[19]-Residential, Third Density
[20] - I	To require 6 parking stalls on site, 2 on the west side to be parallel stalls and to require that a lease agreement be entered into between the City of Kenora and New Beginnings Church for the use of municipal property for parking purposes.	145-2011	Notwithstanding other provisions, the property specifically described as <b>701 First St. S. Plan 3 Block 4 Part Lot 21</b> be rezoned from R2 – Residential Second Density to I [20] – Institutional.

[21] - HC	To permit contractor service as a light industrial use, to permit the residential use to continue.	2-2012	Notwithstanding other provisions, the property specifically described as <b>1B Matheson Bay Road, CON 1J PT LOT 14 EB1628 PCL; 20681 &amp; 1 A Matheson Bay Road CON 1J PT LOT 14 LOC KM196 DES RP KR1543 PART 1 PCL 27161</b> be rezoned from RR – Rural Residential to HC[21] – Highway Commercial Exception.
[22] - RR	To permit a reduced frontage of 10 metres on Kerr Drive, for proposed new lots 1, 2 and 3 associated with application for consent no. B20/11.	20-2012	Notwithstanding other provisions, the property specifically described as <b>192 Kerr Drive, Plan M755 BLK 22 PCL 32914</b> be rezoned from OS – Open Space to RR[22] – Rural Residential.
[23] – R3	With reduced floor area/unit of 55m <sup>2</sup> . This change will permit the development of a four-plex, which is an adaptive re-use of the structure and associated parking.	22-2012	Notwithstanding other provisions, the property specifically described as <b>211 Sixth Street South, PLAN M8 W PT LOT 57 PCL 15340 and PLAN M8 E PT LOT 57 PCL 17378</b> be rezoned from LC – Local Commercial to R3[23] – Residential Third Density Exception.
[24]	Exception Unassigned		
[25] - I	To allow for the additional temporary use of an Emergency Shelter.	3-2018 13-2017	Notwithstanding other provisions, the property specifically located at <b>210 First Street North, PLAN 3 BLK 3 LOT 52 TO 55, known as the City View Building and 116 Fifth Avenue South, known as the Knox Church, Lots 258 &amp; 259 on Plan 25</b> , be changed from I – Institutional to I-[25].
[26] - HC	The property may include a duplex in addition to commercial use.	122-2012	Notwithstanding other provisions, the property specifically described as <b>1429 Highway 17 East, PLAN M63 PT LOT 256 &amp; 257 PCL 20983</b> be rezoned from HC – Highway Commercial to HC[26] – Highway Commercial Exception.
[27] - GC	May include a micro-brewery in conjunction with restaurant/food service and to include retail and wholesale production/sale.	136-2012	Notwithstanding other provisions, the property specifically described as <b>350 Second Street South, PLAN 25 LOT 273 TO 274</b> be rezoned from GC – General Commercial to GC[27] – General Commercial Exception.
[28] – R2	The property may include an office use as an additional permitted use.	135-2012	Notwithstanding other provisions, the property specifically described as <b>Plan M11, Lot 41 &amp; north part of 40, 322 First Avenue S.</b> be rezoned to R2[28].

[29] – BSL, EP	The road frontage for Lot 19 be reduced from 90 metres to 46 metres.	11-2013	Notwithstanding other provisions, the property specifically described as <b>Part of Lot 5 Concession 1 Geographic Township of Melick, city of Kenora</b> , be rezoned to BSL – Black Sturgeon Lake (Restricted Development Area), EP – Environment Protection.
[30] – TR/EP	Re-zoned to permit a campground/tourist resort, including limited agricultural uses with accommodations limited to tents & cabins, an outdoor recreation facility with a maximum of 1 accessory dwelling unit, & the uses and structures normally incidental to the foregoing	120-2014	Notwithstanding other provisions, the property specifically described as <b>1808 Highway 17 West, PT ML 233 PLAN PCL 26309</b> to be rezoned from RU-Rural Residential to TR/EP[30]-Tourist Recreation / Environmental Protection
[31] - RU	The lands noted shall be zoned to permit Rural uses & a storage facility, including structures normally incidental to the foregoing.	148-2014	Notwithstanding other provisions, the property specifically as <b>31 Villeneuve Road, Con 7J S Pt Lot 3 RP KR126 Parts 3-5 PCL 22741</b> , from RU to RU[31].
[32] - RU	The lands shall be zoned to permit EP-Environmental Protection uses & a reduced frontage on the Anderson Rd	40-2015	That the property specifically described as <b>616 &amp; 628 Anderson Branch Road, Con 8J N Pt Lot 1 PCL 2226</b> from RU to RU[32].
[33] – RU, EP	Permit the development of a single lane access driveway, in addition to the EP – Environmental Protection uses	161-2015	Notwithstanding other provisions, property described as <b>Pt ML D666 Melick Pt 2 KR 4, Pt E Pt Location D666 Melick as in LT 43312, except Pts 8 &amp; 9, 23R 12248, Pt Location D666 Melick Pt 7 23R 12248 (James Road)</b> from RU/EP – Rural Environmental Protection to RU/EP [33].
[34] - LC	Zoned to permit Local Commercial uses, and a Bed and Breakfast	169-2015	Notwithstanding other provisions, the property specifically described as <b>Plan 3 BLK 2 W PT Lot 157 and 158</b> to rezone from R3-Residential Third Density to LC[34] – Local Commercial.
[35] – R1	To be excepted from specific zoning provisions required from home occupations, including accommodation of a total floor area of 310m <sup>2</sup> , which is 69% of the building, to enable office space for 7 employees and for the operation of the occupation not to be the resident.	14-2017	Change the zoning of property specifically described as <b>1 Seventh St. S.</b> and legally described as <b>Plan 3 BLK 3 LOT 52 to 55</b> , from R1-First Density Zone to R1[35].

