

December 21, 2006

DOKIS FIRST NATION

CONSOLIDATED

COMPREHENSIVE ZONING BYLAW

DRAFT

2006

DOKIS FIRST NATION

COMPREHENSIVE ZONING BYLAW

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THE DOKIS FIRST NATION

BYLAW _____ 2006

BEING A RESTRICTED AREA (ZONING) BYLAW

WHEREAS it is deemed advisable to pass a bylaw to prohibit the use of land and the erection, alteration or use of buildings or structures for or except for certain purposes and to regulate the type of construction and the height, bulk, location, size, floor area, spacing, structures in the defined area, comprising the Dokis First Nation Reserve;

NOW THEREFORE THE Council of the Dokis First Nation enacts as follows:

SECTION 1: TITLE

This bylaw may be cited as “The Zoning Bylaw of the Dokis First Nation”.

SECTION 2: DEFINED AREA

This bylaw applies to all land included within the boundaries of the Dokis First Nation which is hereinafter referred to as “ the Reserve”.

SECTION 3: DEFINITIONS

(TO BE COMPLETED AT FINAL DRAFT STAGE)

SECTION 4 ZONES AND ZONING MAPS

4.1 ZONES

For the purpose of this Bylaw, the Dokis First Nation Reserve is divided into the following zones whose boundaries are shown on the attached maps comprising Schedule “A”.

<u>Zone</u>	<u>Symbol</u>
Rural Residential	RR1
Estate Residential	RR2
Single-Family Residential	R1
Multiple-Family Residential	RM1
Retirement Community Multiple Residential	RM2
Office Commercial	C1
General Commercial	C2
Institutional	I
Open Space and Conservation	O

4.2 ZONING MAP

- (1) The attached map comprising Schedule "A" which may be cited as the "Zoning Map" is hereby declared to form part of this Bylaw.

SECTION 5 INTERPRETATION

5.1 SCOPE

In their interpretation and application, the provisions of this Bylaw shall be held to be the minimum requirements adopted for the promotion of the public health, safety, convenience and general welfare.

5.2 SYMBOLS

The symbols used in Schedule "A" attached hereto, refer to the appropriate zones established by this Bylaw.

5.3 ZONES DEFINED

The extent and boundaries of all zones are shown on Schedule 'A' attached hereto, and all such zones are hereby defined as areas to which the provisions of this Bylaw shall respectively apply:

- (1) Where a zone boundary is indicated as following a street or lane, the boundary shall be the centre line of such street or lane.
- (2) Where a zone boundary is indicated as approximately following lot lines shown on a plan of subdivision or lots registered in the Dokis First Nation Land Titles Office, the boundary shall follow such lot lines.
- (3) Where a zone boundary is indicated as passing through undeveloped land, the said zone boundary shall be scaled from the attached Schedule "A", unless dimensions shown in the Schedule provide greater accuracy.

- (4) Where a street, lane, electrical transmission line right-of-way, or watercourse is included on the Schedule 'A', they shall unless otherwise indicated be included in the zone of the adjoining property on either side thereof.
- (5) Where a street, lane, electrical transmission line right-of-way, or watercourse is included on the Schedule 'A' and serves as a boundary between two or more different zones, a line midway on such street, lane, right-of-way or watercourse and extending in the general direction of the long division thereof shall be considered the boundary between zones unless specifically indicated otherwise; and
- (6) Where a zone boundary is indicated as following the limits of the Reserve, the limits shall be the boundary.
- (7) A boundary indicated as following a shore line shall follow such shore line, and in the event of change in the shore line, the boundary shall be construed as moving with the actual shore line.

5.4 CERTAIN WORDS

In this Bylaw words used in the present tense include the future; words in the singular number include the plural; words in the plural include the singular number; and the word "used" includes "arranged, designed or intended to be used"; the word "shall" is mandatory and not directory.

5.5 CLOSINGS

In the event a dedicated street or lane on Schedule 'A' forming part of this Bylaw is closed, the property formerly in such street or lane shall be included within the zone of the adjoining property on either side of such closed street or lane. If a closed street or lane is the boundary between two or more different zones, the new zone boundaries shall be the former centre line of the closed street or lane.

SECTION 6 GENERAL PROVISIONS FOR ALL ZONES

The following general provisions shall apply to all zones.

6.1 APPLICATION OF BYLAW

No person shall hereafter within "the defined area" change the use of any land, building or structure or erect or use any building or structure except in conformity with the provisions of this Bylaw.

6.2 ACCESSORY USES

(1) Use of Accessory Buildings

Where this Bylaw provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include an accessory building or structure as provided for in this Bylaw, but shall not include any occupation conducted in such accessory building or structure for gain or profit or use for human habitation except as provided for in this Bylaw.

(2) Location

Except as otherwise provided herein, any accessory building or structure which is not part of the main building shall be erected to the rear of the "minimum" front yard and shall comply with the yard requirements of the zone in which such building or structure is situated.

(3) Height

Except as otherwise provided herein, the following provisions shall apply to the height of accessory building or structures:

- (a) No accessory building or structure in a residential R1, RR1 or RR2 Zone shall exceed four point six (4.6) ,metres in height, or the height of the main building on the lot, whichever is less.
- (b) Notwithstanding Subsection (a) hereof, no accessory building or structure shall exceed ten point seven metres (10.7m) in height in a Rural Residential (RR1) Zone on a lot which is equal to or exceeds the minimum lot specifications set out in Section 8.2(1) of this Bylaw.
- (c) No accessory building or structure shall exceed four point six metres (4.6m) in height in any Commercial (C) Zone.
- (d) In all other zones the height of accessory buildings or structures shall not exceed the maximum height permitted in that zone and shall require a Site Plan approved by the Council.

