

TOWNSHIP OF JOCELYN

BY-LAW NO. 699

A by-law to regulate land use within the Township --
a Restricted Area (Zoning) by-law.

WHEREAS by Section 35 of the Planning Act, being Revised Statutes of Ontario, 1970, Chapter 349, and amendments thereto, a Council may pass a By-law regulating the use of lands and buildings and the type of construction, height, bulk, location, spacing and character of buildings to be erected or altered within the municipality or any defined area thereof;

AND WHEREAS municipal control and regulation over the use of land and the erection and use of buildings, or structures is desirable in the public interest;

AND WHEREAS it is deemed necessary and expedient to pass a by-law to restrict the use which may be made of lands and buildings within the Township of Jocelyn;

THEREFORE, the Council of the Township of Jocelyn enacts the following sections and schedules:

Sections 1, 2, 3, 6, 7, 7A, 8, 9, 10,¹¹ 12, 13, 14, 15, 16, 17.
Schedules A, B, C, D, E, F, of the restricted area (Zoning) by-law attached hereto.

Map Schedules of the restricted are (Zoning) by-law attached hereto as Map Schedule #5.

FURTHER, that By-law No. 692 is hereby resounded.

READ a first, second and third time and finally passed in open council this 4th. day of June 1979.

Mrs. J. J. ...
Reeve

... ..
Clerk

* * * * *

SECTION 1 --- SHORT TITLE

1.1 This by-law may be cited as the "Zoning By-law".

SECTION 2 --- DEFINITIONS

2.0 In this By-law, unless a contrary intention appears, certain terms or words used herein shall be interpreted as follows: Words used in the present tense include the future tense, and the converse: Words used in the plural number include the singular number, and the converse: The word "shall" is mandatory, and the word "may" is permissive.

- 2.1 "accessory use or structure" shall mean a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and shall not include a permanent or seasonal dwelling.
- 2.2 "agricultural use" shall mean a use of land, buildings or structures for the purpose of farm wood lot operation, field crops, orchards, market gardening, dairying, animal husbandry, maple syrup production, poultry or beekeeping and such uses as are customarily and normally related to agriculture.
- 2.3 "assembly building" shall mean a building designed, used, or intended for the following non-commercial uses: meetings for civic, educational, political, religious, social or recreational purposes, and without limiting the generality of the foregoing includes the Court House, and auditorium in a school, or college or educational building, the library, the museum, the lecture hall, the assembly hall and the gymnasium.
- 2.4 "basement" shall mean that portion of a building other than the main floor which is located partly or wholly below finished grade.
- 2.5 "building line-established in a block" shall mean the average distance from the street line to the main wall of existing buildings in any block where more than one half of the lots have been built upon.
- 2.6 "building" shall mean a structure used for the shelter or accommodation of persons, animals, goods or chattels
- 2.7 "commercial use" shall mean the use of any land, structure or building for the purpose of offices or retail buying or selling of goods and/or commodities but shall not include use for (warehousing, wholesaling, manufacturing or assembling of goods or products), other than that which is clearly incidental and essential to such commercial use.
- 2.8 "council" shall mean the council of the Township of Hilton and/or the council of the Village of Hilton Beach, and/or the council of the Township of Jocelyn, and/or the council of the Township of St. Joseph.
- 2.9 "dwelling unit" shall mean one or more habitable rooms designed, used or intended to be used as a residence for a family and being an independent separate house-keeping establishment in which kitchen, sleeping and sanitary facilities are all provided for the exclusive use of such family.
- 2.10 "dwelling, single family" shall mean a detached building consisting of one dwelling unit, occupied or intended to be occupied as the permanent home or residence of one family.
- 2.11 "erect" shall mean to do anything in the erection, installation or extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere, and erection has a corresponding meaning.

- 2.12 "existing# shall mean existing as at the date of the passing of this By-law.
- 2.13 "family" shall mean one individual, or a group of two or more individuals living together as a family group and interrelated by bonds of consanguinity, marriage or legal adoption, or as spouses within the meaning of the Family Law Reform Act of Ontario, including not more than two roomers or boarders in addition thereto; or a group of not more than four unrelated individuals occupying the same dwelling unit; and any family includes gratuitous guests and domestic servants.
- 2.14 "floor area" shall mean the total area of all floors contained within the exterior dimensions of the outside walls, excluding in the case of dwelling, any private garage, porch, verandah, sunroom, basement, unfinished attic, and any portion of the floor that has not a clear vertical height to the ceiling of at least 7½ feet. (also, see definition 2.36 "useable floor area").
- 2.15 "Temporary use" shall mean the use of any land or building not otherwise permitted by this By-law in the Zone in which it is situate, and being a use which Council of the Municipality in which the use is situate would not be approved by way of an amendment to this By-law but which Council would be prepared to approve by resolution for a temporary period not exceeding one year, or for such additional period not exceeding one further year as Council would be prepared to approve by resolution upon such use as fairs, exhibitions, midways, real estate sale offices relating to land development schemes, or a business to be temporarily carried on while the premises in which such business is to be permanently conducted is being constructed, re-constructed or altered or repaired and the like.
- 2.16 "garage, Private", shall mean a building or part of a building used or intended to be used for the storage of motor vehicles for each dwelling unit to which the garage is accessory.
- 2.17 "grade" shall mean the average level of proposed or finished ground adjoining the building at all exterior walls.
- In a Commercial Zone, it shall mean the average elevation of the sidewalk, or where there is no sidewalk, of the roadway in front of the lot on which, the building stands where the final elevation of the street is not indicated by the presence of a curb, or sidewalk, the final grade of the street shall be as designated by the Township Building Inspector.
- 2.18 "habitable room" shall mean any room used or intended to be used for living, sleeping, cooking or eating purposes

2.19

"height" shall mean, when used with reference to a building, the vertical distance between the average elevation of the finished surface of the ground at the front of the building and, the highest point of the roof surface or the parapet, whichever is the greater.

2.20

"home occupation" shall mean an accessory use which is conducted entirely within a dwelling unit by the occupant of the said dwelling unit, and

1. which is clearly secondary to the use of the dwelling unit as a private residence,
2. which does not change the character of the dwelling unit as a private residence,
3. of which no evidence is apparent from the exterior that such use is conducted therein,
4. which does not create or become a public nuisance, in particular in regard to noise, traffic or parking, and
5. which does not occupy more than 25% of the total floor area of the dwelling unit including basement or cellar area used for home occupation or as living quarters or 300 square feet, whichever is the lesser.

2.21

"lot" shall mean a parcel of land described in a registered deed or shown in a registered plan of a division, or for which the appropriate body has given consent in principle under Section 29 of the Planning Act, including any of its parts that are subject to a right-of-way or easement.

2.22

"lot coverage" shall mean the combined areas of all buildings on the lot measured at ground level and expressed as a percentage of the lot area.

2.23

"lot frontage" shall mean the horizontal distance between the side lot lines measured along the front lot line. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to any street shall be considered frontage or front lot lines. For seasonal lots, frontage or the front lot line shall be the lot line closest to the water.

Handwritten note: "Corner lots not include driveway" with a bracket pointing to the definition of lot frontage.

2.24.1

"corner lots" shall mean a lot located at the intersection of two or more streets, a lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

2.24.2

"interior lots" shall mean lots having one boundary along a street other than an alley or lane.

- 2.24.3 "through lots" shall mean lots other than corner lots lying between two streets having one boundary on each such street.
- 2.24.4 "wedge lot" shall mean a lot having a frontage shorter than the rear lot line.
- 2.25 "main building" shall mean the building in which is carried on the principal purpose for which the lot is use
- 2.26 "motel, hotel or motor hotel" shall mean a building or a group of buildings made up of a series of units, intended for the temporary accommodation of the travelling public and containing at least one bedroom, bathroom, and having convenient access to a parking space for the use of occupants, whether or not it contains living accommodation for the proprietor or manager and his or her family.
- 2.27 "parking space" shall mean a space within a building or parking lot for the parking of one motor vehicle --- 20 feet by 10 feet in area exclusive of areas for drive-ways, entrances and exits.
- 2.28 "parking lot" shall mean an open area, other than a street, used for temporary parking of more than four motor vehicles and available for public use whether free, for compensation, or as an accommodation for clients and customers.
- 2.29 "persons" shall include an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent and the heirs, executors, or other legal representatives of a person to whom the same can apply according to law.
- 2.30 "seasonal residence" shall mean land and buildings thereon in addition to the owner's or occupier's principal place of residence which are occupied in an intermittent or seasonal basis and to which municipal services are not supplied during the winter months.
- 2.31 "service shop" means any building or part thereof where domestic appliances and articles are serviced or repaired, but excludes any manufacturing, processing or wholesaling thereof; but shall include businesses which provide the personal services to meet some general personal needs such as barber shops, tailoring shops, hairdressing establishments, and the like but exclusive of family homes.
- 2.32 "sign" shall mean any sign, notice, advertising device, or any part thereof whether it contains words or not and includes any device that is used solely to attract attention.
- 2.33 "street" shall mean a road that is publicly maintained by the municipality or the Ministry of Transportation & Communication and shall not include any lane as shown on any registered plan of subdivision.