[36] - BSL	To except the property from Section 3.13.5 to increase the "frontage to depth ratio" from 1:5 to an average of 1:7.	24-2017	Change the zoning of property located at <b>7044 Coker Road, described as CON 3 MEL Part of Lot 7; Part 1 of Plan 23R-5651; PCL 34299</b> from RU-Rural to BSL[36] Black Sturgeon Lake (Restricted Development Area) Zone.
[37] - RU	Changed to a site-specific use, to allow for a commercial storage facility on the northern half of the lot being 70.8 metres from the northern lot line.	50-2017	Notwithstanding other provisions, the property described as <b>65 Goss Road, Concession 2 of Melick, North Part Lot 14 Designated as 23R-10516 Parts 2, 6, 7, 8, 9 &amp; 10; Parcel 42450</b> be rezoned from RU – Rural to RU[37]
[38] - RR	To allow for use of a converted dwelling on a lot with reduced frontage and would allow for an existing building to apply for a change of use permit to a converted dwelling containing three (3) units and allow for 0.43 ha of land to be transferred to an abutting lot.	36-2018	Notwithstanding other provisions, the property described as <b>1930 Highway 17 West, being Parcel 33035 Sec DFK; Part Mining Location 233P, Part 1 of Plan 23R-5012; being PIN: 42174-0029</b> , be changed from RR-Rural Residential to RR[38]
[39] - R3	To grant relief from provisions of the Zoning By-law including the interior side yard provisions of 2.5m to 0 metres; exterior side yard from 4m to 0.35m, to increase lot coverage from 40% to 55%; to amend the definition of a "Street" as it pertains to the subject lot, to allow for frontage on a private road, as a site-specific provision.	60-2018	Notwithstanding other provisions, the property described as <b>1731 Railway Street, being PIN # 42176-0338, Part of Block B, Plan M-28, being Part of Location D-52</b> be changed from R3 – Residential – Third Density Zone to R3[39] – a site- specific Third Density Zone.
[40] - RR	A site-specific zone to grant relief from provisions of the Zoning By-law to enable through lots with a minimum frontage of 22 metres, and minimum lot areas of 1.82 hectares; as well as to zone that portion of the shoreline protecting fish habitat & providing habitat for Golden Eye Lichen & Cartilage Lichen, being 20 metres in width & approximately 420 metres in length along the south shoreline, Environmental Protection (EP) Zone.	108-2018	Changing the zoning of property located at <b>Island K144, being PIN # 42162-0024 known as Scott Island</b> , to be changed from RR-Rural Residential to RR[40], a site-specific zone.
[41] - MH	Site specific to grant relief for the creation of one new lot (approx. 0.28 ha) & the retained portion (approx. 0.97 ha), being less than the required lot area for an unserviced lot zoned MH.	131-2018	Notwithstanding other provisions, the property specifically described as <b>1053 Lakeview Dr., PIN # 42161-0560</b> be changed from MH Heavy Industrial to MH[41] a site specific Heavy Industrial Zone.

	Permitted use of the property will be limited to existing uses which include industrial/commercial barging, marine transportation depot & contractor services, as site specific provisions.		
[42] - HC	<p>That the zone regulations for Area A are: Front Yard North – 6 metres, Front Yard South – 4.5 metres, East Side Yard – 1.6 metres, West Side Yard – 2.4 metres, Rear Yard – 4.5 metres, Building Height – 15 metres, and Lot Coverage – 44%.</p> <p>That area C shall not include a Resort Commercial Establishment, the maximum building height shall be 4.5 M &amp; the rear yard setback shall be reduced to 4.5 m, and notwithstanding the provision of Section 3.30 of Zoning By-law 101-2015, the front yard south setback shall be reduced to 6 metres from 20 metres.</p> <p>Area B is provided for context purposes. It will remain zoned as Residential – Third Density (R3). Section 3.17 (d) of said Zoning By-law 101-2015 shall not apply to Area B so long as Area B is subject to Site Plan Control.</p> <p>Notwithstanding the provisions of section 3.23.1 of Zoning By-law 101-2015, a parking lot shall be permitted on the lands identified as Area B, municipally known as 49 Nash Drive, as an accessory use to the uses in Area A and C.</p>	41-2019	Notwithstanding other provisions, the property described as ' <b>Anchor Inn' at 543 Lakeview Dr., 'Area B' at 49 Nash Dr. and 'Area C' at the southside of Nash Street,</b> be rezoned from HC-Highway Commercial to HC[42]- Highway Commercial with exception [42] to allow for the development of uses permitted within the HC- zone, including a Resort Commercial Establishment with up to thirty-five (35) accommodation units as set out in Area A and enable site specific provisions.
[43] – R3	Supportive Housing is a permitted use on this property.	54-2019	Pertaining to <b>661 Ninth Street North</b>
[44] - RU	Will use of the property as a small farm & small campground, offering people travelling with horses' short-term accommodation, & the potential for summer & year-round cabins in a future phase of development, not to exceed 25% of the total property area.	112-2019	Notwithstanding other provisions, the property located at <b>66 Cambrian Drive described as Part of Part 1 Plan 23R7345; 1' Reserve on Plan M639; NW end of Cambrian Dr.</b> be rezoned from RU - Rural to RU[44] – Rural Exception Zone.
[45] – R3	To allow an existing building to apply for a change of use permit for an apartment dwelling containing six (6) units, & to having interior & exterior access; with legal non-complying building setbacks (4.3 m front yard, 0.6 m	124-2019	Notwithstanding other provisions, the property located at <b>915 Ottawa Street, Plan 18 BLK 49 Lot 12; Townsite of Keewatin</b> be rezoned from I to R3[45] - Residential Third Density Exception Zone.

