

3.18 OBNOXIOUS USES

Nothing in this By-law shall be construed to permit the **use** of land for the **erection** or **use** of a **building** or **structure** for any purpose:

- a) that is or is likely to become a nuisance or offensive:
 - i. by the creation of a noise or vibrations; or
 - ii. by reason of the emission of gas, fumes, dust or objectionable odour; or
 - iii. by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter or other such material; and
- b) which by the nature of the materials used therein is declared under the *Public Health Act*, as amended, or any other regulations thereunder to be a noxious or offensive trade, business or manufacture

3.19 OUTSIDE STORAGE/OUTDOOR STORAGE

Where **outside storage** is a permitted **use** or a permitted **accessory use** the following provisions shall apply:

- a) storage of goods and materials including refuse containers are not permitted within 6.0 metres of a Residential zone;
- b) storage and goods and materials including refuse containers shall be permitted in the required rear yard and interior side yard; and
- c) storage areas are to be screened from the view of adjacent streets by means of solid board fencing and/or landscaping features 2.0 metres in height, nor shall any material be piled higher than the surrounding screening.

3.20 PARKING AREA REGULATIONS

no development shall be permitted for any **use** or **building** except where vehicular off-street **parking spaces** are provided and maintained in accordance with the following regulations.

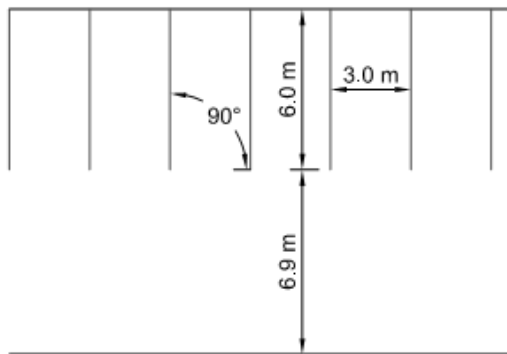
Notwithstanding the **yard** and **setback** provisions of this By-law to the contrary, uncovered surface **parking areas** shall be permitted in the **required yards** or in the area between the street line and the required **setback**.

Where in this By-law **parking areas** are required or permitted for 4 or more vehicles the following provisions shall apply:

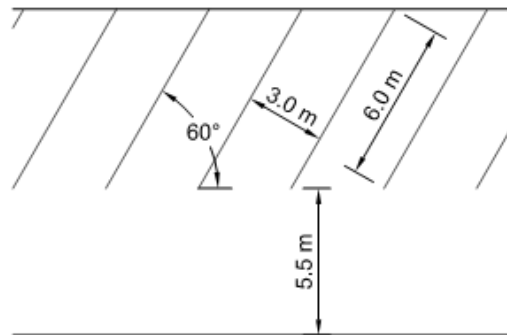
- a) when a **building** or **structure** accommodates more than one type of **use**, the **parking space** requirement for the whole **building** shall be the sum of the requirements for the separate parts of the **building** occupied by the separate types of **use**;
- b) adequate drainage facilities shall be provided and maintained in accordance with the requirements of the **Town**;
- c) the **parking area** and approaches shall be surfaced with concrete, asphalt, double float tar and chip surface, or a combination thereof;
- d) the lights used for illumination of **parking areas** shall be so arranged and located as to divert the light away from adjacent **lots** and directed on the **parking area**;
- e) **parking areas** shall be within 90.0 meters of the location which it is intended to serve and shall be situated in the same zone;
- f) each **parking space** shall be provided with unobstructed access to a street by a driveway, aisle or **laneway**;
- g) a **buffer strip** of landscaped area not less than 3.0 metres wide lying within the **lot** and along the boundaries of the **parking area**;

- h) The length of any **parking space** and the width of the adjacent aisle shall be in accordance with the following:

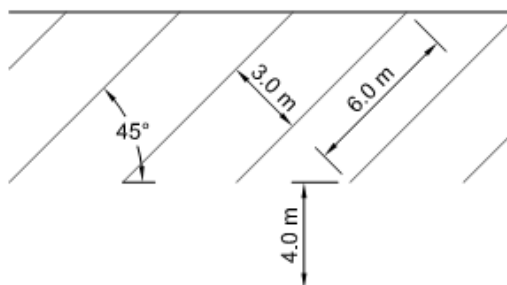
ANGLE OF PARKING SPACES	PARKING SPACE WIDTH (minimum)	PARKING SPACE LENGTH (minimum)	AISLE WIDTH (minimum)
90°	3 m	6.0 m	6.9 m
60°	3 m	6.0 m	5.5 m
45°	3 m	6.0 m	4.0 m
30°	3 m	6.0 m	3.7 m
Parallel	3 m	6.7 m	3.0 m