- 2.34 "street line" shall mean the boundary line between a lot and a street.
- 2.35 "structure" shall mean anything constructed or erected with a fixed location on the ground.
- 2.36 "useable floor area" shall mean that floor area specifically devoted to the use for which the building or structure is primarily designed but shall not include the following: stairwells, boiler rooms, elevator shafts, lavatories, halls or hallways, locker rooms and cloak rooms.
- 2.37 "yard" shall mean an open area between a main building and a lot line, unoccupied and unobstructed by buildings or structures except as otherwise permitted.
- 2.38 "yard, front" shall mean a yard extending across the full width of the lot between the front lot line and a line drawn parallel thereto and through the nearest point of the main building closest to the front lot line.
- 2.39 "yard, rear" shall mean a yard extending across the full width of the lot between the rear lot line and a line drawn parallel thereto and through the nearest point of the main building closest to the rear lot line.
- 2.40 "yard, side" shall mean a yard extending from a front yard to a rear yard between a side lot line and a line drawn parallel thereto and through the nearest point of a main building nearest the side lot line.
- 2.41 "utility" shall mean any facility commonly used for the provision or permission of electricity, gas, telephone, television or telecommunication, water, sewage and the like.
- 2.42 "loading space" means an area of land having the clearance above the ground at the location of the loading area and the dimensions required in Schedule F, which is available and maintained for the loading or unloading of goods from vehicles and which has adequate access from a street and an adequate turning radius for reasonable use by such vehicles.
- 2.43 "day nursery or day care centre" means a place or places designed and operated for the purpose of providing temporary care and custody of children and which fall under the jurisdiction of The Day Nursery's Act of Ont.

SECTION 3 ----- GENERAL

3.0 Scope of the By-law

No building, structure or part thereof shall hereafter be erected, constructed, re-constructed, moved or structurally altered, and no change of use of any building, structure, land or premises shall be made in whole or in part except for those conforming with all

of the provisions and schedules herein specified for the zone in which it is located. Nothing in this by-law is to be construed as to prevent the use of any land for the purpose of any utility nor to prevent the use of any land or building thereon as or for a construction office, or tool shed or for the erection or storage of scaffolds, or equipment and material incidental to and necessary for construction work in progress on such lands so long as necessary for work which has neither been completed nor abandoned.

3.1

Schedule

The municipality is divided into zones as shown on the attached map which together with explanatory matter thereon are hereby adopted and declared part of this by-law.

3.2

Establishment of Zones

For the purpose of this by-law the following zones are hereby established:

- Zone R - Residential
- Zone V - Village centre commercial
- Zone RC - Resort Commercial
- Zone SC - Service Centre
- Zone RU - Rural
- Zone RRA - Resource Recreational Area
- Zone HL - Hazard Land
- Zone HC - Highway Commercial

Zone LI - Light Industrial
Zone RC - Rural Commercial

General Regulations

3.3

Number of Buildings

3.3.1

Not more than 1 main building, and its accessory building or buildings may be erected on 1 lot.

3.3.1.A

Where a lot having a lesser frontage or area than that required herein is held under distinct and separate ownership from the adjacent lots at the time of the passing of this by-law as shown by the records of the Registry or Land Titles Office, a permitted use may be allowed and used on a smaller lot, provided that it conforms to all other requirements of this by-law and is approved by the Medical Officer of Health.

3.3.2

Lots on Public Streets

No lot shall be used, and no building on a lot shall be erected or used, unless the lot abuts or fronts on a public street, having a width of not less than 66 feet except for permitted seasonal residential uses.

3.3.3

Yards or Open Space

No yard or other open space provided for a use relating to a specific lot shall be included in calculating or determining the amount of yard or open space relating to any other lot.

3.3.4

Accessory Building

An accessory building shall be governed by the following regulations:

3.3.4.1

No accessory building shall exceed the height of the main building by more than 50 feet measured from grade, with the exception of farm accessory buildings.

3.3.4.2

No part of any building or structure shall be nearer to the street line than the distance permitted by Schedules A, B, C & D to this by-law and shall conform to the rear and side setbacks set forth in Schedules A, B, C & D to this by-law except that an accessory building may be erected provided that no part of the same shall be closer than six feet from any side or rear lot line.

3.3.5

Fences and Hedges

Fences, hedges or shrubbery may be erected, placed, maintained, or grown on any lot line and shall be governed by the following regulations:

3.3.5.1

Such fences, hedges or shrubbery shall not be more than 3 feet in height above the surface of any adjoining street or road on any corner lot in any zone when located in the required front yard area or more than 10 feet when located on the side lot line or rear lot line in the side or rear lot areas, except that a fence in a rural zone is not to be limited to 3 feet in height, but must be of open construction so as not to prevent a view of oncoming traffic.

3.3.6

Habitable rooms may be located in the basement of any dwelling provided such rooms do not constitute a separate dwelling unit.

3.3.6.1

Lot frontage on a wedge lot - in no case shall the lot frontage of a wedge lot be less than 70 feet. Such a lot shall be a minimum of 100 feet in width along the minimum required front building line.

3.3.7

Non-conforming Uses

3.3.7.1

This by-law is not intended to prevent the use of any land, building, or structure for any purpose prohibited by this by-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the by-law, so long as it continues to be used for that purpose.

3.3.7.2

This by-law is not intended to prevent the erection or use for a purpose prohibited by the by-law of any building or structure the plans for which have, prior to the date of the passing of the by-law, been approved by the building inspector, so long as the building or structure when erected is used and continues to be used for the purpose for which it was created.

3.3.7.3

This by-law is not intended to prevent the strengthening to a safe condition of any pre-existing non-conforming building or structure or part of any such building or structure which does not comply with the provisions of this by-law at the time of its enactment, provided such strengthening process does not increase the height, size or volume of or change the use of such building or structure, nor is this by-law intended to be applied so as to prevent the reconstruction of any non-conforming single family dwelling not permitted in a particular zone by the by-law that is damaged by causes beyond the control of the owner subsequent to the date of the passing of this by-law provided the reconstruction of such single family dwelling will not increase the height, size or volume thereof or change the use of such single family dwelling. Whenever any building or structure other than a single family dwelling which is not a permitted use under this by-law, is damaged by causes beyond the control of the owner subsequent to the date of the passing of this by-law and such damage does not exceed 50% of the value to be ascribed to such building or structure immediately prior to the occurrence of such damage, such building or structure may be reconstructed provided such reconstruction will not increase the height, size or volume of such building or structure or change the use of such building or structure.

3.3.7.4

No use shall be made of any land or any building or structure on any land nor shall any building or structure be erected upon any land except in accordance with the provisions of Schedules A, B, C, D, & E of this by-law.

3.4

Boundaries of Zones

Where a boundary of any zone is shown on any zoning map as following a street or lane, the centre line of the street or lane shall be the boundary of the zoned area for the purpose of this by-law.

3.5

Notwithstanding any other provision of this by-law or any of the Schedules thereto, no portion of any building shall be closer to the waters edge of any body of water than 50 feet.

~~SECTION 7 ZONE RU RULES~~

~~7.0~~

~~No person shall hereafter use any land, building or structure or erect any building or structure on any land in Zone RU except in conformity with the provisions of this by-law and the schedules thereto.~~

The provisions of this by-law shall not apply to the hereinafter described lands, namely:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of St. Joseph on St. Joseph Island in the District of Algoma, and being composed of a Part of Lot 15, Concession "D", in the said Township, and which said parcel or tract of land may be more particularly described as follows:--

Premising that the Easterly limit of said Lot 15 has an astronomical bearing of North 32 degrees 30 minutes West and relating all bearings herein thereto;

COMMENCING at a point in the inner limit of the 66' Shore Road Allowance, laid out along the shore of the St. Mary's River and which point is distant 814.18 feet measured on a course of South 48 Degrees 34 minutes 20 seconds West from the Northeast angle of said Lot 15;

THENCE in a general Westerly direction along said inner Road allowance limit to the Northwesterly angle of said Lot 15;

THENCE Southeasterly along the Westerly limit of said Lot 15 to the Southwesterly angle thereof;

THENCE Easterly along the Southerly limit of said lot to the Southeasterly angle thereof;

THENCE North 32 degrees 30 minutes West along the Easterly limit of said Lot to a point therein distant 147.32 feet Southerly thereon from the Northeast angle of said Lot 15;

THENCE South 21 degrees 24 minutes West, 154.95 feet;

THENCE South 58 degrees 23 minutes West, 211.62 feet;

THENCE South 85 degrees 15 minutes West, 71.22 feet;

THENCE South 73 degrees 47 minutes West, 111.14 feet;

THENCE South 72 degrees 24 minutes West, 104.3 feet;

THENCE South 76 degrees 20 minutes West, 104.2 feet;

THENCE South 47 degrees 22 minutes West, 100.00 feet to a survey post planted;

THENCE North 33 degrees 50 minutes West, 2.0 feet more or less to the Point of Commencement.