	interior side yard, 8 m rear yard), and total of 10 parking spaces on site & 7 parking spaces having deducted lengths of 5.36 m.		
[46] – ML	The minimum front yard shall be reduced from 6m to 1.6m; the minimum exterior side yard on the Southerly side shall be reduced from 6m to 1.7m; and the minimum exterior side yard on the Northerly side shall be reduced from 6m to 2.4m.	191-2019	Notwithstanding other provisions, the property located <b>661 Ninth Street North</b> , as illustrated on Schedule "A" to this by-law, be rezoned from the FD - Future Development, ML - Heavy Industrial & R2(h) - Residential Second Density Zones, to ML[46] - Light Industrial Exception Zone.
[47] – GC and HL	For a portion of the property located south of the existing retaining wall & limit use to a restaurant which is legally non-complying.	186-2019	Notwithstanding other provisions, the property specifically known as <b>310 Matheson St, generally known as "The Boathouse" Restaurant</b> , be rezoned from GC – General Commercial and HL – Hazard Lands to GC and HL [47] – General Commercial and Hazard Land Exception Zone
[48] – TR EP, HL	To bring an existing legal non-conforming use as a marina into conformity with the Kenora Zoning By-law 101-2015, & to allow for the development of a 557m <sup>2</sup> recreational vehicle showroom with a reduced rear yard setback of 3.43m.	17-2020	Notwithstanding other provisions, the property described as <b>874 &amp; 876 River Drive, Kenora ON, locally known as "K-Sports Marine"</b> be rezoned from R2- Residential Second Density, EP- Environmental Protection and HL- Hazard Land Zone to TR-Tourist Recreational, EP-Environmental Protection and HL-Hazard Lands, Exception [48].
[49] – R3	To allow for the development of a multiple attached dwelling containing four (4) units & to permit and accessory structure to be located closer to the street than the main building.	18-2020	Notwithstanding other provisions, the property described as <b>1103 Fourth Street South, Kenora ON</b> be rezoned from R2 - Residential Second Density Zone to R3[49] - Residential Third Density Exception Zone.
[50] – GC	A minimum front yard setback of 10m and a minimum exterior side yard setback of 10m shall be required.	191-2019	Notwithstanding other provisions, the property located at <b>501 Ninth Street N</b> , as illustrated on Schedule "A" to this by-law, be rezoned from the FD - Future Development, MH - Heavy Industrial & R2(h) - Residential Second Density Zones, to GC[50] - General Commercial, Exception Zone.
[51] - RU	That on the subject lands to be rezoned "RU[51] Rural, Exception Zone a Commercial Storage Facility shall be a permitted use.	110-2021	Notwithstanding other provisions, the property specifically described as <b>865 East Melick Road, Kenora ON</b> will be rezoned from RU - Rural Zone to RU[51] - Rural Exception Zone.

<p>[52] – HC</p>	<p>The definition of a “Micro-Brewery” as it pertains to the subject lands shall be amended to the following: A building that is used for the self-contained manufacturing, production, storage, packing, bottling, canning &amp; shipping of no more than 50,000 hectoliters of beer per year authorized by a license by the Alcohol and Gaming Commission of Ontario &amp; which does not result in nuisances or emissions (e.g. noise, odor, fumes, vibrations). A small-scale brewery may include the following additional uses:</p> <ul style="list-style-type: none"> <li>a) An area where products are made on the premises &amp; products made off the premises, by or in collaboration with another brewery, winery or distillery are sold to the general public for consumption on the premises;</li> <li>b) A private hospitality area for tasting &amp; dining where products made on premises are provided to private groups;</li> <li>c) An area for the retail sale of products made on the premises for consumption off the premises;</li> <li>d) Special events and tours; and</li> <li>e) An office for administrative purposes.</li> </ul>	<p>22-2022</p>	<p>Notwithstanding other provisions, the <b>portion of 1415 &amp; 1435 Valley Drive</b>, identified on Schedule A attached to this by-law, be rezoned from RU- Rural Zone and HC – Highway Commercial Zone to HC[52] – Highway Commercial Exception Zone.</p>
<p>[53] – RU</p>	<p>That on the subject lands:</p> <ul style="list-style-type: none"> <li>a) Community Hall, Place of Assembly and Youth Camp shall be permitted uses;</li> <li>b) A minimum setback of 7.0m shall be required from any part of a principal building or structure from the edge of the TransCanada pipeline right-of-way;</li> <li>c) A minimum setback of 3.0m shall be required from any part of an accessory building or accessory structure from the edge of the TransCanada pipeline right-of-way;</li> <li>d) A minimum setback of 7.0m from the nearest portion of a TransCanada pipeline right-of-way shall also apply to any</li> </ul>	<p>67-2022</p>	<p>Notwithstanding other provisions, the property located at <b>371 Strecker Road</b> be rezoned from RU- Rural Zone, MX- Extractive Industrial Zone, TR[HL] – Tourist Recreational Zone with a Hazard Land Exception Zone overlay and EP – Environmental Protection Zone to RU[53] - Rural Exception Zone and EP – Environmental Protection Zone.</p>

	parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces and any associated aisle or driveway.		
[54] - GC	That in the General Commercial, Exception Zone [54]: a) A dwelling unit is permitted on the ground floor of a multi-storey building; b) A commercial use is permitted on the fourth floor; c) The minimum number of parking spaces required for each dwelling unit is 1.0 parking spaces & no visitor parking is required; and d) The maximum permitted building height is 13.9m.	128-2022	Notwithstanding other provisions, the property located at <b>216 Matheson Street South</b> , be rezoned from GC –General Commercial Zone to GC[54] – General Commercial Exception Zone.
[55] - ML	Exception Zone with permitted site-specific Agricultural Use (Greenhouse).	24-2023	Notwithstanding other provisions, the property located at <b>65 Jones Road</b> be rezoned from ML – Light Industrial Zone to ML[55] – Light Industrial Exception Zone.
[56] – ML, EP, HL	Non-habitable accessory storage buildings, in which there is no storage of chemical products, are permitted in the Hazard Land Zone.	39-2023	Notwithstanding other provisions, the property located at <b>1439 Railway Street Kenora ON</b> be rezoned from ML – Light Industrial Zone, EP – Environmental Protection and HL – Hazard Land Overlay to ML- Light Industrial Zone, EP – Environmental Protection Zone and HL[56] – Hazard Land Overlay Exception Zone.
[57] - LC	That on the subject lands: a) A shelter kennel is a permitted use; b) A shelter kennel may only be used for the housing of cats; c) The shelter kennel use is restricted to indoor areas.	101-2015	Notwithstanding other provisions, the property described as <b>725 Railway Street</b> be rezoned from LC- Local Commercial Zone to LC[57] – Local Commercial Exception Zone.
[58] - ML	That on the subject lands an instructional facility is a permitted use.	157-2023	Notwithstanding other provisions, the property described as <b>Lots 10 and 11, Plan 23M974</b> be rezoned from ML – Light Industrial Zone to ML[58] – Light Industrial, Exception Zone.
[59] – RR	That on the subject lands the minimum permitted lot size shall be reduced to 0.95 ha.	156-2023	Notwithstanding other provisions, the property identified as <b>Lot 4 Plan 23M979</b> be rezoned from RU – Rural Zone to RR[59] – Rural Residential, Exception Zone.

[60] – R3	To permit four (4) separate four-unit dwellings to be built on a single lot be approved.	2-2024	Notwithstanding other provisions, the property described in <b>File No. D14-23-11 and described as the Unaddressed Property, North of the CPR Railyard and West of Thirteenth Ave. N.</b> be rezoned from RU – Rural Zone and R1 – Residential First Density Zone to R3[60] – Residential Third Density, Exception Zone with a site-specific exemption.
[61] - HC	Permits the establishment of a bulk fuel sales and handling facility, including a warehouse, office space, “card lock” and fuel storage.	105-2024	Notwithstanding other provisions, the easternmost 3.0 ha of a property described as an <b>unassigned address on the Airport Road, Kenora ON legally described as PCL 14151 SEC DKF; PT LOCATION D39 JAFFRAY PT 1 &amp; 2 23R6798 KENORA</b> be rezoned from MX – Extractive Industrial Zone to HC[61] – Highway Commercial, Exception Zone.
[62] - LC	The addition of recreational rental establishment as a permitted use.	107-2024	Notwithstanding other provision, the property described as <b>834 River Drive, legally described as PCL 28212 SEC DKE; PT LOCATION 368P JAFFRAY PT 2 &amp; 3, 23R3347; AND PCL 25128 SEC DFK; PT LOCATION 368P JAFFRAY PARTS 7, 8 &amp; 9, 23R3347; KENORA</b> be rezoned from R2 – Residential Second Density Zone to LC[62] – Local Commercial Exception Zone.
[63] - LC	That on the subject lands rezoned Local Commercial, Exception Zone [63]: a) Mixed-use, multi-unit residential development shall be permitted with local commercial use(s) on the main floor and residential units on the upper floors; b) The maximum building height shall be 15 metres; and c) Employee and visitor parking shall be permitted in a required front yard adjacent to a residential zone.	140-2024	Notwithstanding other provision, the property described as <b>PCL 25173 SEC DKF; FIRSTLY LT 4 CON 3 JAFFRAY PT 5, KR916 EXCEPT PT, KR1125; SECONDLY PT LT 5 CON 3 JAFFRAY PT2, KRR916; S/T LT 204349; KENORA</b> be rezoned from RU – Rural Zone to LC[63] – Local Commercial Exception Zone.
[64]-R1	Addition of a new site-specific exception to R1 [64]: a) Permitted Uses • All uses in the R1 Zone; and • A Day Nursery (Early learning Centre) b) Off-Site Parking	172-2025	Notwithstanding other provisions, the property located in <b>67&amp;69 Amethyst Street</b> be rezoned from R1 – Residential First Density Zone to R1[64] – Residential First Density Exception Zone.

