

TOWNSHIP OF WHITE RIVER

ZONING BY-LAW NO. 85-06

RECOMMENDED ZONING BY-LAW

PROCTOR & REDFERN LIMITED  
1188 ST. JEROME STREET, SUITE 210  
SUDBURY, ONTARIO

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JUNE 18, 1984

REVISED DECEMBER 5, 1984

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THE CORPORATION OF THE  
TOWNSHIP OF WHITE RIVER  
ZONING BY-LAW NO. 85-06

A By-law to enact zoning regulations for the Township of White River.

WHEREAS authority is granted under the Planning Act, 1983, to pass this By-law; and,

WHEREAS it is deemed necessary in the public interest to regulate the use of land in the Township of White River and to implement the Official Plan for the Township of White River Planning Area,

NOW THEREFORE the Council of the Corporation of the Township of White River enacts as follows:

**SECTION 1 - INTERPRETATION**

**1.1 SHORT TITLE**

This By-law shall be known as "The Township of White River Zoning By-law".

**1.2 DEFINED AREA**

This By-law shall apply to all land within the boundaries of the Township of White River.

**1.3 APPLICATION**

No land shall be used and no building or structure shall be erected, structurally altered, enlarged or used within the Township of White River except in conformity with the provisions of this By-law.

**1.4 OBLIGATION REGARDING OTHER BY-LAWS**

Nothing in this By-law shall relieve any person, from the obligation to comply with the requirements of the Ontario Building Code Act or of any By-law of the Corporation in force from time to time, or the obligation to obtain any license, permit, authority or approval required under any By-law of the Corporation.

**1.5 MINIMUM REQUIREMENTS**

The provisions of this By-law are held to be the minimum requirements adopted for the promotion of public health, safety, convenience or general welfare of the municipality.

#### 1.6 INTERPRETATION

Unless the contrary intention appears in this By-law, words importing the singular number or the masculine gender only, include more persons, parties or things of the same kind than one, and female as well as male; and the converse.

#### 1.7 SEVERABILITY

If any provision of this By-law, including any part of the zoning as shown on the zoning map, is for any reason held to be invalid, all the remaining provisions shall remain in full force and effect until repealed, notwithstanding that one or more provisions shall have been declared to be invalid.

#### 1.8 ROAD AND RIGHT-OF-WAY CLOSINGS

In the event a dedicated road or right-of-way shown on the schedule is closed, the property formerly in said road or right-of-way shall be included within the zone of the adjoining property on either side of the said closed road or right-of-way, and the zone boundary shall be the former centre line of said road or right-of-way.

#### 1.9 CONFLICTS

In the event of any conflict within this By-law or with any amendment to this By-law or any other By-law passed by the Corporation then the more restrictive provision shall apply unless the context requires otherwise.

## SECTION 2 - GENERAL PROVISIONS - ALL ZONES

### 2.1 CONTINUATION OF EXISTING USES

The provisions of this By-law shall not apply 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 date of passing of this By-law, so long as it continues to be used for that purpose.

### 2.2 BUILDING PERMIT ISSUES

The provisions of this By-law shall not apply to prevent the erection or use for a purpose prohibited by the By-law of any building or structure for which a permit has been issued under Section 5 of the Building Code Act, prior to the day of the passing of the By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under Section 6 of the Building Code Act.

### 2.3 NON-CONFORMING AND NON-COMPLYING BUILDING AND USES

Where an existing use of any land, building or structure is for a purpose not permitted by this By-law or, where the use does not meet the minimum provisions for the zone in which it is located, the said use may be structurally altered, expanded, strengthened, or reconstructed provided:

- 2.3.1 There is no further reduction according to the standards in this By-law;
- 2.3.2 There is compliance with all other applicable provisions in this By-law;

2.3.3 There is no change in use except to a use which is permitted within the zone in which it is situated;

\*  
2.4 EXISTING UNDERSIZED LOTS

Notwithstanding anything to the contrary in this By-law, a vacant lot held in separate ownership from adjoining parcels on the date of the passing of this By-law, having less than the minimum lot frontage, and/or lot depth and/or lot area required by this By-law, may be used for a purpose permitted in the zone in which the said lot is located, provided that all other applicable provisions in this By-law are complied with.

2.5 PUBLIC USES PERMITTED

The provisions of this By-law do not apply to prevent the use of any land or the erection or use of any building or structure for essential public services and utilities by the Corporation or any department of the Government of Ontario or Canada, including Ontario Hydro or any telephone, telegraph, railway or utility company.

2.6 FRONTAGE ON ROADS

A building or structure may not be erected on any lot unless such lot fronts on and has access to an opened, year-round, publicly owned and maintained road, of a satisfactory standard of maintenance except that:

\* 2.6.1 A recreation dwelling may be erected on a lot abutting a seasonally maintained public road, or on a lot having water access only;

2.6.2 Buildings or structures associated with forestry, mining, pits and quarries may be accessed by private roads.



## 2.7 TEMPORARY CONSTRUCTION USES PERMITTED

A tool shed, scaffold or other building or structure incidental to, and necessary for, construction work on the premises, is permitted in any zone, provided such use, building or structure is removed when the work in connection with which they are constructed is finished or abandoned.

## 2.8 ACCESSORY BUILDINGS, STRUCTURES AND USES

Where this By-law permits the use of land, buildings or structures for a specific use, such use shall include any buildings, structures or uses accessory to the permitted use, subject to the provisions of the said zone, except that:

- 2.8.1 an accessory building or structure may not be used for human habitation, except where a dwelling is a permitted accessory use;
- 2.8.2 an accessory building or structure may not exceed the height of the main building;
- 2.8.3 an accessory building or structure, may not encroach into the front yard of the main building;
- 2.8.4 the minimum side and rear yards for an accessory building or structure is 1.2 metres;

## 2.9 HEIGHT REGULATIONS

Height regulations in this By-law do not apply to church spires, a belfry, a flagpole, a clock tower, a chimney, or water tank, a windmill, a radio or television tower or antenna, air conditioner duct, solar collectors, a barn, a silo, a headframe, a ventilator or a roof structure which is used only as an ornament or to house mechanical equipment.