(4) Lot Coverage

Unless otherwise provided for in this Bylaw, the following provisions shall apply to the total lot coverage of all accessory buildings and structures:

- (a) No accessory building or structure in a residential R1, RR1 or RR2 Zone shall exceed the lesser of fifteen percent (15%) of the total lot area or seventy-five percent (75%) of the ground floor area of the main building on the lot.
- (b) Notwithstanding Subsection (a) hereof, the maximum coverage requirements of Section 8.2(3) of this Bylaw shall apply to the total of the main buildings and structures and the accessory buildings and structures in a Rural Residential (RR1) Zone on a lot which is equal to or exceeds the minimum lot specifications set out in Section 8.2(1) of this Bylaw.
- (c) In all other zones, accessory buildings or structures shall not exceed fifteen percent (15%) of the lot area and shall require a site plan approved by Council.

6.3 BUILDING EXTENSION AND REPAIR

- (1) Nothing in the Bylaw shall prevent the strengthening to a safe condition or the reconstruction of any building or structure that is non-conforming use, provided such alteration or repair does not increase the height, size or volume or change the use of such building or structure.
- (2) Nothing in this Bylaw shall prevent an extension or addition being made to a building or structure which is used for a purpose which is specifically permitted within the zone in which such building or structure existed provided it complies with the provisions of this Bylaw.

6.4 BUILDINGS TO BE MOVED

In all zones, no building, residential or otherwise, normally requiring a building permit for construction shall be moved within an area covered by this Bylaw or shall be moved into the limits of the area covered by this Bylaw without a permit from the First Nation Building Inspector.

6.5 CONFORMITY WITH AN ESTABLISHED BUILDING LINE

Notwithstanding any other provisions of this Bylaw in any zone, structures built between existing buildings within sixty (60) metres (two hundred (200) feet) on the same block may be built within a setback which is equal to the average setback of the adjacent buildings but this depth shall not be less than three (3) metres (ten (10) feet) from the front lot line and need be no greater than setback requirements prescribed in the zone in which it is situated.

6.6 CHANGE OF USE

A use of a lot, building or structure which under the provisions hereof is not permitted within the zone in which such lot, building or structure is located, shall not be changed except to a use which is permitted within such zone.

6.7 CONTINUATION OF EXISTING USES

The provisions of this Bylaw shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this Bylaw, if such lot, building, or structure was lawfully used for such purpose on the date of passing of this Bylaw, so long as it continues to be used for that purpose.

6.8 CONTINUATION OF AGRICULTURAL USE

Nothing herein contained shall prevent the continued use of any land, building or structure for farming or agricultural purposes as permitted in this Bylaw or any addition or extension of such use shall comply as a minimum with the requirements of the Agricultural Code of Practice of Ontario and the appropriate Rural Zone as to area, coverage, yard and height provisions, and all special provisions regarding setbacks and abutting uses.

6.9 CONVERTED DWELLING UNITS

Where a converted dwelling unit is permitted in this Bylaw, such a unit must comply with all provisions of this Bylaw and must have a minimum floor area of fifty-five (55) square metres (six hundred (600) square feet).

6.10 DRIVEWAYS

In addition to any other provisions of this Bylaw, the following provisions shall apply to driveways which service four (4) or less parking spaces:

- (1) The gradient of a driveway shall not exceed ten (10) percent for a distance greater than twelve (12) metres (forty (40) feet) unless provided with slab heating and a transition slope.
- (2) The minimum width of a driveway free of projections shall be three (3) metres (ten (10) feet).
- (3) The minimum distance between a driveway and the intersection of two (2) or more streets, measured along the street line, intersected by such driveway shall be nine (9) metres (thirty (30) feet).
- (4) The minimum angle between a driveway and a street line shall be sixty (60) degrees.
- (5) No person shall in any Residential Zone use more than one half of the aggregate area of a front yard for purposes of off-street parking or driveways.

6.11 DWELLING UNIT BELOW GRADE

No dwelling unit shall be located in its entirety in a cellar or basement. The only uses permitted in a cellar include a furnace room, laundry room, storage room or similar use. A sleeping room, recreation room or eating facilities may be located in a basement provided the finished floor level of such basement is not located below the level of sanitary or storm sewers servicing the lot.

6.12 DWELLING UNIT IN NON RESIDENTIAL BUILDING OR LOT

No person shall use any lot or erect, alter or use any building or structure for the purpose of a separate dwelling unit unless specifically permitted as an accessory use on a lot zoned other than for residential purposes and in accordance with the following regulations:

- (1) The dwelling unit shall have a bathroom or washing and kitchen facilities separate from those of the non-residential use.
- (2) The dwelling unit as a separate structure shall have a minimum floor area of ninety (90) square metres (one thousand (1000) square feet) or as an apartment within a non-residential building a minimum floor area of fifty-five point zero (55.0) square metres (six hundred (600) square feet).
- (3) The dwelling unit shall have a separate parking space as provided in the parking requirements for that zone.

- (4) The dwelling unit shall have a separate building entrance to that provided for the non-residential use.