	<ul style="list-style-type: none"> <li>• Required parking for the Day Nursery use may be provided off-site within 120 metres of the subject property, subject to a valid lease agreement maintained to the satisfaction of the City of Kenora.</li> </ul> <p>c) Driveway Width</p> <ul style="list-style-type: none"> <li>• The maximum driveway width shall be 9.0 metres, consisting of one 4.5 metre ingress lane and one 4.5 m egress lane, to facilitate safe drop-of and pick-up circulation</li> </ul>		

## **Section 6      Zoning Schedules (Maps)**

This Section includes the Key Map and the five (5) Zoning Schedules (Maps) for the entire City of Kenora. The City is divided into 5 areas for easy reference. A key map is provided in the top right hand corner of each Map for geographical reference purposes.

## **Section 7 Amending By-laws**

**By-law No. 52-2016** Map Amendment: 100 First Avenue West from I Institutional to R3 Residential – Third Density.

**By-law No. 81-2016** Map Amendment Pine Portage Road from R2 Residential – Second Density to R3 Residential – Third Density.

**By-law No. 115-2016** Map Amendment: 1731 Railway Street from RU Rural Zone to R3 Residential –Third Density.

**By-law No. 3-2017** Map Amendment: 116 Fifth Avenue South from I-Institutional to I[25], to allow for additional use of Emergency Shelter as defined in the by-law.

**By-law No. 14-2017** Map Amendment: 1 Seventh Street South from R1 to R1[35] and excepting property from provisions for home occupations, including accommodation of a total floor area of 310 m<sup>2</sup>, which is 69% of the building, to enable office space for seven (7) employees, and for the operation of the occupation not to be by the resident.

**By-law No. 24-2017** Map Amendment: 7044 Coker Road from RU Rural to BSL[36] Black Sturgeon Lake (Restricted Development Area) Zone, and excepting the property from Section 3.13.5, to increase the frontage to depth ratio from 1:5 to an average of 1:7.

**By-law No. 50-2017** Map Amendment: 65 Goss Road from RU Rural to RU[37] to allow for a commercial storage facility on the northern half of the lot being 70.8m from the northern lot line.

**By-law No. 62-2017** Map Amendment: Trojan Avenue / Lots 115, 116 & 117, Plan M39, Blk L; Loc X21 from R2 Residential – Second Density Zone to R3 Residential – Third Density Zone.

**By-law No. 4-2018** Map Amendment: Lots 1 to 4, Plan M-106 from R2 Residential – Second Density Zone to R3 Residential – Third Density Zone.

**By-law No. 35-2018** Map Amendment: 166 Ritchie Road from RU Rural to RR Rural Residential

**By-law No. 36-2018** Map Amendment: 1930 Highway 17 West from RR Rural Residential to RR[38], to allow for use of a converted dwelling on a lot with reduced frontage, to accommodate a 3-unit dwelling and allow for 0.43 ha to be transferred to an abutting lot.

**By-law No. 59-2018** Map Amendment: 100 Kelly Lake Road from TR Tourist Recreational Zone to BSL Black Sturgeon Lake (Restricted Development Area) Zone.

**By-law No. 60-2018** Map Amendment: 1731 Railway Street from R3 Residential – Third Density to R3[39] to reduce the interior side yard from 2.5m to 0m, exterior side yard from 4m to 0.35m, increase lot coverage from 40% to 55%, to amend

the definition of a “Street” as it pertains to the subject lot, to allow for frontage on a private road, as a site specific provision.

**By-law No. 108-2018** Map Amendment: Island K144 from RR Rural Residential to RR[40], to allow lots with a minimum frontage of 22m and minimum lot area of 0.82ha, and to zone a portion of the shoreline protecting fish habitat and providing habitat for Golden Eye Lichen and Cartilage Lichen, being 20m in width and approximately 420m in length to EP Environmental Protection Zone.

**By-law No. 131-2018** Map Amendment: 1053 Lakeview Drive from MH Heavy Industrial to MH[41], to create one new lot (approx. 0.28ha) and the retained portion (approx. 0.97ha), with permitted use limited to existing uses which include industrial/commercial barging, marine transportation depot and contractor services, as site specific provisions.