## 2.10 SIGHT DISTANCES

Notwithstanding any other provisions of this By-law, in any corner lot, no building, structure, berm, fence, tree, hedge, or shrub with a height exceeding 1 metre above the grade of the road, shall be erected within the triangular space:

2.10.1 measured along the street lines for a distance of 10 metres from their point of intersection;

2.10.2 measured along a streetline and a railway right-of-way for a distance of 30 metres from their point of intersection.

## 2.11 ONE MAIN USE PER LOT

\* Notwithstanding any other provision of this by-law, only one residential building may be erected on any lot.

## 2.12 OBNOXIOUS USE

Notwithstanding any other provision of this By-law, no use shall be permitted which, from its nature or the materials used therein is declared under the Public Health Act, to be an obnoxious use.

## 2.13 LOTS WITH MORE THAN ONE MAIN USE

Where a lot has more than one main use, each use shall conform to the regulations applicable to such use.

## 2.14 PROHIBITED HABITATION

Truck, bus, coach, street car body or other vehicle may not be used for human habitation within the municipality, whether or not the same is mounted on wheels, unless originally and specifically designed for dwelling.

**2.15 BUILDINGS TO BE MOVED**

A building may be moved within or into the Township of White River provided a building permit is first obtained from the Township, but no building may be moved into any zone where it is not permitted.

**\* 2.16 WASTE DISPOSAL HAZARD**

Notwithstanding any other provision of this By-law, no new development, other than the municipal industrial park, is permitted within 300 metres of an existing or former waste disposal site.

**2.17 CONFORMITY WITH EXISTING SETBACKS**

Notwithstanding any other provisions of this By-law, where a building is to be erected in a built-up area, such building may be erected closer to the front lot line than is required by this by-law where an established building line exists on the date of passing of this By-law provided:

- 2.17.1 that in no case shall any building be erected closer than 3 metres from the front lot line and need be no greater than setback regulations prescribed in the zone in which it is situated.

**2.18 OCCUPANCY OF INCOMPLETE BUILDINGS**

No building shall be occupied before the main side walls and roof have been erected and the external siding and roofing have been completed, and where applicable, kitchen, water, heating and sanitary facilities have been installed and are in satisfactory working order.

2.19 OUTSIDE STORAGE PROHIBITED

Notwithstanding any other provisions of this By-law, no outside storage shall be permitted in any front yard in any zone within the municipality.

## SECTION 3 - ZONE PROVISIONS

### 3.1 ZONES IN BY-LAW

For the purpose of this By-law, the following zones are established and are identified on Schedules A, B, C and D by the following symbols:

SYMBOL	ZONE	SYMBOL	ZONE
R	Residential	I <sub>E</sub>	Industrial Extractive
RM	Residential, Multiple	I <sub>1</sub>	Industrial, Light
RMH	Residential, Mobile Home	I <sub>2</sub>	Industrial, Heavy
RR	Residential, Resort	NR	Natural Resource
CH	Commercial Highway	HAZ	Hazard Land
CG	Commercial General	G	Institutional

### 3.2 ZONING SCHEDULES

Schedules A, B, C and D attached hereto, together with notations and references shown thereon, are hereby declared to form part of this by-law.

### 3.3 INTERPRETATION OF ZONING BOUNDARIES

For the purpose of this By-law, all land within the municipality is hereby divided into zones as set out in Section 3.1 and as shown on Schedules A and B and the zone boundaries are:

- 3.3.1 the centre line of any road, right-of-way or watercourse;
- 3.3.2 the limits of the municipality;

3.3.3 the lot lines as indicated on a registered plan of subdivision, or other survey plan; except that

3.3.4 in the absence of any of the above, the zone boundary is the distance as scaled from the zoning schedule.

3.4 PERMITTED USES

No land, building or structure shall be erected or used in any zone except for the purposes shown on Schedule C, Permitted Uses in Zones.

3.5 LOT AND BUILDING STANDARDS

No land, building or structure shall be erected, altered or used except in accordance with the standards shown on Schedule D, Standards for Uses.

\* 3.6 RESIDENTIAL DWELLING LOTS

In any zone where a residential dwelling or a mobile home is a permitted use, no building permit shall be issued unless:

3.6.1 It is to be erected on a lot that can be legally conveyed under the Planning Act, 1982

\* 3.6.2 It is to be erected on a mobile home lot in a mobile home park in accordance with Schedule "D".

3.7 HOME OCCUPATIONS

In any zone where a home occupation is permitted:

3.7.1 The profession or occupation shall be carried on by a member of the family residing on the premises who may employ or be assisted by one other person;

- 3.7.2 Not more than 25 per cent of the gross floor area of a dwelling unit may be devoted to said uses;
- 3.7.3 The residential character of the dwelling and the property shall not be changed;
- 3.7.4 The occupation shall not create or become a public nuisance because of noise, fumes, dust, odour, traffic or other cause for disturbance;
- \* 3.7.5 Outside storage or display of materials, containers, equipment or finished products is prohibited.
- 3.7.6 An accessory building used for home occupation purposes must be clearly secondary to the use of the property for residential purposes; and, not more than 50% of the gross floor area of the accessory building may be devoted to the said use.

\* 3.8 HAZARD LANDS

Notwithstanding any other provisions of this By-law, the erection of buildings or structures shall not be permitted in the Hazard Zone or on any waterfront land on Little Lake, White River and Picnic Lake as shown on Schedule 'B', below the regional flood elevation of 372.77 m CGD except where:

- 3.8.1 Such buildings or structures are intended for flood or erosion control, or are normally associated with watercourse protection works, or bank stabilization;
- 3.8.2 A boathouse, dock or pump house is being erected or altered.