4.0

No person shall hereafter use any land, or any building or structure on any land or erect any building or structure on any land in zone R except in conformity with the provisions of this by-law and the schedules thereto.

4.1

Permitted uses

4.1.1

accessory uses

4.1.2

churches or parish halls

4.1.3

day nursery schools

4.1.4

home occupations and offices

4.1.5

public parks including play grounds

4.1.6

schools whose curriculum comes under the jurisdiction of the Ontario Minister of Education

4.1.7

single family dwelling units

4.1.8

A Bell Canada switching station located on a portion of Lots 11 and 12 in Concession "D" in the Township of St. Joseph containing 0.517 acres more or less and being particularly described in instrument registered in the Registry Office for the Registry Division of Algoma at Sault Ste. Marie as number T-95259.

4.1.9

General Regulations

Signs

Signs shall be located on the same lot as the premises or use identified or advertised, and shall be governed by the following:

One sign for each dwelling unit, not exceeding 6 square feet in area, indicating the name of the occupant or the profession of a physician and/or the permitted home occupation; such sign shall be located a minimum of 10 feet from any lot line or attached flush to a wall.

One sign not exceeding 18 square feet in area for permitted uses other than dwellings and located no nearer than 10 feet from any lot line.

One sign not exceeding 6 square feet in area advertising land or premises for sale, lease or rent.

One sign not exceeding 6 square feet in area for any one of the following signs indicating: no trespassing, or identifying entrances or parking regulations, exits or parking areas for permitted uses other than dwellings.

One sign not exceeding 50 square feet in area in connection with a construction project during the course of work on that project, or advertising a subdivision in which lots or buildings are for sale.

Nothing herein shall be deemed to prevent the erection of such signs for the purpose of naming and designating streets and controlling traffic and parking as Council may see fit and as provided for under the Highway Traffic Act.

SECTION 5 - ZONE V - VILLAGE CENTRE

5.0

No person shall hereafter use any land, building or structure or erect any building or structure on lands in Zone V except in conformity with the provisions of this by-law and the schedules thereto.

5.1

Permitted Uses

- 5.1.1 banks
- 5.1.2 business, professional or government or municipal offices
- 5.1.3 churches or parish halls
- 5.1.4 fire halls
- 5.1.5 funeral homes
- 5.1.6 hospitals
- 5.1.7 hotels, motels, taverns
- 5.1.8 public libraries
- 5.1.9 retail stores or retail business
- 5.1.10 service shops
- 5.1.11 theatres, bowling alleys, billiard halls or any other places of entertainment or recreation
- 5.1.12 municipal administration buildings
- 5.1.13 assembly buildings
- 5.1.14

General Regulations

Signs

The following are the only signs that are permitted in Zone V and shall be governed by the following regulations:

The total area of signs shall not exceed 2 square feet for each linear foot of building frontage, provided that:

For a building on a corner lot or a building at the corner of a street and pedestrian way, the building frontage on each street lot line or on each pedestrian way lot line shall be deemed to be separate building frontages for the purpose of calculating the permitted area of signs.

Signs may be erected not exceeding 6 square feet each in area for any 1 of the following signs indicating: No trespassing, or identifying entrances or parking regulations, exits or parking area for permitted uses.

One sign not exceeding 50 square feet in area in connection with a construction project during the course of work on that project.

5.1.13c - home occupations
d. upper floor residences

Nothing herein shall be deemed to prevent the erection of such signs for the purpose of naming and designating streets and controlling traffic and parking as Council may see fit.

5.1.1.15

Screening and Landscaping

Where at the time of the coming into force of this by-law the side or rear boundaries of a V zone are contiguous with the boundaries of an R zone, a strip of land in the V zone not less than 5 feet in width lying along the said boundary or boundaries shall not be used for any purpose other than an easement for utilities and for landscaping and upon any change of use in a V zone after the coming into force of this by-law, of any lands or buildings which have a contiguous side or rear boundary or boundaries with the boundaries of lands in an R zone, the said 5-foot strip shall be planted with shrubs and trees at least 4 feet high at the time of planting and of a type which may be expected to form a year round dense screen at least 6 feet high within 3 years, or the said 5-foot strip shall have erected thereon a wall of such construction, materials and design as may be approved by Council on a site plan.

SECTION 6 - ZONE RC - RESORT COMMERCIAL

6.0

No person shall hereafter use any land, building or structure or erect any building or structure on any land in Zone RC except in conformity with the provisions of this by-law and the schedules thereto.

6.1 Permitted Uses

6.1.1

tourist establishment providing facilities for temporary residential accommodations

6.1.2

a marina and sports shop located in the Village of Hilton Beach and known specifically as Lots 2 - 5 in Block "C", Plan M-366, and Parts 1 - 9, both inclusive, on Plan IR-3055, and two water lots lying in front of Lots 1 and 2 as shown on Block "C" according to said Plan M-366, being Parcels 2420 A.S.C. and 3993 A.C.S., all of record in the office of Land Titles at Sault Ste. Marie and operated by A. Michael Jagger and known as Hilton Beach Marine and Sports.

6.1.3

an existing gift shop and marina known as Courtney's, owned by Harry Wilson Courtney situate on Lots 22, 23 and 24 according to a plan registered in the Registry Office for the Registry Division of Algoma as Plan P2033.

6.1.4

accessory uses

6.1.5

General Regulations

Signs

The following are the only signs that are permitted in Zone RC, and shall be governed by the following regulations:

One sign not exceeding 18 square feet in area located no nearer that 10 feet from any lot line.

One sign not exceeding 6 square feet in area advertising land or premises for sale, lease or rent.

Signs not exceeding 6 square feet in area for indicating no trespassing, or identifying entrances, or parking regulations, exits or parking areas for permitted uses other than dwellings.

One sign not exceeding 50 square feet in area in connection with a construction project during the course of work on that project, or advertising a subdivision in which lots or buildings are for sale.

Nothing herein shall be deemed to prevent the erection of such signs for the purpose of naming and designating streets and controlling traffic and parking as Council may see fit.

6.1.6

Screening and Landscaping

Where at the time of the coming into force of this by-law the side or rear boundaries of an RC Zone are contiguous with the boundaries of an R zone, a strip of land in the RC Zone not less than 5 feet, in width, lying along the said boundary or boundaries shall not be listed for any purpose other than an easement for utilities and for landscaping and upon any change of use in an RC zone after the coming into force of this by-law, of lands or buildings which have a contiguous side or rear boundary or boundaries with the boundaries of lands in an R zone, the said 5 foot strip shall be planted with shrubs and trees at least 4 feet high at the time of planting and of a type which may be expected to form a year round dense screen at least 6 feet high within 3 years, or the said 5 foot strip shall have erected thereon a wall of such construction, materials and design as may be approved by Council on a site plan.

SECTION 7 - ZONE RU - RURAL

7.0

No person shall hereafter use any land, building or structure or erect any building or structure on any land in Zone RU except in conformity with the provisions of this by-law and the schedules thereto.

7.1

Permitted Uses

accessory uses, including docks but excluding boat houses

7.1.1

agricultural uses of all types and unless otherwise specified there may be only one single family dwelling per lot.

7.1.2

7.1.3

existing aircraft runways.

7.1.4

municipal sanitary landfill site, provided such site shall not be closer than $\frac{1}{2}$ mile from any boundary of an R zone.

7.1.5

historic sites under the jurisdiction of the Federal Government, Provincial Government or designated by local council.

-7.1.6

hunting, fishing or trapping.

- 7.1.7 navigation aids provided or erected by Federal Government, Provincial Government or designated by local council.
- 7.1.8 home occupations.
- 7.1.9 public cemeteries providing the setback distance measured from the nearest extremity of the nearest grave or graves in a cemetery to the lot line of a street shall be 50 feet.
- * 7.1.10 seasonal residences, including docks but excluding boat houses.
- 7.1.11 single family dwelling as approved by the St. Joseph Island Official Plan.
- 7.1.12 commercial logging, timbering or lumbering operations provided the same are not conducted nearer than 50 feet from any road allowance and provided further that this section shall not apply to prevent the clearing of trees on bonafide farm lands for agricultural use or purpose.
- 7.1.13 municipal offices and accessory municipal buildings including garages, storage buildings and the like.
- 7.1.14 existing pits and quarries
- 7.1.15 a cross country ski facility including ski trails, and a lodge and accessory buildings to provide overnight accommodation and dining facilities for persons using the facility to be located on 100 acres of land comprising all of Lot 13 in Concession "D" in the Twp. of St. Joseph.
- 7.1.16 a music camp to be operated by Algoma Music Camp Corporation on that portion of Lot 6 in Concession "G" in the Township of St. Joseph, more specifically described in instrument registered in the Registry Office for the Registry Division of Algoma as Instrument No. 184,991 for the purpose of providing music instruction and outdoor recreation in a rural setting and to include facilities for overnight accommodation, dining facilities and recreation facilities common and usually found in association with summer camp facilities.
- 7.1.17 General Regulations
- 7.1.18 Where any portion of a rural zone is contiguous with the boundaries of a residential zone, no use shall be permitted within the rural zone within 80 rods of the common boundary with the residential zone which involves animal husbandry (being permitted use under paragraph 7.1.2) exclusive of pasture for animals, and without limiting the generality of the foregoing, more particularly including dairy cattle, barns, feed lots, watering areas, slaughter areas, the actual, physical location of bee hives, poultry houses and the like.
- 7.1.19 SIGNS - signs shall be located on the same lot as the premises or use identified or advertised, and shall be governed by the following regulations:
- 7.1.20 1 non-illuminated sign for each dwelling unit, not exceeding 2 square feet in area, indicating the name of the occupant; such sign shall be located a minimum of 1 foot from any lot line or attached flush to a wall of the building facing the street.