**By-law No. 140-2018 (REPEALED)** Map Amendment: Lots 25-37, Plan M63 from HC Highway Commercial to I Institutional.

**By-law No. 24-2019** Map Amendment: 200 First Street North from I Institutional to R3 Residential – Third Density

**By-law No. 39-2019** Repealed By-law No. 140-2018.

**By-law No. 41-2019 (Under Appeal)** Map Amendment: 543 Lakeview Drive, 49 Nash Drive / Block 3, Plan 3, Part of Lot 1 to 3, Part Main Street, RP 23R-12204 Parts 3 to 7 from HC Highway Commercial to TR[42] Tourist Recreational, to reduce the east side yard setback from 4.5m to 1.6m, the west wide yard from 4.5m to 2.4m, the front yard setback to 6m, the rear yard to 4.5m, and building height to 15 in area ‘A’ and a two storey Club House and Administration Office with two resort units, not to exceed 7m in height, to reduce the setback from water to 6m, to reduce the rear yard setback to 4.5m in area ‘C’.

**By-law No. 54-2019** Text Amendment: 661 Ninth Street North from R2h to R3[43], adding definition for ‘Supportive Housing’, and amending Table 4 of Section 3.23.

**By-law No. 85-2019** Text Amendment: Definitions and Section 3.34.5

**By-law No. 97-2019** Map Amendment: Property known as “Kendall House” – “will have the effect of changing the zoning of the subject property being a legal non-complying building for those uses permitted in the R3 Residential – Third Density Zone”.

**By-law No. 98-2019** Text Amendment: Establishing SH Small Home Zone (Section 4.20).

**By-law No. 112-2019** Map Amendment: 66 Cambrian Drive from RU Rural to RU[44] to allow a campground and resort as site specific exemptions, not to exceed 25% of the total property area.

**By-law No. 124-2019** Map Amendment: 915 Ottawa Street from I Institutional to site-specific RD[45] Residential – Third Density to allow an existing building with non-complying setbacks, 10 parking spaces, seven with reduced lengths of 5.36m.

**By-law No. 172-2019 (REPEALED)** Map Amendment: 661 Ninth Street North from FD, MH, and R2[h] to GC[50], ML, ML[46], R3[h], establish 10m front yard and exterior side yard setbacks in the GD[50], and front yard of 1.6m, exterior side yard (south) of 1.7m, and exterior side yard (north) of 2.4m in the ML[46], and h holding zone may not be removed until conditions are met. **[REPEALED]**

**By-law No. 186-2019** Map Amendment: 310 Matheson Street from GC and HL to GC and HL[47].

**By-law No. 187-2019 (REPEALED)** Map Amendment: 768 Ninth Street North from MH to GC. **[REPEALED]**

**By-law No. 189-2019** Repealing By-law 172-2019.

**By-law No. 191-2019** Map Amendment: former Abitibi mill site from FD, MH, r2[h] to GC[50], ML, ML[46] and R3[h], with reduced setbacks and holding zones as detailed in by-law.

**By-law No. 17-2020 (REPEALED)** Map Amendment: 874 & 876 River Drive from R2 Residential Second Density, EP Environmental Protection, and HL Hazard Land Zone to TR Tourist Recreational, EP Environmental Protection and HL Hazard Lands, Exception [48] to bring an existing legal non-conforming use as a marina into conformity with the zoning by-law, and to allow for the development of a 557 m<sup>2</sup> recreational vehicle showroom with a reduced rear yard setback of 3.43m. **[REPEALED]**

**By-law No. 18-2020** Map Amendment: 1103 Fourth Street South from R2 Residential – Second Density to R3 Residential – Third Density Zone, Exception [49], to allow for the development of a multiple attached dwelling containing four (4) units and to permit an accessory structure to be located closer to the street than the main building.

By-law No. 35-2020

**By-law No. 10-2021** Map Amendment: 63 Nash Street from R3 Residential – Third Density Zone to HC Highway Commercial Zone.

**By-law No. 34-2021 [REPEALED]** Central Park lands from OS Open Space Zone to R3 Residential – Third Density Zone **[REPEALED]**

**By-law No. 75-2021** Map Amendment: 613 Ottawa Street from GC General Commercial Zone to R2 Residential – Second Density Zone.

**By-law No. 76-2021** Map Amendment: 321 First Avenue South from GC General Commercial Zone and HL Hazard Land Zone to GC[h] General Commercial, Holding Zone. The holding symbol may be removed when a Record of Site Condition for purposes of residential use is submitted to the Ministry of the Environment, Conservation and Parks.

**By-law No. 110-2021** Map Amendment: 865 East Melick Road from RU Rural Zone to RU[51] Rural, Exception Zone, to allow a commercial storage facility as a permitted use.

**By-law No. 126-2021** Map Amendment: 661 Ninth Street North from ML Light Industrial Zone to GC General Commercial Zone.

**By-law No. 148-2021** Map Amendment: NE corner of Sunset Bay Road and Transmitter Road intersection from R1 Residential – First Density Zone to R2 Residential – Second Density Zone.

**By-law No. 159-2021** Map Amendment: Unaddressed property east of Ninth Avenue North from RU Rural Zone and I Institutional Zone, to R3 Residential – Third Density Zone.