### 3.9 PERMITTED ENCROACHMENTS IN YARDS

Every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky except that those structures listed in the following table shall be permitted to project into the minimum yards required by this By-law for the following specified distances:

* STRUCTURE	YARDS IN WHICH PROJECTION IS PERMITTED	MAXIMUM ENCROACHMENT INTO YARD
chimneys, fire escapes, exterior staircases, bay windows, balconies, sills, beltcourses, cornices, eaves, canopies, gutters	any yard	1 metre
open roofed porches not exceeding one storey in height, uncovered terraces	any yard	3 metres
steps without a roof, wheelchair ramps, fences	any yard	-



### 3.10 PARKING REQUIREMENTS

For every building, structure or land to be erected, enlarged or used, in any zone, off-street parking spaces shall be provided and maintained in accordance with the following provisions:

TYPE OF USE	MINIMUM PARKING REQUIRED
3.10.1 Residential Use	1 parking space or 1 garage or 1 carport for each dwelling unit.
3.10.2 Multiple Family Dwelling	1.25 parking spaces for each dwelling unit.
3.10.3 Commercial use, general office, professional office, or home occupation	1 parking space for each 25m <sup>2</sup> of office or commercial floor space in the building.
3.10.4 Auditorium, arena, church, hall, tavern, restaurant, theatre and other places of assembly	1 parking space for each 5 seats or for each 10m <sup>2</sup> of floor area, whichever is greater.
3.10.5 Rooming houses and boarding houses	1 parking space for every 2 rooms rented to roomers or boarders.
3.10.6 Hotels; motels, and tourist cabins	1 parking space for each guest room or motel suite plus parking spaces for places of assembly as given in 3.10.4
3.10.7 Industrial use	1 parking space for each 100m <sup>2</sup> of building floor space or for every 3 employees, whichever is greater

### 3.11 LOADING SPACE STANDARDS

For every building or structure to be erected or enlarged, or any land to be used in any zone for any commercial, or industrial purpose involving the movement of goods or persons, off-street loading spaces shall be provided in accordance with the following provisions:

<u>Floor Area of Building</u>	<u>Loading Spaces Required</u>
Less than 275m <sup>2</sup>	1 space
For every additional 1850m <sup>2</sup> or fraction thereof	1 space

3.12 SPECIAL PROVISIONS FOR ACCESSORY STRUCTURES

A boathouse, pump house or dock may be erected to a lot line when said lot line is on a body of water.

3.13 ACCESSORY RESIDENTIAL ACCOMMODATIONS

Notwithstanding any other provisions of this By-law, accessory residential accommodations for store owners, operators or as rental units associated with commercial general and commercial highway zones provided:

3.13.1 The residential use is accessory to the main commercial use;

3.13.2 The entrance to the residential use shall be separate from the commercial entrance;

3.13.3 The residential use shall be located to the rear or above the commercial use;

3.13.4 The residential use shall not occupy more than 50% of the gross floor area of the commercial building.

\* 3.13.5 The residential use shall not be located in a building used as an automobile service station.

3.14 GROUP HOME DEVELOPMENT STANDARD

\* A group home must be spaced at least 300 metres from another group home located in any residential area.

\* 3.15 SPECIAL POLICY AREA CONSTRAINT AND FLOOD FRINGE AREA CONSTRAINT

Notwithstanding any other provisions of this By-law, the following special provisions apply to the lands identified on Schedule 'A' to this By-law as Special Policy Area Constraint and Flood Fringe Area Constraint in addition to the requirements of this By-law for the underlying zones shown on Schedule 'A'.

3.15.1 The minimum elevation for openings is 372.77 metres CGD.

3.15.2 No habitable room shall be permitted below the regional flood level of 372.77 metres CGD.

\* 3.15.3 For the purpose of this By-law habitable means a room used or intended to be used for eating, cooking or sleeping; but does not include any space used as a bathroom, corridor or hallway, closet, stairway, lobby, recreation room, workshop, storage or laundry room.

\* 3.16 BUS AND TRUCK PARKING IN RESIDENTIAL ZONE AND ON PUBLIC STREET

No bus or truck of more than 910 kilograms GVW shall be parked overnight on any public street or in any residential zone.

\* 3.17 SIDE YARD FOR SEMI-DETACHED DWELLING

Notwithstanding the minimum side yard provisions of this By-law, an interior side yard is not required where the centre line of the common or party wall separates the two dwelling units provided that each of the two parts meet all other applicable provisions of the by-law.

## SECTION 4 - DEFINITIONS

For the purpose of this By-law, the definitions and interpretations given in this section shall govern:

- 4.1 ACCESSORY means a use, building or structure that is naturally and normally incidental, subordinate and exclusively devoted to a main use, building or structure and located on the same lot therewith.
- 4.2 ALTER means to change an existing structure in any fashion that requires a building permit under the Building Code Act, R.S.O. 1980, c 51.
- 4.3 AUTOMOBILE SERVICE STATION means a building or a clearly defined space on a lot where gasoline or other motor fuels and conveyance accessories are stored or kept for sale and where repairs to motor vehicles are executed or performed.
- 4.4 BANK means a banking institution as defined in the Bank Act, R.S.O. 1970, c B-1.
- 4.5 BASEMENT means that portion of a building between two floor levels which is partly below grade and which has more than one-half of its height measured from finished floor to finished ceiling above the established grade.
- 4.6 BOARDING AND ROOMING HOUSE means any building or part thereof in which the proprietor resides and supplies for hire or gain to more than 2 persons, exclusive of the proprietor or members of his family, lodging and/or meals including a similar establishment and excluding a hotel, motel, hospital or nursing home.
- 4.7 BUILDING means any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels other than a lawful boundary wall or fence.
- 4.8 BULK SALES ESTABLISHMENT means the use of land, structure or building for the purposes of buying and selling coal, fuel oil, gasoline, propane, wood, lumber, building materials, ice, and allied commodities but does not include any manufacturing assembling or processing uses.
- 4.9 BULK STORAGE YARD means a place where land is used for the storage, in the open, of goods and materials and without limiting the generality of the foregoing includes coal, lumber, building supplies, construction yards, but shall not include salvage yards or auto wrecking yards.
- 4.10 BUSINESS OR PROFESSIONAL OFFICE means a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatments.
- \* 4.11 CARWASH means the use of land, or building, or structure for the washing and cleaning of motor vehicles but shall not include any other automotive use specifically defined in this By-law.