6.13 EXISTING BUILDINGS

- (1) Where a building has been erected prior to the date of the passing of this Bylaw on a lot having less than the minimum frontage and/or area, or having less than the minimum setback and/or side yard and/or rear yard required by this Bylaw, the said building may be enlarged, reconstructed, repaired or renovated provided that:
 - (a) The enlargement, reconstruction, repair or renovation does not further reduce a front yard and/or side yard and/or rear yard having less than the minimum required by this Bylaw; and
 - (b) All other applicable provisions of the Bylaw are complied with.
- (2) Where at the date of the passing of this Bylaw, a building or structure had insufficient loading or parking spaces to comply with the requirements herein, this Bylaw shall not be interpreted to require that the deficiency be made up prior to the construction of any addition, but no addition may be built and no change of use may occur which would in effect increase the deficiency.

6.14 EXISTING UNDERSIZED LOTS

Notwithstanding any other provisions of this Bylaw, a vacant lot held in distinct and separate ownership on the date of passing of this Bylaw, having less than the minimum frontage and/or area required by this Bylaw, may be used for a purpose permitted in the zone in which said lot is located provided that all other applicable provisions of this Bylaw are complied with.

6.15 EXTERIOR DESIGN

The following building materials shall not be used for the exterior vertical facing of any wall of any building or structure:

- (1) Building paper or tar paper;
- (2) Roll roofing; or
- (3) Imitation brick siding.

6.16 FRONTAGE ON ROAD OR STREET

- (1) No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts on a public street. This provision shall not restrict the erection of any building on a lot in a registered plan of subdivision where a subdivision agreement has been entered into but the streets will not be assumed until the end of the maintenance period.
- (2) Notwithstanding any other provisions in this Bylaw, where a building has been erected prior to the date of the passage of this Bylaw on a lot which fronts on a private street, the said building may be enlarged, reconstructed, repaired or renovated provided all other applicable provisions of this Bylaw are complied with.

6.17 GREATER RESTRICTIONS

This Bylaw shall not be effective to reduce or mitigate any restrictions lawfully imposed by a government authority having jurisdiction to make such restrictions.

6.18 HEIGHT EXCEPTIONS

Notwithstanding the height provisions herein contained, nothing in this Bylaw shall apply to prevent the erection, alteration or use of the following accessory buildings or structures provided they are a necessary part of the main zone in which it is located: a church spire, a belfry, a flag pole, a clock tower, a chimney, a water tower, a windmill, a radio or television tower or antenna when part of a licensed commercial broadcasting operation, an elevator enclosure, an air conditioner duct, ventilator or skylight, a drive-in theatre screen, a grain elevator, a silo or barn.

6.19 LAND SUITABILITY FOR USE

Notwithstanding any other provision of this Bylaw, no habitable building or structure shall be erected, altered or used on land which, by reason of its rocky, low lying, marshy or unstable character is unsuitable for the provision of satisfactory water supply, sewage disposal or drainage facilities.

6.20 LOTS HAVING LESS FRONTAGE AND/OR AREA

Where a lot having a lesser frontage, depth or area than that required by this Bylaw is created as a result of expropriation or highway widening or other land acquisition by the First Nation, a building or structure may be erected, altered or repaired and used on such lot, provided that it conforms with all other requirements of this Bylaw.

6.21 LICENSES, PERMITS AND OTHER BYLAWS

Nothing in this Bylaw shall exempt any person from complying with the requirements of the Building Code or any Bylaw in force within the Dokis First Nation lands or from obtaining any permit, license, permission, authority or approval required by this or any other law in force from time to time.

6.22 MULTIPLE USE

Where any land or building is used for more than one (1) purpose all provisions of this Bylaw relating to each use shall be complied with provided that no dwelling shall be located closer than six (6) metres (twenty (20) feet) to any other building on the lot except a building accessory to such dwelling.

6.23 PARKING AREA REGULATION

For every building or structure to be used, erected or enlarged requiring five (5) or more parking spaces, an off-street parking area having an unobstructed access to a public street shall be provided as follows:

- (1) Parking Area Regulations:
 - (a) Except in a Commercial (C) Zone, the parking area shall be located on the same lot as the use it is intended to serve;
 - (b) In a Commercial (C) Zone, the parking area shall be located in the same zone and within a distance of one hundred and fifty (150) metres from the use it is intended to serve;
 - (c) An outdoor parking area intended to be used in winter shall provide additional parking spaces equal to five (5) percent of the number of spaces required by Section 6.25;

- (d) The parking area shall have visible boundaries defined by a concrete or rolled asphalt curb, be paved with asphalt and be suitably drained and maintained;
- (e) In a Commercial (C), the parking area and driveway surface shall be constructed of fifteen (15) cm of granular A material and paved with five (5) cm of asphalt;
- (f) Where a parking area is illuminated and is in or adjacent to a Residential (R) or Multiple Residential (RM) Zone, the lighting fixtures shall be arranged to have no part of any fixture located at a height greater than nine (9) metres above the finished grade of the parking area and fixtures shall be designed and installed to deflect the light downward and away from adjacent residential buildings, lots and streets.

(2) Parking Space Design:

- (a) Each parking space shall be clearly marked and shall provide an unobstructed rectangular space of two decimal six (2.6) metres by five decimal five (5.5) metres, exclusive of aisle or driveway.