**By-law No. 22-2022** Map Amendment & Text: 1415 & 1435 Valley Drive from RU Rural Zone and HC Highway Commercial Zone to RU Rural Zone, HC[52] Highway Commercial, Exception Zone and R3 Residential – Third Density Zone. HC[52] zone amends the definition of a micro-brewery as it pertains to the subject lands as follows:

A building that is used for the self-contained manufacturing, production, storage, packing, bottling, canning, and shipping of no more than 50,000 hectolitres of beer per year authorized by a license issued by the Alcohol and Gaming Commission of Ontario, and which does not result in nuisances or emissions (e.g. noise, odour, fumes, vibrations). A small-scale brewery may include the following additional uses:

- a) An area where products are made on the premises and products made off the premises, by or in collaboration with another brewery, winery, or distillery, are sold to the general public for consumption on the premises;
- b) A private hospitality area for tasting and dining where products made on premises are provided to private groups;
- c) An area for the retail sale of products made on the premises for consumption off the premises;
- d) Special events and tours; and,
- e) An office for administrative purposes.

**By-law No. 37-2022** Map Amendment: 1439 Railway Street from ML Light Industrial Zone and R2 Residential – Second Density Zone with a HL Hazard Land Zone overlay and an EP Environmental Protection Zone overlay, to GC General Commercial Zone with a HL Hazard Land Zone overlay and an EP Environmental Protection Zone overlay.

**By-law No. 67-2022** Map Amendment & Text: 371 Strecker Road from RU Rural Zone, MX Extractive Industrial Zone, TR[HL] Tourist Recreational Zone with a Hazard Land Exception Zone overlay, and EP Environmental Protection Zone, to RU[53] Rural, Exception Zone and EP Environmental Protection Zone. On lands to be rezoned RU[53]:

- a) Community Hall, Place of Assembly, and Youth Camp shall be permitted uses.

- b) A minimum setback of 7.0m shall be required from any part of a principal building or structure from the edge of the TransCanada pipeline right-of-way.
- c) A minimum setback of 3.0m shall be required from any part of an accessory building or accessory structure from the edge of the TransCanada pipeline right-of-way.
- d) A minimum setback of 7.0m from the nearest portion of a TransCanada pipeline right-of-way shall also apply to any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces, and any associated aisle or driveway.

**By-law No. 86-2022** Map Amendment: 1401 River Dr from HC Highway Commercial Zone to R3 Residential- Third Density Zone.

**By-law No. 87-2022** Map Amendment: 216 Matheson Street South from I Institutional Zone to GC General Commercial Zone.

**By-law No. 115-2022** Text Amendment: Repeal of Zoning By-Law No. 34-2021.

**By-law No. 128-2022** Map Amendment: 216 Matheson Street South from GC General Commercial Zone to GC[54] General Commercial, Exception Zone and that in the GC[54] zone:

- a) a dwelling unit is permitted on the ground floor of a multi-storey building;
- b) a commercial use is permitted on the fourth floor;
- c) the minimum number of parking spaces required for each dwelling unit is 1.0 parking spaces and no visitor parking is required; and
- d) the maximum permitted building height is 13.9m.

**By-law No. 161-2022** Map Amendment: Unaddressed property on Nelson Street from R1 Residential – First Density Zone to R2 Residential – Second Density Zone.

**By-law No. 24-2023** Map Amendment: Unaddressed property on Jones Road from ML Light Industrial Zone to ML[55] Light Industrial, Exception Zone, to allow for Agricultural Use (greenhouse) to be a permitted use.

**By-Law No.38-2023** Text Amendment: Amended Section 2 definitions, Section 3.13.1 Replacing “secondary dwelling” with “additional residential unit”, and deleted Section 3.28 Secondary Dwelling Units replaced with Section 3.28 Additional Residential Unit.

**By-law No. 39-2023** Map Amendment: 1439 Railway Street from ML Light Industrial Zone, EP Environmental Protection Zone, and HL Hazard Land zone to ML Light Industrial Zone, EP Environmental Protection Zone, and HL[56] Hazard Land, Exception Zone, with not-habitable accessory storage buildings in which there is no storage of chemical products permitted in the HL[56] zone.

**By-law No.98-2023** Map Amendment: 725 Railway Street from LC Local Commercial Zone to LC[57] Local Commercial, Exception Zone and in the LC[57] zone:

- a) A shelter kennel is a permitted use.
- b) A shelter kennel may only be used for the housing of cats.

c) The shelter kennel use is restricted to indoor areas.

**By-law No. 108-2023** Map Amendment: 43 Rabbit Lake Road from HC Highway Commercial Zone to R3 Residential – Third Density Zone.

**By-law No. 120-2023** Map Amendment: 661 Ninth St N removal of the Holding [h] provision from a portion of Lot 5 for which a record of Site Condition has been completed, to allow the use of the land in accordance with the R3 Residential- Third Density Zone.

**By-law No. 153-2023** Map Amendment: Unaddressed property on Darlington Drive from RU Rural Zone to ML Light Industrial Zone.

**By-law No. 156-2023** Map Amendment: Unaddressed property off of Villeneuve Road North from RU Rural Zone, HC[h] Highway Commercial, holding Zone, and RR Rural Residential Zone to RR Rural Residential Zone, RR[59] Rural Residential, Exception Zone, OS Open Space Zone, and RU Rural Zone, and that within the RR[59] zone the permitted lot size is reduced to 0.95 ha.

**By-law No. 157-2023** Map Amendment: Unaddressed property west of Ninth Avenue North and north of Fifth Street North from ML Light Industrial Zone to ML [58] Light Industrial, Exception Zone, to allow for Instructional Facility to be a permitted use.