- 4.12 CELLAR means a portion of a building between two floor levels partly or wholly underground and which has more than one-half of its height, measured from finished floor to finished ceiling, below the established grade.
- 4.13 CEMETERY means a place where the dead are buried as defined by the Cemeteries Act, R.S.O. 1970, Chapter 57.
- 4.14 COMMERCIAL USE means the use of land, building or structure for the purposes of buying and selling of commodities and supplying of services as distinguished from such uses as manufacturing or assembling of goods, warehousing and construction.
- 4.15 COMMUNITY CENTRE means public land, building or structure used for community activities.
- 4.16 CONSERVATION USES means land used solely for the preservation and enhancement of the natural environment and may include a conservation area.
- 4.17 CONTRACTOR'S YARD means an area, with or without buildings, used on a regular basis to store materials and equipment, related to the business.
- 4.18 CONVENIENCE STORE means a retail store serving the daily or occasional needs of the residents of the immediate area with a variety of goods such as groceries, meats, beverages, dairy products, patent medicines, sundries, tobacco, stationery, hardware, magazines and/or newspapers.
- 4.19 CORPORATION means the Corporation of the Township of White River.
- 4.20 COUNCIL means the Council of the Corporation of the Township of White River.
- 4.21 COVERAGE means that percentage of land or lot area covered by buildings and structures above ground level and excludes that portion of such land or lot area which is occupied by a building or portion thereof which is completely below ground level.
- 4.22 DWELLING UNIT means one or more habitable rooms designed or intended for use by one or more individuals as an independent and separate house-keeping establishment in which separate kitchen, living, sleeping and sanitary facilities are provided for the exclusive use of such individual or individuals, with a private entrance from outside the building or from a common hallway, or staircase inside the building, and includes a mobile home or a modular home.
- 4.23 DWELLING, CONVERTED means a building originally designed as a single family dwelling which has been altered or converted so as to provide therein not more than two dwelling units.

- 4.24 DWELLING, MULTIPLE FAMILY means a building or portion thereof, containing three or more dwelling units.
- 4.25 DWELLING, RECREATION means a detached dwelling used for recreation purposes that is not used for continuous habitation or as a permanent residence.
- 4.26 DWELLING, SINGLE FAMILY means a separate building containing respectively one dwelling unit.
- 4.27 DWELLING, TWO-FAMILY means a separate building containing two dwelling units.
- 4.28 EATING ESTABLISHMENT means a building or part of a building where food is offered for sale or sold to the public for immediate consumption and includes such uses as a restaurant, dining room, cafe, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand.
- 4.29 ERECT means build, construct, reconstruct, place, alter, enlarge, and relocate and without limiting the generality of the foregoing, is taken to include any associated physical operation such as excavating, grading, or structurally altering any existing building or structure by an addition, deletion, enlargement, or extension.
- 4.30 ESTABLISHED BUILDING LINE means the average setback of existing buildings. A building line is considered to be established when a minimum of 3 buildings have been erected on any one side of a continuous 100 metres of land with street frontage.
- 4.31 ESTABLISHED GRADE means the average elevation of the finished surface of the ground at ground level of a building or structure.
- 4.32 EXISTING USE means a use, building or structure lawfully existing on the day of the passing of this By-law.
- 4.33 EXPAND means to increase or enlarge the size of a building or structure or to increase the area of land occupied by a use, in compliance with the provisions of this By-law, but does not include expansion onto another lot.
- 4.34 FAMILY means a person or two or more related persons and not more than two boarders, or a group of not more than five unrelated persons.

- 4.35 FLOOR AREA means total liveable floor area as measured from exterior walls but excluding basements, porches, verandahs, unfinished attics, cellars and private garages or carports.
- 4.36 FORESTRY USE means the general raising and harvesting of wood and without limiting the generality of the foregoing, shall include the raising and cutting of fuel wood, pulp wood, lumber, christmas trees, and other forest products.
- 4.37 FUNERAL HOME means a commercial establishment providing funeral supplies and services to the public and includes the storage and preparation for burial or cremation of human remains.
- 4.38 GENERAL OFFICE means any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization, but excludes such uses as retail sale, manufacture, places of assembly and amusement.
- 4.39 GOVERNMENT OFFICE means a building or portion of a building, which is used for the purpose of municipal, provincial and/or federal government administration and includes a municipal office, court house, registry office, health and welfare centre, employment office, post office, and/or other such use.
- 4.40 GROUP HOME means a single housekeeping unit in a residential dwelling in which 3 to 10 residents, excluding staff or receiving family, live as a family under responsible supervision consistent with the requirements of its residents. The home is licensed or approved under Provincial statute.
- 4.41 HAZARD LAND means all lands having inherent environmental hazards, such as poor drainage, organic soils, flood susceptibility, erosion, steep slopes or any other physical condition which leads to the deterioration or degradation of the environment.
- 4.42 HEIGHT means the vertical distance of a building measured between the lowest point of the established grade at the exterior wall at the front of the building, and
- 4.42.1 the highest point of the roof surface of a flat roof,
- 4.42.2 the declivity of a mansard roof, or
- 4.42.3 the mean level between the eaves and the ridge of a gables, hip, gambrel, or other type of pitched roof.
- 4.43 HEREAFTER means after the date of the passing of this By-law.
- \* 4.44 HIGHWAY COMMERCIAL USE means commercial uses which rely on automobile or truck traffic, and the tourist population, which includes such uses as: establishments servicing automobiles and trucks; motels and restaurants; recreation vehicle and trailer sales and service; mobile and modular home display and sales; automobile sales; establishments supplying fuel, gift shops; temporary rental accommodation; and open storage in conjunction with the main use.

- \* 4.45 HOME OCCUPATION means a gainful occupation conducted entirely within a dwelling unit or an accessory building by members of the family residing therein who may employ or be assisted by one other person except that clinics, hospitals, barber shops, beauty parlours, tea rooms, animal hospitals, the keeping of farm animals and automobile sales, service and repair shall be deemed not to be home occupations.
- 4.46 HOTEL means a building or buildings or part thereof on the same site in which a minimum of six rooms is provided for renting as dwellings, usually on a temporary or transient basis, with no facilities for private cooking or housekeeping therein but which may contain a public dining room, and which may be licensed by the L.L.B.O.
- 4.47 INDUSTRIAL EXTRACTIVE means a pit or quarry as defined by the Pits and Quarries Control Act, R.S.O. 1980.
- 4.48 INDUSTRIAL USE means the use of land, building or structure designed for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, or storing or adapting for sale of any goods, substance, article or thing, including the storage of building and construction equipment and material, and such accessory uses as transportation, retailing, wholesaling, storage and shipping; but, excluding any obnoxious industry.
- 4.49 INSTITUTIONAL USE means any land, building or structure used for a non-commercial purpose by any organization, group or association for governmental, religious, educational, charitable or hospital purposes and involving activities carried on for some public purpose and not for profit but excluding a private club, mental hospital or any place of detention or correction.
- 4.50 LIGHT INDUSTRY means the trans-shipping, manufacturing, assembly, or processing of component parts or finished products suitable for retail trade and does not include industries whose operations involve the emission of any air, water or noise pollution that creates a nuisance outside of the building.
- 4.51 LOADING SPACE means an area of not less than 56 square metres measuring 14 metres by 4 metres exclusive of driveways or turning aisles for the loading or unloading of motor vehicles.
- 4.52 LOT means any parcel of land described in a registered deed or shown on a registered plan of subdivision, that can be legally conveyed under the Planning Act.
- 4.53 LOT AREA is the total horizontal area within the lines of a lot. In the case of corner lots having a streetline rounding at the corner of a radius of 6 metres or less, the lot area of such lot shall be calculated as if the lot were produced to their point of intersection.