(b)	<u>Angle of Parking</u>	<u>Aisle Width Minimum</u>	<u>Traffic Direction</u>
	45°	4.5 metres	One-way
	90°	6.7 metres	Two-way

(3) Parking Area Approaches, Driveways, Entrances and Exits

- (a) Approaches and driveways which provide access to parking areas other than directly from a municipal street shall be defined by a rolled asphalt or concrete curb and shall be constructed at a width not less than six (6) metres nor where undivided, greater than nine (9) metres;

- (b) Not more than two (2) entrance and exit ramps shall be provided for automobile traffic and not more than one (1) additional entrance/exit ramp may be provided for service vehicles; and each such ramp shall have a width at the street line of not less than seven decimal nine (7.9) metres, nor when undivided, greater than nine (9) metres. Edges of the ramp shall join the edge of the pavement with curves having a minimum radius of four decimal five (4.5) metres;
 - (c) The minimum distance between a driveway and intersection of street lines measured along the street line intersected by such driveway shall be fifteen (15) metres;
 - (d) The gradient of a driveway shall not exceed ten (10) percent for a distance greater than twelve (12) metres unless provided with slab heating and a transition slope.
- (3) Buffer Area
- (a) Where a parking area designed to accommodate five (5) or more automobiles is located within a Multiple Residential (RM) or Institutional (I) Zone, a strip of land not less than three (3) metres wide around the periphery of the said parking area and within the lot on which the said parking area is located shall not be used for any purpose other than landscaping consisting of trees not less than one decimal five (1.5) metres in height if coniferous, and four decimal five (4.5) metres in height if deciduous, which shall be maintained in a neat and healthy growing condition but this shall not prevent the provisions of entrances and exits across the strip to said parking area;
 - (b) Where a parking area designed to accommodate five (5) or more automobiles is situated in a Commercial (C) Zone on the boundary between a Commercial (C) Zone and a Residential (R) or Multiple Residential (RM) Zone or Open Space and Conservation (O) Zone, a strip of land not less than three (3) metres wide and lying in the Commercial (C) Zone along the said boundary shall be bordered by an opaque fence one decimal eight (1.8) metres in height and shall not be used for any purpose other than landscaping and for entrances and exits;

- (c) A parking area shall not be permitted in any minimum front yard or minimum exterior sideyard except for a customer or visitor parking in a Commercial (C) or Institutional (I) Zone. The parking area, where permitted, shall be separated from any adjacent street line by a strip of land not less than three (3) metres wide which shall be reserved for landscaping and entrances and exits.

(4) More Than One Type of Use On A Lot

When a building or structure accommodates more than one (1) type of use as defined in this Bylaw the parking space requirements for the whole building shall be the sum of the requirements for the separate parts of the building occupied by the separate types of use.

(5) Use of Parking Spaces and Areas

- (a) Any area where off-street parking is permitted under this Bylaw shall be used for no other parking purpose than for the parking of operative passenger vehicles and vehicles used in operations incidental to the permitted uses on the lot, all bearing currently valid license plates.
- (b) No person shall in any Residential (R) Zone or any Multiple Residential (RM) Zone use any lot or part of any lot for the parking and storage of the following:
- any commercial or institutional vehicle equipped with more than four (4) wheels (excluding spare wheels) designed to support the weight of the vehicle through contact with the ground
 - vehicles designed to run only on rails
 - traction engines
 - self propelled implements of husbandry
 - construction vehicles
 - tracked vehicles
 - dump trucks

- repair and towing vehicles
- vehicles that are in a wrecked or dismantled or inoperative condition.

(c) Parking Space requirements for Handicapped Persons

- (i) Every parking area that contains thirty (30) or more parking spaces as required by this Bylaw shall provide designated handicapped parking spaces in accordance with the following:

<u>TOTAL NUMBER OF PARKING SPACES</u>	<u>REQUIRED NUMBER OF DESIGNATED PARKING SPACES</u>
30 – 75	1
76 – 150	2
151 – 400	3
401 – 800	6
800 or more	6 (plus 5 spaces for each additional 800 or fewer spaces)

- (ii) Every designated handicapped parking space required by this Bylaw shall have a width of not less than three decimal (3.6) metres.

(d) Parking Attendant Structures

A structure not more than four point five (4.5) metres in height and not more than four point six (4.6) square metres in area may be erected in a parking area for the use of attendants.

6.24 PARKING SPACE REQUIREMENTS

Every building or structure erected or used for any of the 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 and areas as follows:

<u>Type of Building</u>		<u>Parking Required (Minimum)</u>
(1)	A building containing one (1) or two (2) dwelling units	two (2) parking space or carport per dwelling unit
(2)	A building containing three (3) or more dwelling units	One and one-half (1 ½) spaces for each dwelling unit
(3)	Elders Apartment Building	0.5 parking spaces per dwelling unit
(4)	A boarding or rooming house	one (1) parking space for the owner and one (1) parking space for each adult resident
(5)	A medical, dental or drugless practitioner's office or clinic	six (6) parking spaces for each practitioner for the first five (5) practitioners, and four (4) parking spaces for every practitioner in excess of five (5)
(6)	Churches, church halls, auditorium, restaurants, theatres, arenas, halls, stadia, private clubs and other places of assembly	where there are fixed seats, one (1) parking space for every four (4) seats, or two point four (2.4) metres (eight (8) feet) of bench space. Where there are no fixed seats, one (1) parking space for each nine (9) square metres (one hundred (100) square feet) of gross floor area or portion thereof devoted to public use