- 7.1.21 1 non-illuminated sign not exceeding 18 square feet in area advertising land or premises for sale, lease or rent; such sign shall be located a minimum of 25 feet from any lot line, or attached flush to the wall of the building facing the street.
- 7.1.22 non-illuminated signs not exceeding 3 square feet each in area for any one of the following signs indicating: caution, safety, no trespassing, or identifying entrances, exits or parking areas for permitted uses.
- 7.1.23 1 non-illuminated sign not exceeding 50 square feet in area in connection with a construction project during the course of work on that project, such sign shall be located a minimum of 25 feet from any lot line, or attached flush to the wall of a temporary use or building facing the street.

SECTION 7A - ZONE RRA - RESOURCE RECREATION AREA

- 7A.0 No person shall hereafter use any land, building or structure or erect any building or structure on any land in Zone RRA except in conformity with the provisions of this by-law and the schedules thereto.
- 7A.1 Permitted Uses
- 7A.1.1 any use being carried on on such land or in a building thereon on the date of the passing of this by-law.
- 7A.1.2 historic sites under the jurisdiction of the Federal Government, Provincial Government, or designated by local Council.
- 7A.1.3 hunting, fishing or trapping.
- 7A.1.4 seasonal residences, including docks but excluding boat houses.
- 7A.1.5 single family dwellings and accessory use as permitted by the St. Joseph Island Official Plan.
- 7A.1.6 nature trails, cross country skiing trails, riding trails, and picnic grounds with picnic facilities for the public.
- 7A.1.7 SIGNS - signs shall be located on the same lot as the premises or use identified or advertised, and shall be governed by the following regulations:
 - 1 non-illuminated sign for each dwelling unit, not exceeding 2 square feet in area, indicating the name of the occupant; such sign shall be located a minimum of 1 foot from any lot line or attached flush to a wall of the building facing the street.
- 7A.1.9 1 non-illuminated sign not exceeding 18 square feet in area advertising land or premises for sale, lease or rent; such sign shall be located a minimum of 25 feet from any lot line, or attached flush to the wall of the building facing the street.

See bylaw 874- additional uses

7A.1.6) agriculture

b) home occupations

c) landfill

d) fire halls

e) commercial logging

7A.1.1.0

non-illuminated signs not exceeding 3 square feet each in area for any one of the following signs indicating: caution, safety, no trespassing, or identifying entrances, exits or parking areas for permitted uses.

7A.1.1.1

1 non-illuminated sign not exceeding 50 square feet in area in connection with a construction project during the course of work on that project; such sign shall be located a minimum of 25 feet from any lot line, or attached flush to the wall of a temporary use or building facing the street.

SECTION 8 - HAZARD LAND ZONE

8.0

No person shall hereafter use any land, building or structure or erect any building or structure in Zone HL except in conformity with the following, and with the provisions of this by-law and schedules thereto.

8.1

Permitted Uses

agriculture

outdoor recreation

nursery gardening

Deleted and amended with Res. Council 11/7/06 July 9/80

logging and lumbering operations, tree farming and re-forestation which remedies measures for conservation of soil or wildlife.

8.2

Whether or not particular lands are to be designated as Hazard Lands within the meaning of the Official Plan of St. Joseph Island shall be determined by the building inspector who shall be guided in his designation by the principles, definitions, and maps relating to Hazard Lands which are set out in the Official Plan, provided always that the determination of the building inspector shall be subject to review by Council.

SECTION 9 - HIGHWAY COMMERCIAL ZONE

9.0

No person shall hereafter use any land or any building or structure on any land or erect any building or structure on any land in Highway Commercial Zone (Zone HC), except in conformity with the provisions of this by-law and the schedules hereto.

9.1.

Permitted Uses

(a) Any use being carried on on such land or in a building thereon on the date of the passing of this by-law.

(b) The Clansmen Motel and accessory uses situate on that part of Lot 11, Concession "D", Township of St. Joseph containing 1.646 acres more or less and more particularly described in instrument T-35178 of record in the Registry Office for the Registry Division of Algoma at Sault Ste. Marie, owned by Margaret MacDonald.

- (c) The Sportsman Motel and Restaurant presently existing on that part of lot 22, "D", in the Township of St. Joseph comprising Part 1 on Plan AR-854 of record in the office of Land Titles at Sault Ste. Marie, and being composed of Parcel 5466 Algoma Centre Section, containing approx 1.592 acres and owned by Ralph Aikens and Shirley Aikens.
- (d) The gasoline service station and accessory uses known as Ambeault's Service Station situate on lands composed of all of Lots 1 and 2 according to Plan 918 in the Township of St. Joseph, being a plan of record in the Registry Office for the Registry Division of Algoma at Sault Ste. Marie, owned by Wilfred Joseph Ambeault and Hazel Irene Ambeault.
- (e) A tent and trailer park and accessory uses known as Littleton's Tent and Trailer Park situate on a portion of Lot 10 in Concession "C" in the Twp. of St. Joseph containing 13.50 acres more or less and being composed of the easterly one-half of the land described in instrument T-35178 of record in the said Registry Office, owned by Frederick James Littleton.
- (f) A restaurant and accessory uses known as Gilbertson Pancake House situate on part of the West half of Lot 34, Huron Concession in the Township of Jocelyn and composed of a portion of the lands described in instrument T-106728 of record in the Registry Office which portion consists of 400 feet fronting on Hwy. 548 of the lands described in said instrument T-106728, having a depth of 400 feet north of said highway 548, and being immediately East of the land described in instrument number T-147810.

SECTION 9A - SERVICE CENTRE ZONE

9A.0.

The service centre zone shall consist of three parcels of land at the intersection of Highway 548 and the 20th Side Road as follows:

- (a) A parcel at the Northwest corner of the intersection of Highway 548 leading to Hilton Beach and the 20th Side Road (a portion of Highway 548) leading to the bridge connection St. Joseph Island to the main land and being situate in Lot 21 in Concession "D" in the Township of St. Joseph having a frontage of 500 feet along the said Highway 548 leading to Hilton Beach and a depth of 500 feet along the extension of the 20th. Side Road comprising Part of Hwy 548 leading to the said bridge.
- (b) A parcel of land in Lot 1 Concession "V" in the Township of St. Joseph at the Northeast angle of the intersection of the said Highway having a frontage of 500 feet on each of the said Highways.
- (c) A portion of Lot 20, in Concession "D" in the Twp. of St. Joseph lying at the Southwest angle of the said intersection of the said Highways and having a frontage of 500 feet on each of the said Highways.

9A.1.

No person shall hereafter use any land or any building or structure situate on any land or erect any building or structure on any land in Service Centre Zone (Zone SC), except in conformity with the provisions of this by-law and the schedules hereto.

9A.2.

Permitted Uses

- (a) Any use being carried on on such land or in a building thereon on the date of the passing of this by-law.

SECTION 10 - LIGHT INDUSTRIAL

10.0

No person shall hereafter use any land or any building or structure situate on any land or erect any building or structure on any land in Light Industrial Zone (Zone LI), except in conformity with the provisions of this by-law and the schedules hereto.

10.1

Permitted Uses

- (a) A sawmill, and Retail and Wholesale Building Supply Store and accessory uses including building contracting presently known as Hilton Beach Lumber Company Limited and carried on on Part of Lot 1, Conc. 17, in the Township of Hilton, comprising 4.080 acres, as described in instrument recorded in the Registry Office for the Registry Division of Algoma as number T-116026.
- (b) An auto body repair shop owned and operated by William Robert Allan and Jane Ann Allan and comprised of Part of Lot 28, Concession "A" in the Twp. of St. Joseph comprising Part 1 of IR Plan 1405 of record in the office of Land Titles at Sault Ste. Marie.

11.0

SECTION 11 - RURAL COMMERCIAL

No person shall hereafter use any land or any building or structure situate on any land or erect any building or structure on any land in Rural Commercial Zone (Zone RC), except in conformity with the provisions of this by-law and the schedules hereto.

11.1.

Permitted Uses

Part of Lot 30, in Conc. "A", in the Township of St. Joseph comprising that part of Parcel 4585 Algoma Centre Section in instrument T-145362 both of record in the Land Registry Office at Sault Ste. Marie, used and occupied by Kentvale General Merchants, owned and operated by Ron Kent and including a retail outlet dealing in groceries, dry goods, hardware, appliances, building materials and supplies, gasoline, tires, flour and feed, and light farm machinery.