- 4.54 LOT COVERAGE means the percentage of the lot area covered by the ground floor area of all buildings including accessory buildings, deck, porches, verandahs and stairs.
- \* 4.55 LOT FRONTAGE means the horizontal distance between the side lot lines measured at right angles. Where such lines are not parallel, the lot frontage shall be the distance between the side lot lines measured on a lot line 6 metres from the front lot line. Where two sides of a lot abut an improved public street, the shorter lot line that so abuts shall be deemed the lot frontage; when a lot fronts on both a water body and a street, the lot line abutting the water body and the lot line abutting the street must both meet the minimum lot frontage requirements of the by-law.
- 4.56 LOT LINE means any boundary of a lot.
- 4.57 MAIN BUILDING means the buildings designed or used for the principal use on the lot.
- \* 4.58 MOBILE HOME means a prefabricated dwelling unit designed to be made mobile and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer; and which has been permanently affixed to the ground and is not less than 3.5 metres wide and the total area of which is not less than 65 square metres provided the maximum dimensions of the mobile home as originally manufactured are not more than 5 metres by 24 metres.
- 4.59 MOBILE HOME LOT means a parcel of land or separate area occupied by a dwelling unit in a mobile home park.
- 4.60 MOBILE HOME PARK means a parcel of land containing two or more mobile home spaces and which is under unity of ownership and management and is used for the parking or storage of mobile homes and includes all accessory buildings necessary to the operation of the said park.
- \* 4.61 MODULAR HOME means a single family dwelling consisting of two or more modules which has been prefabricated or manufactured in a factory remote from the site where it is intended to be used and transported to the site for installation on a permanent foundation, but does not include a mobile home; provided the original dimensions of the modular home as manufactured at the factory are not less than 80 square metres and the minimum width of the assembled modules is not less than 7 metres.
- 4.62 MOTEL means an establishment that consists of one, or more than one building containing more than one rental unit for the purpose of catering to the travelling public, by furnishing sleeping accommodation with or without meals, may include permanent staff accommodation and may or may not be licensed under the Liquor Licence Act, with no facilities for private cooking or housekeeping therein, but does not include any other establishment otherwise defined or classified in this By-law.

- 4.63 MUNICIPALITY means the Corporation of the Township of White River.
- 4.64 NON-COMPLYING means the use of land, building or structure which does not comply with the provisions and/or standards of this By-law for the zone in which such land, building or structure is situated.
- 4.65 NON-CONFORMING means a use which is not a use permitted in the zone in which the said use is situated.
- 4.66 OBNOXIOUS USE means any use which shall be a nuisance to the occupants or owners of any neighbouring land or buildings by reason of the emission from the said land or any part thereof or the creation thereon, of odours, gases, dirt, smoke, noise, vibration, fumes, cinders, soot, waste or depositing or leaving unsightly objects or chattels thereon, or an obnoxious use as defined in the Public Health Act, R.S.O. 1970.
- 4.67 OPEN SPACE means an unoccupied space open to the sky except such land as is used or required for parking purposes by this By-law.
- 4.68 OUTSIDE STORAGE means the storage of goods in the open air and in unenclosed portions of buildings which are open to the air on the sides.
- 4.69 PARK means an area permanently devoted to recreational uses and generally characterized by its natural, historic or landscaped features, and used for both passive and active forms of recreation and could include land identified as open space.
- 4.70 PARKING AREA means an area of land which is provided and maintained upon the same lot or lots on which the main use is located and which area comprises all parking spaces required according to the provisions of this By-law, and all driveways, aisles, maneuvering areas, entrances, exits, and similar areas used for the purpose of parking spaces, and which are provided and maintained in accordance with the provisions of this By-law.
- 4.71 PARKING SPACE means an area of not less than 18 square metres exclusive of any aisles or ingress or egress lanes, useable for the temporary parking or storage of motor vehicles, and may include a private garage or carport.
- 4.72 PERSON includes 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 the law.
- 4.73 PERSONAL SERVICE means a business which furnishes a service to meet some general personal need or to benefit the personal needs of individuals but excludes funeral homes and any manufacturing or fabrication of goods for sale.

- 4.74 PIT means an open excavation or cavity in the natural level of the ground made other than by natural causes by the removal of soil or rock, or both, for the purpose of removing sand, gravel or similar material, which is to be used for road building, construction or manufacturing, but does not include a wayside pit.
- 4.75 PLACE OF ENTERTAINMENT means a motion picture or other theatre, arena, auditorium, public hall, billiard or pool room, bowling alley, arcade, roller skating rink.
- 4.76 PLACE OF WORSHIP means a building dedicated to religious worship and includes a church, synagogue or assembly hall and may include such accessory uses as a nursery school, a school for religious education, convent, monastery or parish hall.
- 4.77 PROFESSIONAL PERSON shall for the purpose of this By-law include legally qualified physicians, dentists, optometrists, chiropractors, chiropractors, drugless practitioners, lawyers, engineers, architects, planners, Ontario land surveyors, and accountants; and anyone holding a Provincial or Federal license.
- 4.78 PLAYGROUND means an area of landscaped open space equipped with children's equipment such as slides, swings or wading pools.
- 4.79 PUBLIC FACILITY means a building or part of a building used for a non-commercial purpose by any organized body, religious group and/or society such as a hospital, a library, a convent and/or a similar use.
- \* 4.80 PUBLIC UTILITY means any utility provided by the municipality, the Province of Ontario, or the Government of Canada or their agencies or by a gas, electric, telephone or railway company and includes municipal sewage treatment, water treatment and landfill sites.
- 4.81 QUARRY means an excavation in the natural level of the ground made other than by natural causes for the purpose of removing stone or similar material which is to be used for building, further processing, or as a raw material in a manufacturing process, but does not include a wayside quarry.
- 4.82 RECREATION FACILITY means land, structures, and equipment for outdoor and indoor sports and games but does not include a shooting gallery or rifle, pistol, skeet or trap range, an automobile race track or commercial amusement park or theatre.
- 4.83 RETAIL STORE means a building or part thereof which is not otherwise defined in this By-law, in which goods, wares, merchandise, substances, articles or things are offered or kept for sale by retail directly to the public but does not include gas pumps.
- 4.84 SCHOOL means a facility for the education of persons under the jurisdiction of the Municipality or of any Board of Education or Separate School Board.