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|------|---|---|
| (7) | Clinics, nursing homes and welfare institutions | one (1) parking space for each two (2) beds or each twenty-seven (27) square metres (three hundred (300) square feet) of gross floor area whichever is the greater |
| (8) | Motels and tourist cabins | one (1) parking space per rental unit and one (1) additional parking space for each four point six (4.6) square metres (fifty (50) square feet) of gross floor area devoted to public use |
| (9) | Offices including office space in Commercial (C) and Industrial (M) Zones | one (1) parking space per twenty-seven (27) square metres (three hundred (300) square feet) of total office floor area |
| (10) | Government Buildings | one (1) parking space for each twenty-seven (27) square metres (three hundred (300) square feet) of gross floor area |
| (11) | Arenas, Community Centres and Bingo Halls | one (1) parking space for each two (2) persons in the designed capacity of the establishment (designed capacity shall mean six (6) persons per curling sheet) and one (1) parking space for each eighteen (18) square metres (two hundred (200) square feet) of lounge floor area |
| (12) | Service garage or public garage | one (1) parking space for each thirteen (13) square metres (one hundred and fifty (150) square feet) of gross floor area including bays |

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(13)	Drive-in or take-out	one (1) parking space for each seven (7) square metres (seventy-five (75) square feet) of gross floor area and one (1) parking space for each four seats
*(14)	All other commercial uses	one (1) parking space for each eighteen (18) square metres (two hundred (200) square feet) of commercial floor area
(15)	Banks and financial institutions	six (6) parking spaces for each ninety (90) square metres of gross floor area

6.25 PLANNED WIDTH OF STREET ALLOWANCE

Notwithstanding any other provisions of this Bylaw, where a lot abuts a street which is designated to have a planned width of street allowance which is greater than the present width, that portion of the lot lying between the limit of the planned width of street allowance and the present street allowance shall not form part of the lot for applying the provisions and required standards of this Bylaw.

6.26 PLANTING STRIPS

Requirements for Non-Residential Uses

Where a lot is used for a Commercial purpose and the interior side or rear lot line abuts a Residential (R) or Multiple Residential (RM) Zone, then a strip adjoining such abutting lot line shall be used for no purpose other than that provided for in this subsection.

(1) Width of Planting Strip

Commercial uses – minimum	three (3) metres (ten (10) feet)
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(2) Use

A planting strip shall be used for no other purpose than a continuous unpierced hedge row of evergreens or shrubs, not less than one point five (1.5) metres (five (5) feet) high, immediately adjoining the lot line or portion thereof along which such planting strip is required herein, provided that no fence or hedge row shall be required or permitted to a height in excess of one (1) metre (three (3) feet) closer to a street line than the “minimum” yard width.

(3) Driveways or Walks

In all cases where entrance or exit driveways or walkways extend through a planting strip, it shall be permissible to interrupt the planting within three (3) metres (ten (10) feet) of the edge of such driveway or within one point five (1.5) metres (five (5) feet) of the edge of such walk.

(4) Landscaped Open Space

A planting strip referred to in this subsection may form part of any landscaped open space required by this Bylaw.

6.27 PUBLIC USE PERMITTED

(1) Zoning Requirements Not Applied to Public Service Uses

The provisions of this Bylaw except parking and loading requirements shall not apply to the use of any land or to the erection or use of any building or structure deemed essential or appropriate or desirable to the operations of a public service by the Dokis First Nation and/or any Public Authority, provided where such land, building or structure is located in any residential (R) or Multiple Residential (RM) Zone:

- (a) no goods, material or equipment shall be stored in the open, except as permitted in such zone;
- (b) the lot coverage and yard requirements prescribed for such zones shall be complied with;
- (c) any building erected under the authority of this paragraph shall not be used for offices and shall be designed and maintained in accordance with the performance standards and in general harmony with residential buildings of the type permitted in such area.

(2) Parking and Loading Requirements

Parking and loading requirements as contained in this Bylaw shall be complied with in all zones.

(3) Installation of Services and Utilities

Nothing in this Bylaw shall prevent the installation of a watermain, sanitary sewer main, storm sewer main, gas main, pipe line or overhead or underground hydro, cable television, and television, and telephone line provided that the location of such main or line has been approved by the Council.

6.28 REDUCTION OF REQUIREMENTS

No persons shall change the purpose for which any land or building is used or erect any new building or addition to any existing building or sever any lands from an existing parcel if the effect of such action is to cause the original, adjoining or remaining buildings or lands to be in contravention of this Bylaw.

6.29 SETBACK REQUIREMENTS

Notwithstanding the provisions regulating Siting or Yard Requirements in this Bylaw, unless they are greater:

- (1) No part of any building shall be constructed in a Residential (R), Multiple Residential (RM), or Commercial (C) Zone subject to paragraph (4), within ten point seven (10.7) metres (thirty-five (35) feet) of the road allowance of an arterial road, other than a Provincial Highway, as designated in the Community Plan except where the zone requires a greater minimum setback, the greater setback shall apply.
- (2) No part of any building shall be constructed within seven point five (7.5) metres (twenty-five (25) feet) of the road allowance of a primary residential collector or commercial collector road as designated in the Community Plan.

6.30 SIGHT OR DAYLIGHTING TRIANGLES

On a corner lot, a fence, sign, hedge, shrub, bush or tree, or any other vegetation or structure shall not be erected or permitted to grow to a height greater than one (1) metre (three (3) feet) above the grade of the streets that abut the lot within the triangular area included within the street line for a distance of six (6) metres (twenty (20) feet) from their point of intersection.

6.31 SIGNS

The provisions of this Bylaw shall not apply to prevent the erection, alteration or use of any sign provided such sign is approved by Council.