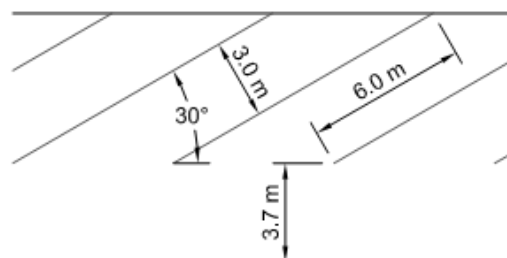
90° PARKING SPACE



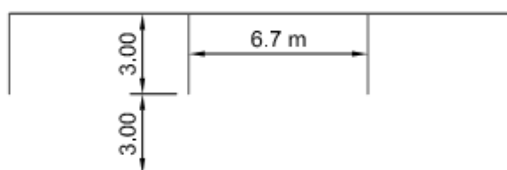
60° PARKING SPACE



45° PARKING SPACE



30° PARKING SPACE



0° PARKING SPACE
(PARALLEL PARKING)

Notwithstanding any other provisions of this by-law, the requirements for parking areas and approaches to be hard surfaced (3.20(c)) shall not apply to developments in the Town of Fort Frances Industrial Park area being land located in the municipality bounded on the south by the CNR Railway line, on the west by McIrvine Road, on the north by Eighth Street West and on the east by Webster Avenue and zoned Industrial in the Town of Fort Frances Zoning By-Law unless required by Site Plan Control. The parking area shall be maintained with a stable surface that is treated so as to prevent the raising of dust.¹

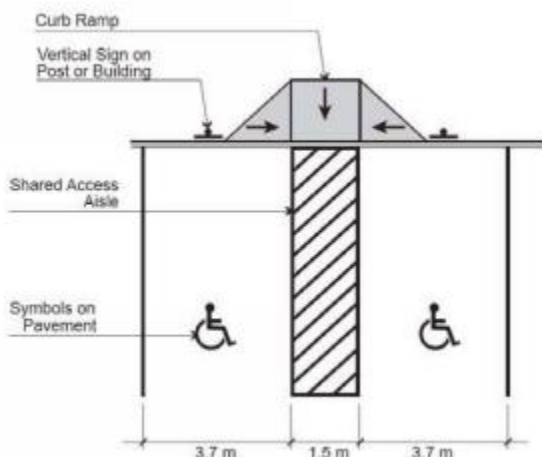
Barrier-Free Parking Spaces

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

- each barrier-free parking space shall have a minimum width of 3.7 m and a minimum length of 7 m;
- if two adjacent spaces are designated for the disabled, then the total width of both spaces together shall be 6.4 m if a 1.5 m wide accessible aisle separates the two spaces;
- if no access aisle separates the spaces, the total width of the two spaces shall be 7.4 m;
- barrier-free parking spaces shall be located on level ground within close proximity and access to the building entrance;
- barrier-free parking spaces shall be clearly marked and reserved for the exclusive use of physically disabled persons.

Required Barrier-Free Parking Spaces

Capacity of Parking Area (Number of Parking Spaces)	Minimum Number of Barrier-Free Parking Spaces
1-10	0
11-25	1
26-50	2
51-75	3
76-100	4
More than 100	3% of total to a maximum of 10 spaces



¹ Amended January 11, 2016 – to provide relief from the hard-surfacing requirements for parking areas and spaces in the Industrial Park.

The **parking space** requirements referred to herein shall not apply to any **building** or **structure** lawfully in existence on the date of passage of this By-law, so long as the **gross floor area** is not increased and the **use** or number of **dwelling units** does not change. If any addition is made to a **building** or **structure** which increases its **gross floor area**, then **parking spaces** for the addition shall be provided as required by the **Parking Space Requirement Table**. Where a change in **use** occurs, **parking spaces** shall be provided for such new **use** in accordance with the requirements of the **Parking Space Requirement Table**.

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

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

Where a commercial **use** abuts or is adjacent to a navigable waterway, one third of the parking requirements may be in the form of boat slips maintained for the sole purpose of customer boat parking specifically for the commercial **use**. Such a space shall be at least 6 metres in length and have a width of 3 metres.

3.21 PARKING IN THE CENTRAL BUSINESS DISTRICT

Within a the Central Business District as shown on Schedule A, uses within the General Commercial (C2) **Zone** with the exception of **hotels**, **motels**, grocery stores exceeding 300 sq metres of gross floor space and residential units are exempted from providing parking.

3.22 PARKING SPACE REQUIREMENTS

Parking spaces are required under this By-law, in accordance with the **Parking Space Requirement Table**. Where the calculation of required spaces exceeds a whole space of more than .25, the required spaces shall be the next whole number.