- \* 4.85 SEAPLANE BASE means the use of land, or water, or building, or structure or part thereof, including take-off, landing and docking facilities, where sea planes are stored, serviced, repaired or kept for sale or rent and where facilities for the sale of fuels and lubricants may be provided.
- 4.86 SERVICE SHOP means any building or part thereof where appliances and machinery are sold, serviced, or repaired and includes building trades establishments but excludes any manufacturing, processing or wholesaling.
- 4.87 SETBACK means the distance between any lot line abutting a public road and the nearest part of any main wall or any main building or structure.
- 4.88 STREET means a public highway or public road which affords the principal means of access to abutting lots but does not include a lane or private right-of-way or private road.
- 4.89 STREET LINE means any boundary line of a public road or highway.
- 4.90 STRUCTURE means anything that is erected, built or constructed of parts joined together or requiring a foundation to hold it erect and located under, on or above ground level, including anything prefabricated on or off the site.
- 4.91 TAVERN means a restaurant licensed by the Liquor Licensing Board to sell any beer, wine or spirits.
- \* 4.92 TAXI STAND means a building or structure used in whole or part to dispatch taxis and includes adjacent land used to store vehicles.
- 4.93 TOURIST COMMERCIAL USE means the use of land, building or structure for the purpose of buying and selling of commodities, supplying of services for the travelling or vacationing public, including a camping establishment, temporary rental accommodation and a marina.
- 4.94 TOWNSHIP means the Corporation of the Township of White River.
- 4.95 TRAVEL TRAILER means a structure or vehicle designed, intended, and used exclusively for travel, recreation, and vacation and which is capable of being drawn by a passenger vehicle or is self propelled, and shall include tent trailers, vans, motor homes and similar transportable accommodation but shall not include a mobile home.
- 4.96 USABLE OPEN SPACE means open unobstructed space on a lot which is suitable for landscaping, including any part of the site occupied by recreational accessory buildings, any surfaced walk, patio or similar area, any sports or recreational area, any ornamental or swimming pool, and the roof part of a building or structure open to the air and used for landscaping and as a recreational area.
- 4.97 WAREHOUSE USE means any building, structure or lot involved primarily in transportation, storage, and shipment of goods and accessory industrial uses.

- 4.98 WAYSIDE PIT OR WAYSIDE QUARRY means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction, not located on the road right-of-way; and for excavated materials which may be processed for use only in the specified project or contract.
- 4.99 WHOLESALE means the use of land, or building or structure, or part thereof in which goods, wares, merchandise, substances, or articles are offered or kept for sale at wholesale and may include an accessory store.
- 4.100 YARD means an open area of land, on the same lot as a building or structure, unoccupied and unobstructed except as otherwise provided or required by this By-law, and located between the main wall of the building and one of the lot lines of the said lot.
- 4.101 YARD, EXTERIOR SIDE means a side yard immediately adjacent to a public street.
- 4.102 YARD, FRONT means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot.
- 4.103 YARD, INTERIOR SIDE means a side yard other than exterior side yard.
- 4.104 YARD, MINIMUM FRONT means the minimum depth of a front yard on a lot between the front lot line and the nearest wall of any building or structure on the lot.
- 4.105 YARD, REAR means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any building or structure on the lot.
- 4.106 YARD, MINIMUM REAR means the minimum depth of a rear yard on a lot between the rear lot line and the nearest wall of any building or structure on the lot.
- 4.107 YARD, SIDE means a yard extending from the front yard to the rear yard of a lot, and between a side lot line and the nearest wall of any building or structure on the lot.
- 4.108 YARD, MINIMUM SIDE means the minimum width of a side yard on a lot between a side lot line and the nearest wall of any building or structure on the lot.

## SECTION 5 - ADMINISTRATION

### 5.1 ADMINISTRATION AND ENFORCEMENT

This By-law is administered by the Chief Building Official or such other person as the Council designates, and no permit for the use of land or for the erection or use of any building or structure, or approval of any application for any municipal license within the jurisdiction of the Council shall be issued or given where the proposed building, structure or use would be in violation of any provision of this By-law.

### 5.2 APPLICATION FOR BUILDING PERMITS

In addition to the requirement of the Ontario Building Code and the Building By-law of the Corporation, every application for a building permit shall be accompanied by a plan in duplicate, drawn to a scale and showing the following:

- 5.2.1 The true shape and dimension of the lot to be used or upon which it is proposed to erect any building or structure;
- 5.2.2 The proposed location, height and dimensions of any building, structure or use proposed for such lot;
- 5.2.3 Proposed locations and dimensions of any yards, setbacks, parking space, or loading facilities required by this By-law;
- 5.2.4 The location of all existing buildings or structures on the lot; and

- 5.2.5 A statement signed by the owner or his agent, duly authorized thereunto in writing, filed with the Corporation disclosing the current and intended use of each building and structure or part thereof, the sanitary facilities available, and all information necessary to determine whether or not such proposed or existing building, structure or use conforms to the requirements of this By-law.

## SECTION 6 - PENALTIES AND ADOPTION

### 6.1 REMEDIES

Where any building or structure is or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or structure or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of the provisions of this By-law, the same may be restrained by action at the instance of any ratepayer, or of the Council of the Corporation pursuant to the provisions of the Planning Act, 1983.