SECTION 12 - ADMINISTRATION & INSPECTION

This by-law shall be administered by the person so designated from time to time by the Council, and such person or any officer or employee of the Corporation acting under his direction or authorization is hereby authorized to enter at all reasonable hours, upon any property or premises in or about which there is reason to believe that the provisions of this by-law are not being complied with and for the purpose of carrying out his duties under this by-law.

SECTION 13 - CERTIFICATE OF CONFORMITY

13.1

Any person requiring a certificate that a lot is being used or that any building or structure erected or used thereon is situated or used in conformity with this by-law, shall present to the Municipal Clerk the following:

(a) an application fee of \$5.00

(b) a plan of survey signed by an Ontario Land Surveyor showing the boundaries of the lot and the location of all buildings and structures thereon;

(c) a certificate of such surveyor that the said plan correctly represents the location of the boundaries thereof and of all the buildings or structures upon the said lot;

(d) a declaration signed by the owner of the lot as to all uses being made of the said lot and of any buildings and structures thereon.

(e) such other material as the Clerk may require.

13.2

Upon being satisfied that the provisions of this by-law with respect to such lot or buildings or structures are being complied with, the Municipal Clerk or any persons designated by him shall issue a certificate of conformity as of the date thereof which shall be evidence of conformity as of such date.

13.3

Where such certificate is issued with respect to a non-conforming use which is permitted to be continued under the terms of this by-law, the same shall be so stated upon the Certificate.

13.4

A certificate of conformity issued hereunder is subject to the condition that the Corporation shall not be bound by any certificate issued in error, whether the issuance thereof was due to a misstatement by the applicant, negligence by an employee of the Corporation, or otherwise.

13.5

If an application for a certificate of zoning conformity does not comply with subsection 1 above, the Municipal Clerk may issue such certificate notwithstanding such non-compliance if he is satisfied as to the correctness and adequacy of the application made.

13.6

Where land is proposed for use or a building is proposed to be erected or used otherwise than permitted by this by-law, no permit for the use of the land or for the erection or use of a building shall be issued.

SECTION 14 - MUNICIPAL CORPORATION PROTECTED

The lack of a survey or a mistake does not relieve any person from liability for not complying with the provisions of this or any other by-law of the Municipality. The responsibility for compliance is not upon the Municipality whose rights are preserved even in the case of a mistake of its own official.

SECTION 15 - VIOLATION & PENALTY

15.1

Every person who contravenes any of the provisions of this by-law shall upon conviction thereof, forfeit and pay a penalty not exceeding \$1,000.00, exclusive of costs, for each offence, and every such penalty shall be recovered under the provisions of the Summary Convictions Act, all of the provisions of which shall apply, except any term of imprisonment for default of the payment of the fine and costs imposed under this by-law shall not exceed 6 months. The imposition of the penalty for contravention of this by-law shall not excuse the condition or matter resulting in such contravention or permit it to continue.

15.2

Any person contravening this by-law shall correct or remedy the condition or matter resulting in such contravention within a reasonable time, and when not otherwise specified, each 10 days that a condition or matter resulting in the contravention of this by-law is allowed to exist shall constitute a separate offence.

15.3

Where any building or structure is or is proposed to be erected, altered, reconstructed, extended, or enlarged, or any building to be used, or any land is, or is proposed to be used, on contravention of any requirement of this by-law, such contravention may be restrained by notice at the instance of any ratepayer or of the Corporation of the Township of Hilton, The Corporation of the Village of Hilton Beach, the Corporation of the Township of Jocelyn, or the Corporation of the Township of St. Joseph, as the case may be, pursuant to the provisions of the Municipal Act in that behalf.

SECTION 16 - SCHEDULES

The various maps, schedules, appendices and tables referred to in the by-law are hereby adopted and declared to form a part of this by-law. All notations, references and other information shown thereon, together with amendments to boundaries, are as much a part of this by-law as if the matters and information therein set forth were all fully described therein.

TABLE OF MAP SCHEDULES

Map Schedule #1	St. Joseph Township
Map Schedule #2	Richards Landing,
Map Schedule #3	Service Centre Zone in St. Joseph Township
Map Schedule #4	Hilton Beach
Map Schedule #5	Township of Jocelyn
Map Schedule #6	Township of Hilton

SECTION 17 - EFFECTIVE DATE

No part of this by-law comes into force without the approval of the Ontario Municipal Board, but, subject to such approval, this by-law takes effect from the date of the final passing thereof.

SECTION 18 - VALIDITY

If any portion of this by-law be for any reason declared invalid or a nullity by a Court of competent jurisdiction, such declaration or decision shall not affect the validity of the remaining portions of this by-law.

SECTION 19 - OTHER GOVERNMENT RESTRICTIONS

When the regulations or requirements of any other by-law of the Municipality or of any regulation of the Provincial or Federal Government impose greater restrictions than those imposed by this by-law, then such greater restrictions shall prevail.

SCHEDULE "A"

VILLAGE CENTRE ZONING REGULATIONS

Commercial Uses

Minimum Lot Area	Minimum Lot Frontage	Minimum Depth	Maximum Lot Coverage	Maximum Building Height	Setbacks		
					Front	Side	Rear
15,000 sq. ft.	80 feet	100 feet	35%	2 storey or 30 feet	nil	nil	25 feet
<u>Non Commercial Uses</u>							
15,000 sq. ft.	120 feet	100 feet	40%	30 feet	30 ft.	20 ft.	35 ft.

Residential Uses in the Village Centre shall be governed by Schedule "C"

SCHEDULE "B"

RURAL ZONE REGULATIONS

<u>Minimum Lot Area</u>	<u>Minimum Lot Frontage</u>	<u>Minimum Lot Depth</u>	<u>Lot Coverage Maximum</u>	<u>Minimum Floor Space</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
<u>Seasonal Residence</u> 1 acre	100 feet	200 feet	10%	400 ft.	25 ft.	6 ft.	50 ft.
<u>Permanent Residence</u> 2 acres	200 feet	200 ft.	10%	720 ft.	30 ft.	6 ft.	50 ft.
<u>Use under Section 7.1.3 & 7.1.4</u> 25 acres	350 ft.	600 ft			100 ft.	50 ft.	50 ft.
<u>Use under Sections 7.1.5, 7.1.7, 7.1.9 & 7.1.13</u> 3 acres	150 ft	200 ft.			50 ft.		

SCHEDULE "C"

RESIDENTIAL ZONE REGULATIONS

Residential Regulations

Minimum Lot Area	Minimum Lot Frontage	Minimum Lot Depth	Minimum Floor Area	Maximum Building Height	Maximum Lot Coverage	Setbacks		
						Front	Side	Rear
15,000 sq. ft.	100 ft.	100 ft.	720 sq. ft.	2 stories or 30 feet	17%	20 ft.	6 ft.	25 ft.

The minimum yard in all cases relative to the water's edge shall be 50 feet except for docks.

SCHEDULE "D"

Non Residential Regulations in Residential Zone

15,000 sq. ft.	120 ft.	100 ft.		60 feet	30%	30 ft.	20 ft.	35 ft.
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The minimum yard in all cases relative to the water's edge shall be 50 feet except for docks.

Parking Provisions for All Zones

The owner of every building, structure or use erected or used on any land for any purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said premises from time to time, parking spaces, aisles, driveways and areas as follows:

<u>TYPE OR USE OF FLOOR AREA, ROOM OR BUILDING</u>	<u>PARKING SPACES REQUIRED TO BE PROVIDED</u>
--	---

1. Dwelling or buildings containing one dwelling unit	1
2a. Hotel or Motor Hotel	1 for each guest room and 1 per 2 employees
2b. Motel	1 per guest and 1 per 2 employees
3. Rooming houses, lodging houses or tourist establishments	1 per room
4. Home occupations	1 per 150 sq. ft. floor area or part thereof so used
5. Assembly halls with fixed seats which, without limiting the generality of the foregoing, may include meeting halls, auditoria, stadia, arenas and theatres other than motion picture theatres	1 per 6 fixed seats
6. Assembly halls where non-fixed seats may be used with or without tables which without limiting the generality of the foregoing, may include meeting halls, auditoria, stadia, arenas, exhibition halls, churches, dance and other halls and lounges	1 per 75 sq. ft. floor area
7. Motion picture theatres	1 per 5 seats
8. Museums, art galleries, libraries and similar cultural facilities	1 per 200 sq. ft. floor area for display areas and additional parking for theatres, lecture halls, offices and storage areas as required by this schedule
9. Bowling alleys	4 per bowling lane
10. Curling rinks	10 per curling sheet
11. Offices other than the office of a physician or dentist	1 for each 200 sq. ft. of floor area
11a Offices or clinics of physicians or dentists	6 per physician or dentist