6.32 SWIMMING POOLS

For purposes of this Bylaw, where a swimming pool is permitted in a zone it will be required as an accessory use to comply with the provisions contained within this Bylaw governing Accessory Uses and with the following provisions:

- (1) A swimming pool will be permitted in a rear yard provided it is a minimum of one point two (1.2) metres (four (4) feet) from the rear and side lot lines, except in the case of a corner lot where it shall not be closer to the flankage street than the wall of the main building.
- (2) The maximum height of a swimming pool at deck level shall not exceed one point five (1.5) metres (five (5) feet) above the average finished level of the ground both adjoining and within four point five (4.5) metres (fifteen (15) feet) of such pool.

6.33 TEMPORARY CONSTRUCTION USES PERMITTED

Nothing in this Bylaw shall prevent uses incidental to construction such as a construction office or other such temporary site buildings, a tool shed, scaffold or building or structure incidental to construction, including a sign not exceeding four point six (4.6) square metres (fifty (50) square feet) in area, provided that these uses shall be permitted only for so long as the same are necessary for work in progress which has been neither finished nor abandoned, and for which a building permit has been issued and remains in force.

6.34 THROUGH LOT

Where a lot which is not a corner lot has street frontage on two (2) opposite sides to which vehicular access is permitted, the setback and front yard requirements contained herein shall apply on each street in accordance with the provisions of the zone or zones in which such lot is situated.

6.35 TRUCK, BUS AND COACH BODIES

No truck, bus, coach, camper or mobile home, whether or not the same is mounted on wheels, or street car body, or structure of any kind other than a dwelling unit erected and used in accordance with this and all other bylaws of the Council, shall be used for human habitation within the defined area.

6.36 USE FOR HAZARDOUS PURPOSES

No land, building or structure shall be used for commercial purpose as is likely to create danger to health or danger from fire or explosion except in accordance with the provisions of any regulations under The Gasoline Handling Act.

6.37 USES RESTRICTED

Notwithstanding any other provision contained in this Bylaw, the following uses are prohibited within six hundred and ten (610) metres (two thousand (2,000) feet) of any Residential (R) or Multiple Residential (RM) Zone unless specifically permitted:

- (1) The manufacture or open storage of fertilizers from human or animal wastes.
- (2) The slaughtering of animals or poultry.
- (3) The following Commercial or Industrial uses:

an abrasive plant, animal food plant, outside animal boarding kennels, chemical products plant, clay, concrete or brick products plant, coal yard, distillation plant, dry cleaning plant using flammable solvents, explosive manufacturing or storage in excess of eleven (11) kilograms (twenty-five (25) pounds), fish packing, flour mill, poultry raising establishment, above-ground fuel storage tank, gas manufacturing, distributing plant or regulating station, sewage disposal plant, glue manufacturing, grain elevator, incinerator, lumber, saw, rag or paper mill, meat products plant, oil, gasoline, tar or petroleum processing plant, paint manufacturing, textile dyeing plant, or any other trade, business or manufacture which is deemed to be an offensive trade within the meaning of the The Public Health Act.

6.38 USES PROHIBITED

Notwithstanding any other provisions contained in this Bylaw, the following uses are prohibited within the defined area:

- (1) Prohibited uses shall include:
 - Animal by-products plant
 - Blood boiling
 - Bone boiling
 - Extracting oil from fish or animal matter
 - Storing hides
 - Soap melting
 - Tripe boiling
 - Tanning hides and skins
 - Cement manufacturing
 - Receiving, sorting and/or dumping liquid, jellied, congealed, or concentrated industrial wastes of any kind.
- (2) No use which from its nature or the materials used therein is declared by Health Canada or the Council of Dokis First Nation to be a noxious trade, business or manufacture under the Public Health Act or regulations thereunder.
- (3) The use of any land for the purpose of a tourist trailer park or the use of a tourist trailer or mobile home for human habitation.
- (4) The use of any land for the purposes of a track for the racing of animals, motor vehicles, motorcycles, go-carts or snowmobiles except by a club or organization which is licensed by the Council for such uses.
- (5) The use of any land for the purposes of a scrap, auto wrecking or salvage yard.
- (6) The use of any land for the purposes of a waste disposal area, landfill site or dump.

6.39 YARD EXCEPTION TERRAIN UNSUITABILITY

Where in this Bylaw a front, side or rear yard is required, and part of the area of the lot is usually covered by water, marsh, swale or is beyond the rim of a river bank or water course or between the top and toe of a cliff or embankment having a slope of thirty (30) degrees or more from the horizontal then the required yard shall be measured from the nearest main wall of the building or structure on the lot to the edge of said area covered by water or marsh, or to the rim of said river bank or water course, or to the top of the said cliff or embankment if such area is closer than the lot line.

6.40 YARD AND SETBACK ENCROACHMENTS PERMITTED

- (1) Every part of any yard required by this Bylaw shall be open and unobstructed by any structure from the ground to the sky provided, however, that the structures listed in the following table shall be permitted to project into the minimum yards indicated for the distances specified:

	<u>Structure</u>	<u>Yard</u>	<u>No part of any Building shall Project into the Yard More Than</u>
(a)	Sills, cornices, Gutters, chimneys or parapets	Any yard	Decimal six (.6) metres
(b)	Window bays	Front, rear and exterior yards only	One (1) metre for a maximum width of three (3) metres
(c)	Balconies, steps	Front, rear and exterior yards only in Residential (R) Zones, any yard in all other zones	One point eight (1.8) metres