**By-law No. 167-2023** Text Amendment: Updating regulations for secondary dwellings (Section2 Definitions, Section 3.13.1, Section 3.28, deleting Section 3.32)

**By-law No. 002-2024** Map and Text Amendment: Unaddressed property- North of CPR Railyard and West of 13<sup>th</sup> Ave N from 'RU' Rural Zone and 'R1' Residential Frist Density Zone to 'R3 [60]' Residential Third Density, Exception Zone with a site-specific exemption Section 3.13.1.

**By-law No. 12-2024** Map Amendment: 468 Darlington Drive from RU Rural Zone to ML Light Industrial Zone.

**By-law No. 13-2024** Map Amendment: 401 Sixth Avenue South from I Institutional Zone to GC General Commercial Zone.

**By-law No. 105-2024** Map and Text Amendment: Unaddressed property on Airport Road from MX extractive Industrial Zone to R2[h] Residential- Second Density zone, holding Zone and change zoning of the easternmost 3.0 ha from MX Extractive Industrial Zone to HC [61] Highway Commercial Zone, Exception Zone HC [61] permits the establishment of a bulk fuel sales and handling facility, including a warehouse, office space, "card lock", and fuel storage.

**By-law No. 106-2024** Map Amendment: 613 Ottawa Street from R2 Residential- Second Density Zone to GC General Commercial Zone.

**By-law No. 107-2024** Map and Text Amendment: 834 River Drive from R2 Residential- Second Density Zone to LC [62] Local Commercial Zone- exception LC [62] addition of recreational rental establishment as a permitted use.

**By-law No. 140-2024** Map and Text Amendment: PCL 25173 SEC DRF; Firstly LT 4 CON 3 JAFFRAY PT 5, KR916 EXCEPT PT 1, KR1125: SECONDLY PT LT 5 CON 3 JAFFRAY PT 2, KR916; S/T LT 204349 from RU Rural Zone to LC [63] Local Commercial Zone Exception Zone that in the LC [63] zone:

- a) Mixed-use, multi-unit residential development shall be permitted with local commercial use(s) on the main floor and residential units on the upper floors;
- b) The maximum building height shall be 15 metres; and
- c) Employee and visitor parking shall be permitted in a required front yard adjacent to a residential zone.

**By-law No. 175-2024** Text Amendment: 1206 Sixth Street North from “R3[59]” to “R3[60]” Residential- Third Density, Exception Zone, with a site-specific exemption from 3.13.1 to permit four separate four-unit dwellings to be build on a single lot, thereby correcting a numbering error.

**By-law No.3-2025** Map Amendment: 661 Ninth Street N removal of the Holding [h] provision from Lot 15 Plan 23M-974 R3[h], Residential third Density, Holding Zone to R3- Residential Third Density.

**By-law No. 20-2025** Text Amendment: Section 3.23.5 Barrier-Free Parking Spaces deleted and replaced with updated text, table and figure.

**By-law No. 87-2025** Map Amendment: Unaddressed property on Fourth Street South, legally described as Lots 2, 3, 4, 5, and 6, Plan M25; and all that portion of Cross Street located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue on Plan M25 from R2- Residential Second Density to R3[H] Residential Third Density with Holding Provision. The holding [H] symbol shall not be removed until such time as the City has received and approved final confirmation that site servicing, including sanitary, stormwater, water supply, and road access, can be adequately provided in accordance with municipal standards.

**By-law No. 88-2025** Text Amendment: Section 3.23.1 Table 4 outlined minimum required for apartment dwellings, multiple attached dwellings and stacked dwellings, outside the Harbourn Centre Area from 1.5 stalls per dwelling unit to 1 stall per dwelling unit. Added Section 3.23.10 Prohibition of Tandem Parking in Parking Calculations, Section 3.23.11 Stall Width for Covered and Underground Parking and Section 3.23.12 Accommodations for Obstructions Adjacent to Parking Spaces.

**By-law No. 136-2025** Map Amendment: Unaddressed property on Fourth Street South legally described as Part 1, Part 5, and Part 6 removing Holding [H] symbol from R3[H]-Residential Third Density Holding Zone and shall now be R3- Residential Third Density.

**By-law No. 172-2025** Map Amendment: 67 & 69 Amethyst Street R1 Zone- Residential First Density Zone to R1[64] Residential First Density Zone, Exception Zone and in the R1[64] zone:

- a) Permitted Uses

- All uses permitted in the R1 zone; and
- A Day nursery
- b) Off-Site Parking
  - Required parking for the Day Nursery use may be provided off-site within 120 metres of the subject property, subject to a valid lease agreement maintained to the satisfaction of the City of Kenora
- c) Driveway Width
  - The maximum driveway width shall be 9.0 metres, consisting of one 4.5 metre ingress lane and one 4.5 metre egress lane, to facilitate safe drop-off and pick-up circulation.

**By-law No. 9-2026** Map Amendment: Unaddressed property on Fifth Street North legally described as Part of Lot 6 Plan 23M-974 removing Holding [H] symbol from R3[H]-Residential Third Density Holding Zone and shall now be R3- Residential Third Density.