<u>TYPE OR USE OF FLOOR AREA, ROOM OR BUILDING</u>	<u>PARKING SPACES REQUIRED TO BE PROVIDED</u>
12. Banks, trust company offices, finance company offices	1 per 100 sq. ft. floor area
13. Barber shops, shoe shine shops, hairdressing shops	3 per chair
14. Service shops	1 per 150 sq. ft. floor area
15. Retail stores excluding furniture stores	1 per 300 sq. ft. floor area on ground floor, 1 per 500 sq. ft. floor area on other floors.
16. Retail furniture stores	1 per 300 sq. ft. on ground floor, 1 per 500 sq. ft. on other floors.
17. Elementary schools	1 per teacher
18. Secondary schools	5 per classroom
19. Hospitals	3 per bed
20. Eating establishments as part of a hotel, motor hotel or office building	1 per 200 sq. ft. floor area
21. Other eating establishments and licensed beverage establishments	1 per 100 sq. ft. floor area
22. General business and commercial uses not specifically listed above	1 per 300 sq. ft. floor area in excess of 300
23. For any other use not speci- fically provided for	1 per 200 sq. ft. floor area

Existing Buildings in the V Zone

- In respect of a use heretofore or hereafter carried on in a building on a lot in the V zone, if
- (1) such building existed on the date of the passing of this by-law
 - (2) the use carried on is a use permitted in the V zone; and
 - (3) such building was the subject or basis of business assessment under Section 9 of the Assessment Act, R.S.O. 1960, Chapter 23, according to the last revised assessment roll for the year 1968, being the assessment made in 1968 for taxation in 1969;
- then the requirements of this schedule are reduced to the number of parking spaces that actually existed or the number of parking spaces that could reasonably have been located on such lot to serve a use in such building prior to the passing of this by-law, whichever number is the greater.

Interpretation

1. If by this schedule parking spaces are required for a specified amount of floor space or other criterion the same number of parking spaces are required for a part of such floor area or other criterion as the case may be.
2. Where reference is made to seating capacity 1 seat is equal to 20 inches of bench space.
3. In a building or on a lot in which more than one use is located the requirements of this schedule apply to each such use for the part of the building or lot so used.
4. Where reference is made to employees, the number is the maximum number of persons employed on the premises at one time.

Access

All parking areas shall have direct access to or from a public street or lane by a driveway having a width of not less than ten (10) feet.

Access to Parking Areas

All parking areas that contain seven (7) or more parking spaces shall be so designed that vehicles can enter and leave in a forward direction.

Aisles and Parking Areas - Design

<u>Parking Space Angle</u>	<u>Perpendicular Stall Width</u>	<u>Perpendicular Distance from Parking Stall End to Driveway</u>	<u>Minimum Driveway or Aisle Width</u>	<u>Minimum Parking Area Width with parking spaces on one side only</u>	<u>Minimum Parking Area Width with parking spaces on both sides</u>
90°	10 ft.	19 ft.	25 ft.	44 ft.	63 ft.
60°	10 ft.	21 ft.	18 ft.	39 ft.	60 ft.
45°	10 ft.	20 ft.	13 ft.	33 ft.	53 ft.
30°	10 ft.	18 ft.	11 ft.	29 ft.	47 ft.
Parallel	10 ft.	Minimum parking space length 26 ft.	10 ft.	19 ft.	28 ft.

Surface Treatment

All parking spaces, aisles and driveways required in the V zone shall be constructed and maintained so as to be usable in all seasons and shall be surfaced with granular base, crushed stone, concrete, asphaltic pavement or other similar hard and dustless surface.

Parking Spaces in Buildings

Some or all of the parking spaces required by this by-law may be located in an accessory building or in the principal building in which case the provisions of this schedule requiring setback from building walls do not apply.

No Access to Parking from R Zone

No person shall use land in a residential zone as access to any parking space or parking area located in any other zone.

Drainage - Retaining Wall

All parking spaces, aisles and driveways shall be so graded or drained as to ensure that surface water will not escape to neighbouring lands as a result of the construction or use of such parking spaces, aisles and driveways.

Setback from Residential Zone

Subject to the other provisions of this schedule, no parking space in a zone other than an R zone shall be located closer to any residential zone than five (5) feet.

Lighted Parking Area

If lighting is provided for any parking space, area or lot, such lighting shall be constructed as to direct such light away from an adjacent Residential Zone

Location of Parking Area

Subject to other provisions of this by-law, no required parking space shall be located:

- (1) in a front yard except in a single family dwelling,
- (2) in a required side yard abutting a street
- (3) within 10 feet of any entrance to or exit from any building on the lot, in a zone other than an R Zone, or
- (4) within 10 feet of a side lot line of an adjoining lot where such parking space is provided in conjunction with a church or church hall.

Parking Spaces on Neighbouring Lands

Parking spaces required in the Village Centre and Residential zones on the same lot as such use or within five hundred (500) feet thereof provided

- (1) the two properties are owned by the same person or the land to be used for parking is held under a lease having a definite term in excess of twenty-one (21) years by the owner of the benefitting lands.

SCHEDULE "F"

Loading Space Requirements for all Zones

Requirement

In the event of the establishment of any use, or the erection, enlargement, increase in capacity or change in use of any building to house any of the uses hereinafter listed in this schedule, there shall be provided with the establishment, erection, enlargement, increase in capacity or change in use for each of said uses, minimum off-street loading accommodation as set forth in the following table and such off-street loading accommodation shall be retained so long

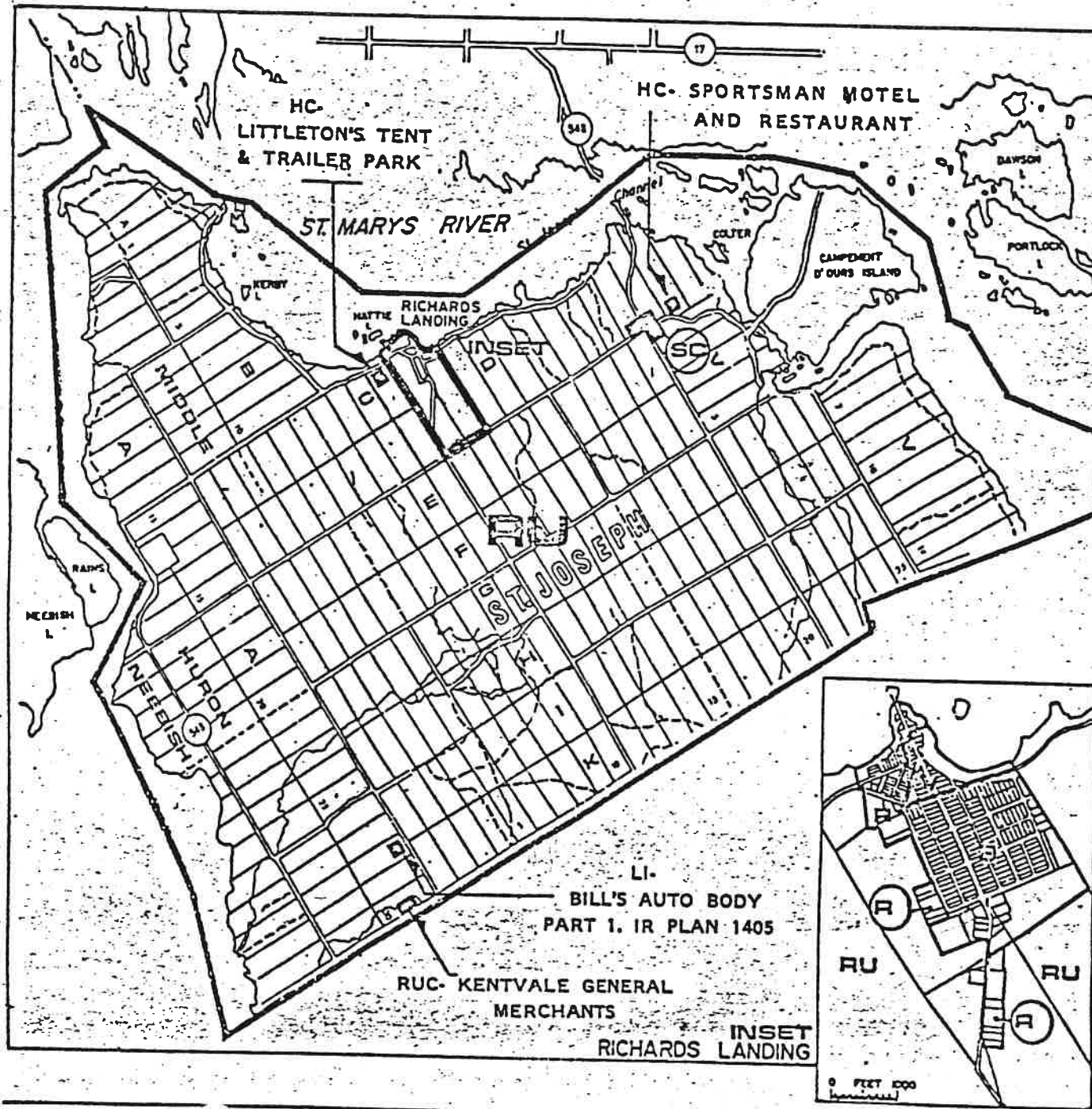
Schedule "F" (cont.)