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(d)	Open, roofed porches not exceeding one (1) storey in height	Front, rear and exterior yards only	Two point four (2.4) metres including eaves and cornices
(e)	Uncovered patio	Rear yard, exterior side yard, interior side yard	Not closer than decimal six (.6) metres from the lot line
(f)	Canopies	Front yard, rear yard, side yard. Interior yard	Two decimal four (2.4) metres One decimal two (1.2) metres
(g)	Uncovered decks not exceeding decimal six (.6) metres in height above finished grade	Rear yards	No closer than one decimal two (1.2) metres from any lot line
(h)	Uncovered decks exceeding decimal six (.6) metres in height above finished grade	Rear yards	Three decimal six (3.6) metres
(i)	Satellite Dishes not exceeding two decimal seven (2.7) metres in diameter	Rear yards	Not closer than one decimal two (1.2) metres from interior or rear lot lines nor within any required exterior yard

- (2) Notwithstanding the yard and setback provisions of this Bylaw drop awnings, clothes poles, garden trellises, fences, retaining walls, signs or similar accessory uses erected in regulating signs shall be permitted in any minimum yard or in the area between the road or street line and the required setback.

6.44 METRIC CONVERSION

For the imperial measures set out in Table “A”, the corresponding metric conversion shown on Table “B”, both of which are set out in Schedule “G” attached hereto, shall be considered equivalent and the aforementioned metric equivalencies as shown on Table “B” are hereby substituted for the corresponding imperial units of measurement so set out in Table “A”.

SCHEDULE "B"

<u>TABLE 'A'</u>	<u>TABLE 'B'</u>	<u>TABLE 'A'</u>	<u>TABLE 'B'</u>
<u>Imperial Measure</u>	<u>Metric Equivalent</u>	<u>Imperial Measure</u>	<u>Metric Equivalent</u>
<u>Area</u>			
50 sq.ft.	4.6 sq.m.	8000 sq.ft.	743.0 sq.m.
75 sq.ft.	7.0 sq.m.	8400 sq.ft.	780.0 sq.m.
100 sq.ft.	9.0 sq.m.	9600 sq.ft.	892.0 sq.m.
150 sq.ft.	13.0 sq.m.	10000 sq.ft.	929.0 sq.m.
200 sq.ft.	18.0 sq.m.	15000 sq.ft.	1393.0 sq.m.
300 sq.ft.	27.0 sq.m.	20000 sq.ft.	1860.0 sq.m.
450 sq.ft.	42.0 sq.m.	25000 sq.ft.	2323.0 sq.m.
500 sq.ft.	45.0 sq.m.	30000 sq.ft.	2787.0 sq.m.
600 sq.ft.	55.0 sq.m.	40000 sq.ft.	3720.0 sq.m.
726 sq.ft.	67.0 sq.m.	80000 sq.ft.	7432.0 sq.m.
900 sq.ft.	83.5 sq.m.		
968 sq.ft.	90.0 sq.m.		
1000 sq.ft.	90.0 sq.m.	1 acre	.4 ha
1050 sq.ft.	97.5 sq.m.	2 acres	.8 ha
1100 sq.ft.	102.0 sq.m.	5 acres	2.0 ha
1150 sq.ft.	106.8 sq.m.	15 acres	6.0 ha
1200 sq.ft.	111.0 sq.m.	22 acres	8.9 ha
1250 sq.ft.	115.0 sq.m.	<u>*25 acres</u>	<u>10.0 ha</u>
1300 sq.ft.	120.8 sq.m.	<u>*50 acres</u>	<u>20.0 ha</u>
1350 sq.ft.	125.0 sq.m.		
1400 sq.ft.	130.0 sq.m.		
1500 sq.ft.	140.0 sq.m.	<u>Weight</u>	
1600 sq.ft.	148.6 sq.m.		
<u>*1650 sq.ft.</u>	<u>153.0 sq.m.</u>	25 lbs	11.0 kg
1800 sq.ft.	167.0 sq.m.	65 lbs	29.5 kg
2000 sq.ft.	185.0 sq.m.	$\frac{3}{4}$ tons	762.0 kg
2100 sq.ft.	195.0 sq.m.		
<u>*2400 sq.ft.</u>	<u>222.0 sq.m.</u>		
3000 sq.ft.	280.0 sq.m.		
3100 sq.ft.	288.0 sq.m.		
3600 sq.ft.	334.0 sq.m.		
4000 sq.ft.	371.0 sq.m.		
4500 sq.ft.	418.0 sq.m.		
<u>*5000 sq.ft.</u>	<u>463.0 sq.m.</u>		
5500 sq.ft.	511.0 sq.m.		
6000 sq.ft.	557.0 sq.m.		
6400 sq.ft.	594.0 sq.m.		
6600 sq.ft.	613.0 sq.m.		
7200 sq.ft.	669.0 sq.m.		
7700 sq.ft.	715.0 sq.m.		

SECTION 7 – GENERAL PROVISIONS FOR RESIDENTIAL ZONES

The following general provisions shall apply to residential Zones.

7.1 CORNER LOTS

Notwithstanding any other provision of this Bylaw, on a corner lot in a Single Family Detached Dwelling (R1) Zone, Multiple Family Residential (RM1) Zone, no part of any building or accessory building shall be constructed in the exterior side yard or rear yard a distance of less than six (6) metres (twenty (20) feet) from the lot line of the flanking street.

7.2 DAY NURSERIES

Notwithstanding any other provisions of this Bylaw, a day nursery is permitted in any Multiple Family Dwelling (RM1) Zone.

7.3 DISTANCE BETWEEN APARTMENT BUILDINGS

Notwithstanding any other provisions of this Bylaw, the minimum distance between apartment buildings on the same lot up to mean height of six (6) storeys shall not be less than fifteen (15) metres (fifty (50) feet) and for apartment buildings of greater mean height than six (6) storeys this distance shall be increased by an additional three (3) metres (ten (10) feet) per storey.