Arena, Assembly Hall	1 per 5 seats or 3.0 m of bench seating or 1 per 4 people that may be legally accommodated at one time, whichever is greater
Agricultural/Farmers Market	1 per each 28 m ² of gross floor area
Bowling Alley	3 per each bowling lane
Office	1 per each 28 m ² of gross floor area
Community centre, Recreation or Fitness Establishment	1 per 100 m ² gross floor area
Curling Rink, Outdoor Recreation Facility, Sports Field	4 per game playing surface plus 10 per 100 m ² of gross floor area used for dining or assembly area.
Dry Cleaners Establishment	1 per each 9 m ² or fraction thereof of gross floor area with a minimum requirement of four spaces.
Farmers Market	1 per 4 people that may be legally accommodated at one time
Financial Establishment	1 per each 28 m ² of gross floor area

Golf Course	24 per each 9 holes of golfing facilities
Home Occupation/ Home Industry	1 in addition to the parking required for the dwelling
Hospital, Nursing Home & Assisted Living Facility	1 per every two beds
Hotel, Motel	1 per rental unit plus 1 additional space per 9m ² of floor area devoted to public uses
Industrial Uses not specifically identified	1 per 93 m ² of gross floor area or for each 3 employees, whichever is greater
Marina, Seaplane Base	1.5 per 1 boat slip and 1 per every 8 m ² of gross floor area for commercial use , exclusive of storage area

TYPE OF USE	MINIMUM NUMBER REQUIRED
Medical, Dental, or Veterinary Hospital or Drugless Practitioner Office	3 per practitioner or 1 space per 15 m ² gross floor area , whichever is greater
Place of worship Undertaking establishment	1 per 5 seats or 3.0 m of bench seating or 1 per 4 people that may be legally accommodated at one time, whichever is greater
Residential (includes senior apartments)	1 per dwelling unit where 4 or more 1.25 per dwelling unit
Restaurant, Tavern	1 per 9 m ² of floor space or 10 spaces, whichever is greater
Retail, Personal Services Establishment	1 per each 28 m ² of gross floor area
School, Elementary	1.5 per classroom or 1 space per 9 m ² of gymnasium or auditorium floor space, whichever is greater
School, Secondary	4 spaces per classroom or 1 space per 9 m ² of gymnasium or auditorium floor space, whichever is greater
Theater	1 per 4 people that may be legally accommodated at one time
Workshop Manufacturing, Processing, Assembling or Fabricating Plant, Wholesale Establishment, or Warehouse.	1 space per 35 m ² of gross floor area
Uses permitted but not listed in this table	1 parking space per 35 m ²

DRIVE-THRU BUSINESSES: QUEUING SPACES

Queuing spaces shall be provided for drive-thru business as follows:

- a) Five (5) inbound queuing spaces shall be provided for vehicles approaching the drive-up service window;
- b) One (1) outbound queuing space shall be provided on the exit side of each service position and this space shall be located so as not to interfere with service to the next vehicle; and
- c) All queuing spaces shall be a minimum of 6.5 metres long and 3 metres wide and queuing lanes shall provide sufficient space for turning and manoeuvring and shall not occupy any portion of a designated fire lane or a required parking aisle.

Queuing spaces shall be measured as follows:

- a) For a drive-thru with a service window, it shall be measured from a point located 2.0 m beyond the middle of the drive-thru window used for the receipt of goods.
- b) For a drive-thru with a machine, it shall be measured from a point located 2.0 m beyond the middle of the drive-thru bank machine.
- c) For **motor vehicle** wash facility it shall be measured from the entrance to the wash bay.

3.23 PEAT EXTRACTION, PITS AND QUARRIES

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

3.24 PERMITTED ENCROACHMENTS¹

Required yards shall not be obstructed in any manner whatsoever, except in accordance with the following:

STRUCTURE TYPE	YARDS	MAXIMUM PROJECTION INTO REQUIRED YARD FROM MAIN WALL
sills, chimneys, cornices, eaves, gutters, parapets, pilasters, windows or other ornamental structures	All yards	0.6 m
unenclosed porch, balcony, deck , steps and patios	Front, Rear, Exterior Side Yard	2.5 m
canopies, awnings, clothes poles, flag poles, garden trellises, fences, retaining walls, signs	All yards	n/a
Fire escapes, exterior stairways, stoops, landings, steps and ramps	Side or rear yard	1 m but not closer than 1.2 m to any lot line
Wheelchair ramps	All yards	No limit
Air conditioners, solar panels, heat pumps or similar equipment	Interior or rear yard	1.0 m but not closer than .3 m to any lot line

Notwithstanding the above permitted encroachments, none of them may be closer than 1.2 m to any **lot line** and where the floor of any porch, balcony, or **deck** is more than 1.0 metre above the **finished grade**; the **side yard** and **rear yard setback** requirements for the **principal use** shall apply.

3.25 PLANTING STRIPS

Where a **lot** in a, Institutional, Commercial or Industrial **Zone** abuts an **interior side** or **rear lot line** of a **lot** in a Residential **Zone** or a multiple unit apartment **building** of more than 4 units abuts a single detached residential **use**, a **planting strip** adjoining such abutting **lot line**, or portion thereof, shall be

¹ Amended by 3-14-B – Sept. 8, 2014 – to add structure types inadvertently omitted