as the use remains or the building is so used:

TABLE OF MINIMUM OFF-STREET LOADING REQUIREMENTS

Column 1	Column 2	Column 3	Column 4	Column 5
Use	Size (Floor Area in sq. ft.)	No. of Street Loading Spaces Required	Size of Off-street loading space required (ft.)	Overhead Clearance of loading spaces required
1. Retail, and Wholesale stores, banks, offices, public administration buildings, repair shops, licensed (L.C.B.O.) premises, eating establishments and similar television and radio studios and other commercial users.	a) 5,000 to 10,000 b) 10,000 to 25,000 c) 25,000 to 40,000 d) 40,000 to 100,000 e) 100,000 to 250,000 f) each additional 100,000 sq. ft.	1 2 2 3 4	a) 12 x 30 b) 12 x 40 c) 12 x 40 d) 14 x 50 e) 14 x 60 f) 14 x 60	a) 14' 6" b) 14' 6" c) 14' 6" d) 14' 6" e) 14' 6" f) 14' 6"
2. Bowling Alleys	a) 10,000 to 100,000 b) each additional 100,000 sq. ft.	1	a) 12 x 40 b) 12 x 40	a) 14' 6" b) 14' 6"
3. Hotels, motels, private clubs, public halls, auditoria, hospitals and similar uses	a) 10,000 to 150,000 b) each additional 150,000 sq. ft.	1	a) 12 x 40 b) 14 x 60	a) 14' 6" b) 14' 6"
4. A manufacturing, processing, cleaning, servicing or repairing establishment or warehouse	a) 5,000 to 40,000 b) 40,000 to 100,000 c) each additional 100,000 sq. ft.	1 2	a) 14 x 60 b) 14 x 60	a) 14' 6" b) 14' 6"
Location		1	c) 14 x 60	c) 14' 6"

Loading spaces shall be located in a building, or in any open space on the lot other than a required front yard or a required side yard that abuts a street.



MAP SCHEDULE NO 1

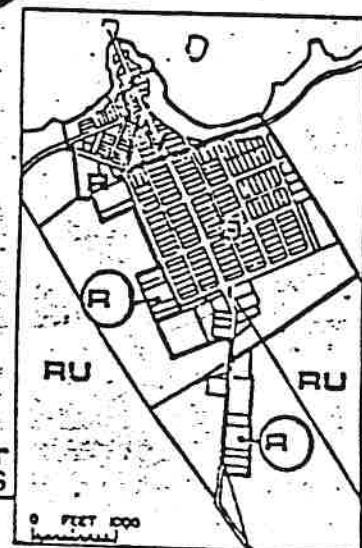
TOWNSHIP OF
ST. JOSEPH

RESTRICTED AREA
(ZONING) BY-LAW

- RESIDENTIAL _____ R
- LIGHT INDUSTRIAL _____ U
- VILLAGE CENTRE _____ V
- COMMERCIAL _____ C
- RESORT COMMERCIAL _____ RC
- RURAL _____ RU
- SERVICE CENTRE _____ SC
- HIGHWAY COMMERCIAL _____ HC
- RURAL COMMERCIAL _____ RUC



ST. JOSEPH ISLAND PLANNING BOARD
SAVOUR & PEACH ARCHITECTS-PLANNERS



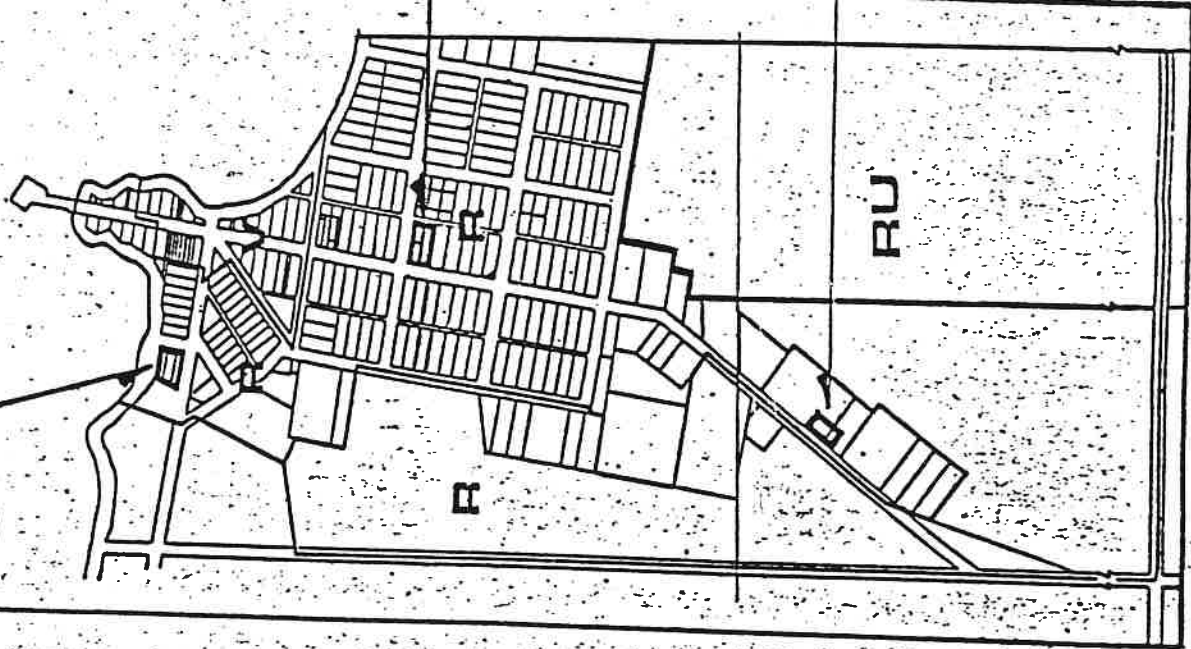
INSET- RICHARDS LANDING

RESTRICTED AREA
(zoning by-law)



RC- COURTNEY'S GIFT
SHOP & MARINA

- RESIDENTIAL _____ R
- RURAL _____ RU
- VILLAGE CENTRE _____ V
- RESORT COMMERCIAL _____ RC
- HIGHWAY COMMERCIAL _____ HC