### 6.2 VIOLATION AND PENALTY

Every person who uses any land or erects or uses any building or structure in a manner contrary to any requirement of this By-law, or who causes or permits a violation, is guilty of an offence and upon conviction therefore shall be liable to a fine as prescribed by section 66 of the Planning Act, 1983.

### 6.3 REPEAL OF EXISTING BY-LAWS

All zoning by-laws and amendments thereto, passed pursuant to Section 39 of the Planning Act, 1983 or a predecessor thereto, in force on the date of adoption of this by-law in the municipality are hereby repealed.



6.4 EFFECTIVE DATE

This By-law takes effect from the date of passage by Council and comes into force upon approval by the Ontario Municipal Board where such approval is required; otherwise the By-law shall come into force after the period for objections has passed:

Read a First Time this 11th day of March, 1985

Signed by R. Olsson

Reeve

Signed by M. Parent

Clerk

Read a Second Time this 11th day of March, 1985

Signed by R. Olsson

Reeve

Signed by M. Parent

Clerk

Read a Third Time and finally passed this 11th day of March, 1985

Signed by R. Olsson

Reeve

Signed by M. Parent

Clerk

SCHEDULE C - PERMITTED USES III ZONES<sup>30</sup>

TOWNSHIP OF WHITE RIVER  
ZONING BY-LAW

COLUMN	1	2	3	4	5	6	7	8	9	10	11	12	13
LINE	PERMITTED USE	R	RH	RMH	RR	CH	CG	I <sub>1</sub>	I <sub>2</sub>	NR	I <sub>E</sub>	HAZ	G
2	Accessory Use												
3	All Existing Uses												
4	<u>RESIDENTIAL USES</u>												
5	Converted Dwelling												
6	Multiple Family Dwelling												
7	Two-Family Dwelling												
8	Single Family Dwelling												
9	Home Occupation												
10	Rooming and Boarding House												
11	Recreational Dwelling												
12	Group Home												
13	Mobile Home												
14	Modular Home												
15	Existing Single Family Dwelling												
16	<u>COMMERCIAL USES</u>												
17	Existing Business or professional office												
18	Bank												
19	Commercial Use												
20	Highway Commercial Use												
21	Convenience Store												
22	Eating Establishment												
23	Retail Store												
24	Automobile Service Station												
25	General Office												
26	Business or Professional Office												
27	Hotel												
28	Tourist Commercial Use												
29	Place of Entertainment												
30	Personal Service												
31	Hotel												
32	Existing Seaplane Base												
33	Service Shop												
34	Funeral Home												
35	Tavern												
36	Car Wash												
37	Taxi Stand												
38	<u>INDUSTRIAL USES</u>												
39	Bulk Sales Establishment												
40	Bulk Storage Yard												
41	Industrial Use												
42	Light Industrial												
43	Forestry Use												
44	Public Utility												
45	Wayside Pit or Quarry												
46	Contractor's Yard												
47	Existing Industrial Extractive												
48	Warehouse Use												
49	Wholesaling												

SCHEDULE C TO BY-LAW  
PERMITTED USES IN ZONES

TOWNSHIP OF WHITE RIVER  
ZONING BY-LAW

COLUMN	1													
LINE	PERMITTED USE	R	RM	RMH	RR	CH	CG	I <sub>1</sub>	I <sub>2</sub>	NR	I <sub>E</sub>	HAZ	G	
46	<u>RECREATIONAL USES</u>													
47	Conservation Use													
48	Park													
49	Playground													
50	Recreational Facility													
51	Usable Open Space													
52	<u>PUBLIC AND INSTITUTIONAL USES</u>													
53	Cemetery													
54	Institutional Use													
55	Community Centre													
56	Government Offices													
57	Place of Worship													
58	School													
59	Public Facility													

SYMBOL		ZONE	SYMBOL		ZONE
R	Residential		I <sub>E</sub>	Industrial, Extractive	
RM	Residential, Multiple		I <sub>L</sub>	Industrial, Light	
RMH	Residential, Mobile Home		I <sub>H</sub>	Industrial, Heavy	
RR	Residential, Resort		NR	Natural Resource	
CH	Commercial, Highway		HAZ	Hazard Land	
CG	Commercial, General		G	Institutional	

SCHEDULE D - STANDARDS FOR USES

TOWNSHIP OF WHITE RIVER ZONING BY-LAW

COLUMN	1	2	3	4	5	6	7	8	9	10	11	12	13
LINE	TYPE OF USE	ALL PERMITTED USES											
1	ZONE	R	RM	RM	CH	CG	G	I <sub>1</sub>	I <sub>2</sub>	I <sub>E</sub>	RR	NR	HAZ
2	Minimum Lot Area (m <sup>2</sup> )	555.0	464.5	929.0	-	279.0	1858.0	-	-	-	836.0	20.25(ha)	-
3	Minimum Lot Frontage (m)	15.0	15.0	30.0	30.0	15.0	15.0	30.0	30.0	-	30.0	30.0	-
4	Minimum Lot Depth (m)	30.0	30.0	30.0	60.0	30.0	30.0	60.0	60.0	-	60.0	60.0	-
5	Minimum Front Yard (m)	6.0	6.0	6.0	7.5	-	6.0	7.5	7.5	15.0	15.0	15.0	-
6	Minimum Exterior Side Yard (m)	6.0	6.0	6.0	6.0	-	6.0	6.0	6.0	15.0	7.5	15.0	-
7	Minimum Interior Side Yard (m)	1.5 One Side 3.0 Other Side	1.5 One Side 3.0 Other Side	6.0	6.0	-	6.0	6.0	6.0	15.0	6.0	15.0	-
8	Minimum Rear Yard (m)	6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0	15.0	6.0	15.0	-
9	Minimum Floor Area (m <sup>2</sup> )	80 per unit	55	80 per unit	-	-	-	-	-	-	40	-	-
10	Maximum Height (m)	11.0	11.0	11.0	11.0	11.0	11.0	11.0	11.0	-	11.0	-	-
11	Maximum No. of Dwellings Per Lot	1	1	1	-	-	-	-	-	-	1	-	-
12	Maximum No. of Dwelling Units	1*	-	8	-	-	-	-	-	-	1	-	-
13	Maximum Lot Coverage (%)	35	35	35	50	25	35	50	50	-	25	-	-

m - metre(s)  
 m<sup>2</sup> - square metre(s)  
 % - percent  
 ha - hectare  
 \* Maximum of Two Dwelling Units for Two Family Dwelling

