

building or **structure**, or by a combination of walls and fences, at least 1.5 metres (4.92 ft) in height and despite any other provisions to the contrary, an outdoor swimming pool and its associated mechanical equipment, shall be located, altered, **erected** or renovated in accordance with the following provisions:

- i. An outdoor swimming pool shall be set back a minimum of 1.5 m (5 ft) from any **lot line**;
 - ii. No outdoor swimming pool accessory to a permitted residential **use** shall be located in any part of a front or exterior side yard; and
 - iii. Any filter, pumps, or similar operating machines are a minimum distance of 0.6 metres from any **lot line** and a minimum distance of 3.0 meters from any **main building**.
- n) A **storage container** shall not be used as an **accessory building** or **structure** except as may otherwise be permitted under this By-Law. Within the Industrial zone, storage containers may be permitted as an **accessory use** to the **principal or main use** but shall be used exclusively for the storage of goods and materials and shall not be used to accommodate work areas, shops, office uses, retail sales or human habitation.

3.3 ADEQUATE MUNICIPAL SERVICES

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

- a) in the Resource¹ Development (RD) **Zone**, the Seasonal Residential (SR) **Zone**, or where municipal water and/or sewage systems are not available, private services approved by the Northwestern Health Unit may be permitted; or
- b) where the lands are subject to unique servicing constraints or restricted connection privileges through separate municipal by-laws and through legal and servicing agreement with the **Town** of Fort Frances, such lands are considered to be in compliance with this **By-Law**.

3.4 COMMUNITY GARDEN

Where a **community garden** is a permitted **use**, it shall be subject to the following conditions:

- a) All **accessory structures** shall comply with **accessory structure setbacks** as stipulated in the general provisions for **accessory uses**;
- b) Composting is limited only to the materials generated on site, and shall be used on-site and **lot coverage** for composting shall not exceed 5% of the **lot area**;
- c) Compost bins shall be rodent resistant and shall respect the **setbacks** for **accessory uses**;
- d) No off-street parking is required for a **community garden use**;
- e) Planting areas shall be **setback** from the property line a minimum of 1.5 m;
- f) Hoophouses and greenhouses are permitted **structures** in **community gardens** subject to height and **setback** requirements of the zone but not lot coverage requirements; and
- g) **Community garden** planting areas shall be designed and maintained to prevent water from irrigation, storm water and/or other activities and/or fertilizer from draining onto adjacent property.

¹ Amended by 3-14-B – Sept 8, 2014 – to correct typographical error