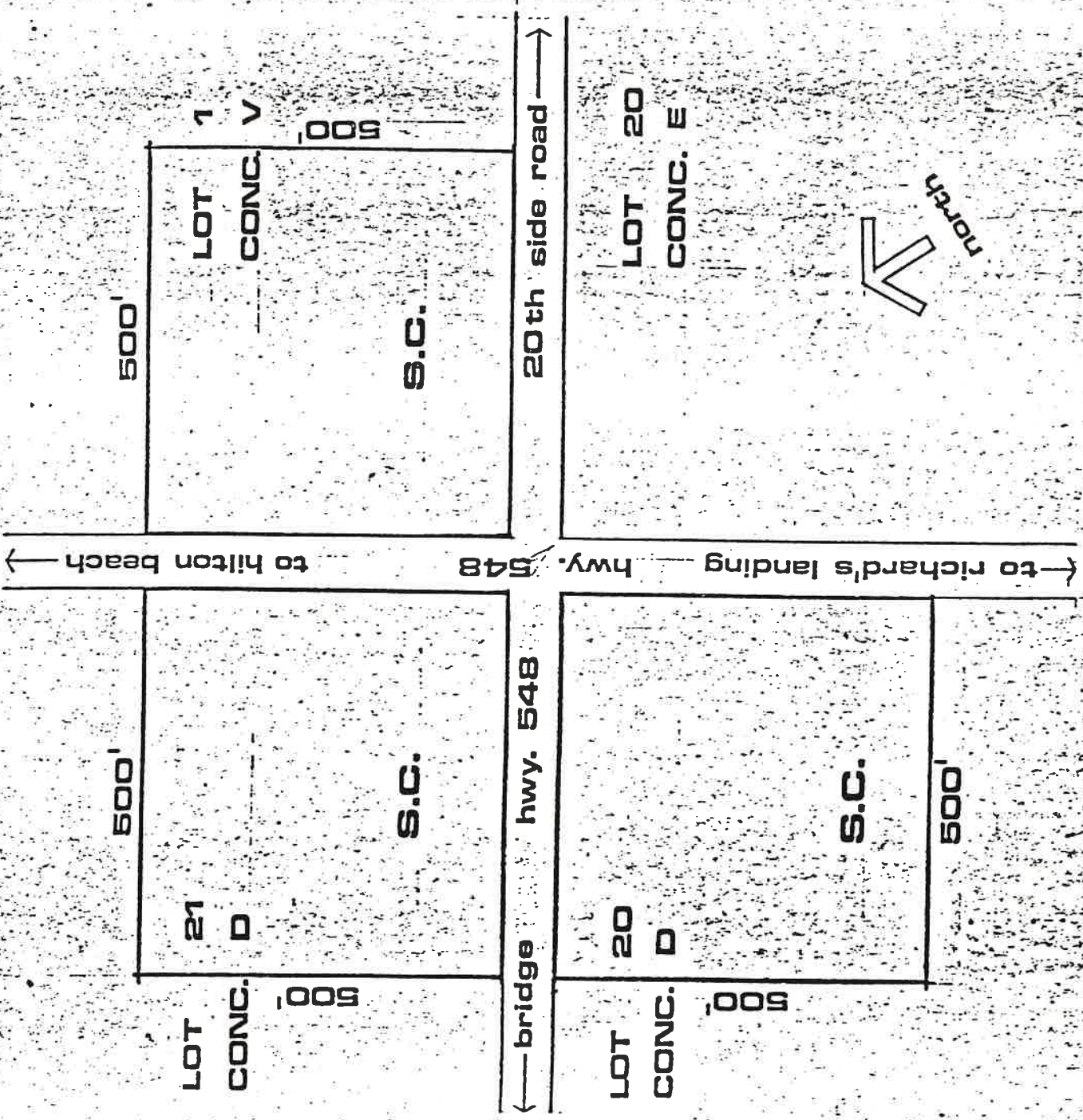


HC- AMBEAULT'S SERVICE
STATION

HC- CLANSMAN MOTEL

MAP SCHEDULE #3
SERVICE CENTRE ZONE (S.C.)
TOWNSHIP OF ST. JOSEPH

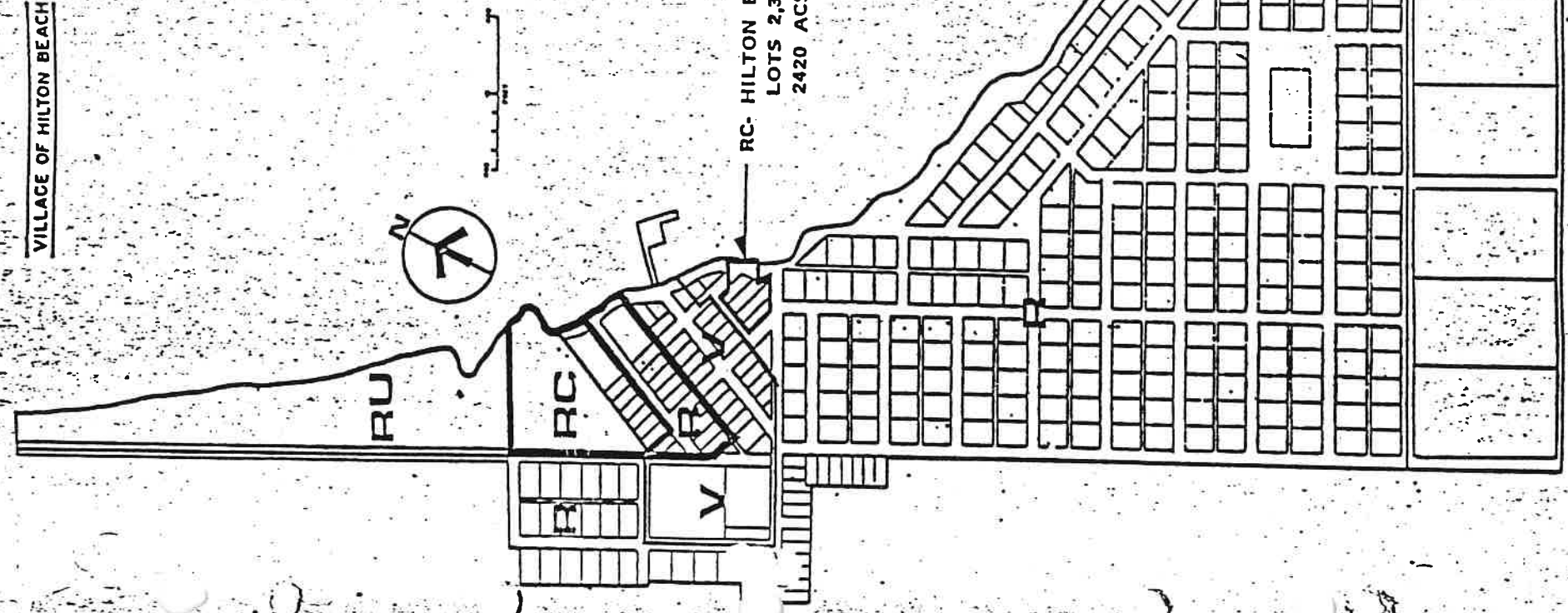
SIX feet
side/rear



VILLAGE OF HILTON BEACH

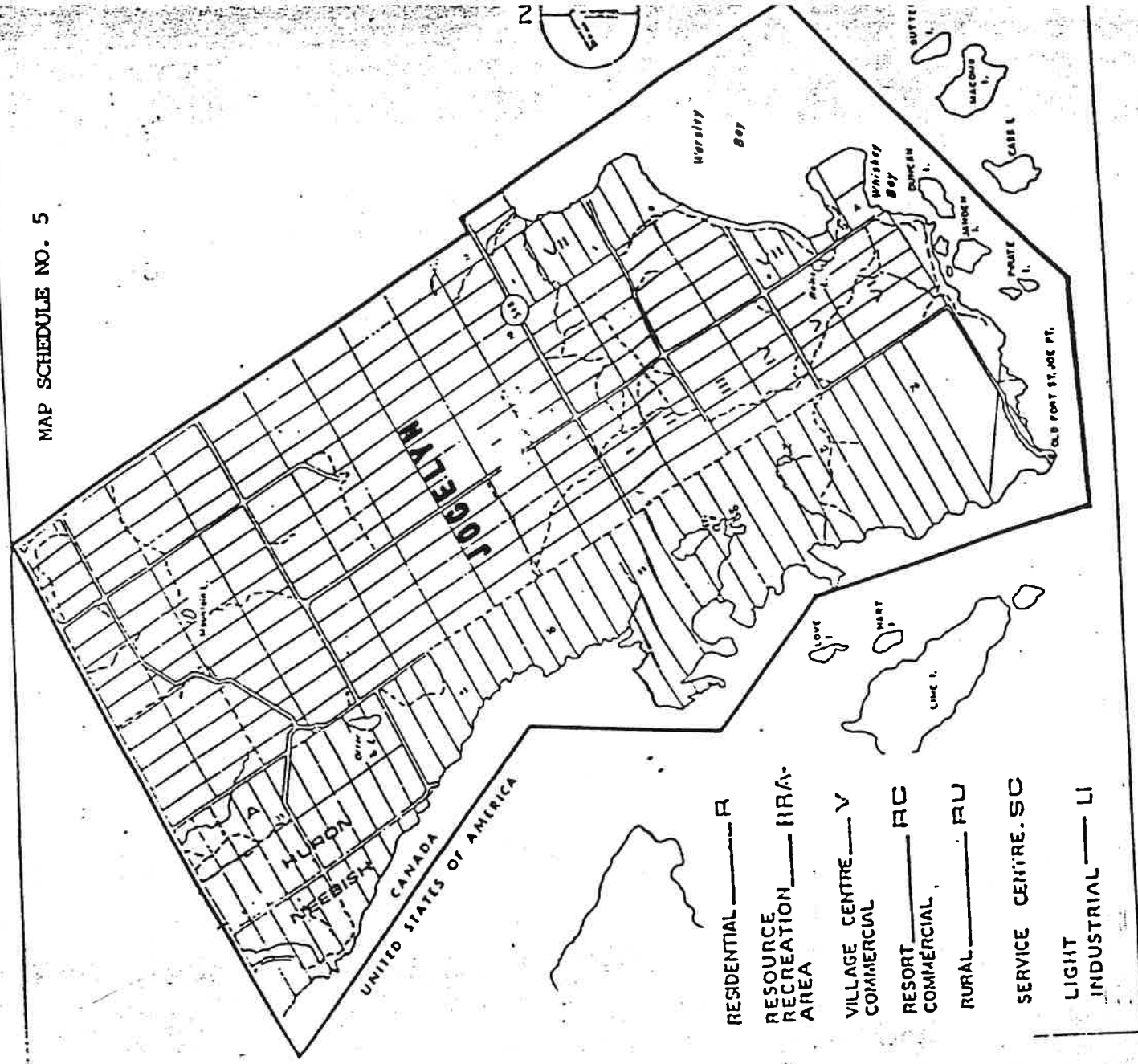
ZONING BY-LAW

- residential _____
- village centre commercial _____ **RI**
- resort commercial _____ **RI**
- rural _____
- zone boundary _____
- municipal boundary _____



ST. JOSEPH ISLAND PLANNING BOARD
 SAWMUN B PEACH - ARCHITECTS - PLANNER

MAP SCHEDULE NO. 5



- RESIDENTIAL — R
- RESOURCE RECREATION AREA — HRA
- VILLAGE CENTRE — V
- RESORT COMMERCIAL — RC
- RURAL — RU
- SERVICE CENTRE — SC
- LIGHT INDUSTRIAL — LI