LEGEND

SYMBOL	ZONE
R	Residential
RM	Residential, Multiple
RMH	Residential, Mobile Home
RR	Residential, Resort
CH	Commercial, Highway
CG	Commercial, General

SYMBOL	ZONE
I <sub>E</sub>	Industrial, Extractive
I <sub>1</sub>	Industrial, Light
I <sub>2</sub>	Industrial, Heavy
NR	Natural Resource
HAZ	Hazard Land
G	Institutional

TOWNSHIP OF  
WHITE RIVER  
BY-LAW NO. 85-06  
ZONING MAP  
SCHEDULE B'

RR RESIDENTIAL, RENTED  
R NATURAL RESERVE  
NR NATURAL RESERVE  
I INDUSTRIAL, HEAVY  
II INDUSTRIAL, EXTRACTIVE

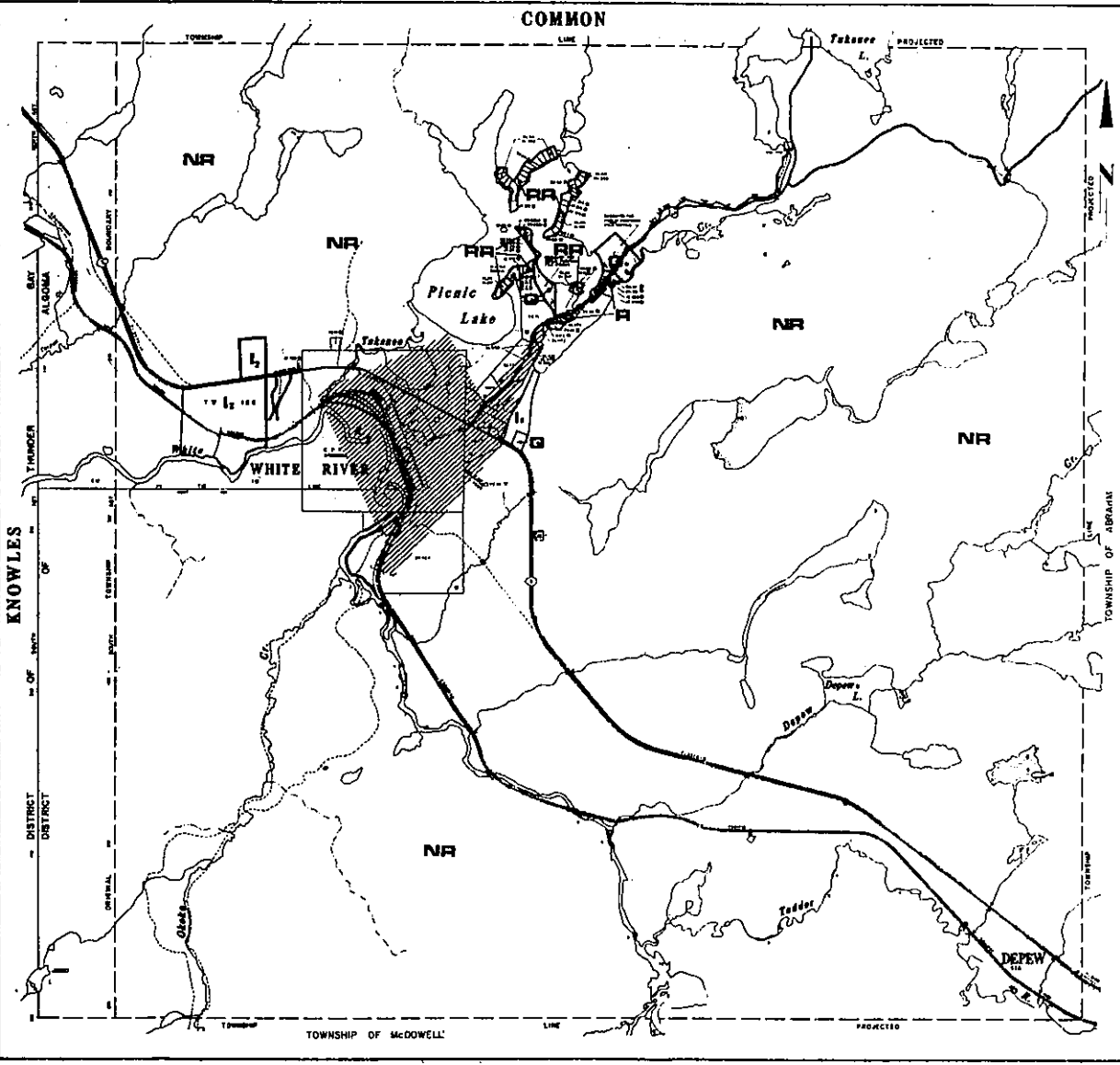
NOTE: ALL LOTS ON LOTS LANE, FROM LANE AND  
WIDE STREET SHALL BE REZONED FROM  
DISTRICT OF RR TO RR-2.50 IN A DISTRICT  
OF RR-2.50 FROM 2.50 TO 5.00

THIS IS SCHEDULE V TO  
BY-LAW NO. 85-06 PASSED  
THIS 11TH DAY OF MARCH 1985

DRAWN BY: H. ELTON  
REEVE

DRAWN BY: H. PARSONS  
CLERK

SCALE IN FEET  
1:1000



THIS IS SCHEDULE 'A' TO BY-LAW  
NO. 05-06 PASSED ON THE 11TH  
DAY OF MARCH 1985

TOWNSHIP OF  
WHITE RIVER  
BY-LAW NO. 05-06  
ZONING MAP  
SCHEDULE A  
VALUES

PREPARED BY: J. J. [unclear]  
CLERK

- R RESIDENTIAL
- RM RESIDENTIAL, MEDIUM DENSITY
- RMH RESIDENTIAL, MEDIUM DENSITY
- NR NEIGHBORHOOD RESIDENTIAL
- CH COMMERCIAL, HIGH DENSITY
- CB COMMERCIAL, BUSINESS
- G GENERAL
- HAZ HAZARDOUS
- I INDUSTRIAL
- SP SPECIAL POLICY AND STRATEGIC
- FP FUTURE FRAME AREA CONTAINMENT