7.4 EXEMPTION FROM LOT FRONTAGE AND AREA REQUIREMENTS

Notwithstanding any other provisions of this Bylaw, in any Single Family Detached Dwelling (R1) Zone a single family dwelling may be erected, used, altered or repaired, on a lot or parcel of land which existed on the date of the passing of this Bylaw, provided that:

- (1) the lot or parcel is held under distinct and separate ownership from adjacent lands according to the registration thereof in the Land Titles Offices; or
- (2) consent of the Council had been given to the division of land and has not lapsed; and

- (3) the lot or parcel has a lot frontage of at least twelve (12) metres (forty (40) feet) and an area of not less than four hundred and eighteen (418) square metres (four thousand five hundred (4,500) square feet) in an area serviced by municipal water supply and sanitary sewers or meets the minimum requirements of the Dokis First Nation in an area not serviced by sanitary services.

7.5 GARAGES OR ACCESSORY BUILDINGS

Where a garage or accessory building is permitted in whole or part in the front yard in a Residential (R) Zone and where a garage or accessory building is permitted in a Multiple Family Residential (RM) Zone, all of the exterior walls thereof shall be constructed of or be faced with materials similar to those used in the facing of the main building.

7.6 KEEPING AND/OR RAISING OF ANIMALS IN RESIDENTIAL AREAS

Notwithstanding any other provision of this Bylaw, no person shall keep or raise any horse, pony, donkey, mule, bull, cow, ox, sheep, goat, pig, rabbit, poultry, pigeons or any reptile or wild animal including any tamed or domesticated wild animal on any lot used for residential purposes in any Estate, Residential (RR2) Zone, Residential (R) Zone, or Multiple Family Residential (RM) Zone. In a Rural Residential (RR1) Zone no livestock shall be kept on any land of less than two (2) hectares (five (5) acres) in area nor in a barn, stable or pen within sixty (60) metres (two hundred (200) feet) of any lot line nor within ninety (90) metres (three hundred (300) feet) of any non-agricultural building on an adjacent property.

7.7 LOADING SPACE REQUIREMENTS

- (1) Number, Location and Dimensions

Any residential building containing twenty (20) or more dwelling units shall be provided with and have maintained at the side or rear of the premises, on the lot occupied by the building and not forming part of the street or lane, at least one (1) space for standing, loading and unloading, and such space shall be at least three point six (3.6) metres (twelve (12) feet) by nine (9) metres (thirty (30) feet) with a minimum height clearance of four point two (4.2) metres (fourteen (14) feet).

(2) Access

Access to the loading and unloading space shall be by means of a driveway at least six (6) metres (twenty (20) feet) wide contained within the lot on which the space is located within or adjoining the zone in which the building is located.

(3) Loading Space Surface

The driveway and loading and unloading space shall be constructed of crushed stone or gravel and paved with five (5) centimetres (two (2) inches) of asphalt over fifteen (15) centimetres (six (6) inches) of Granular A material and be suitably drained.

7.8 OCCUPANCY OF UNCOMPLETED DWELLINGS

No dwelling shall be used for human habitation before the main exterior side and interior walls, floors and roof have been erected, the external siding and roofing, interior walls and floors have been completed and kitchen, heating and sanitary conveniences have been installed and rendered usable.

7.9 PARKING AREA LOCATION

Notwithstanding all other provisions of this Bylaw, where a parking area of five (5) or more spaces is required by this Bylaw in a Multiple Family Zone such spaces:

- (1) shall be located in an area other than the minimum front yard or the required side yard abutting the flanking street of a corner lot;
- (2) shall occupy not more than one-half (1/2) of the aggregate areas of the side and rear yards of any lot;
- (3) shall be located not less than three metres (3) metres (ten (10) feet) from any side or rear lot line;
- (4) for an apartment house dwelling, shall not be located within three (3) metres (ten (10) feet) of any Residential (R) Zone;
- (5) shall be located so as not to impair the view from entrances and front yards, and be at least six (6) metres (twenty (20) feet) away from windows of habitable rooms, at or below grade where the sill is less than one point eight (1.8) metres (six (6) feet) above grade, and one point eight (1.8) metres (six (6) feet) away from a wall containing a window to a habitable room where the sill is more than one point eight (six (6) feet) above grade.

7.10 PARKING FOR COMMERCIAL MOTOR VEHICLES

No persons shall in any Residential (R) Zone or any Multiple Family Residential (RM) Zone use any lot or part of a lot for the parking or storage of any commercial motor vehicle in excess of seven hundred and sixty-two (762) kilograms (three-quarter (3/4 ton) capacity.

7.11 SEPARATE OWNERSHIP, DWELLING UNIT

No persons shall divide into separate ownership any multiple family dwelling, other than a semi-detached dwelling.

7.12 STORING AND PARKING OF TRAILERS, BOATS AND MOBILE HOMES

No person shall in any Rural Residential (RR1) Zone with a frontage of twenty-four point four metres (24.4m) or less; or in any Residential R1 Zone; or in any Multiple Family Residential RM1 Zone, use any lot or part of a lot for the parking or storage of any trailer, boat, mobile home or similar vehicle except in accordance with the following provisions:

(1) Definitions

For the purpose of this section the following definitions shall apply:

- (a) "Trailer" shall mean a trailer as defined in The Highway Traffic Act and shall also include a Tourist or Travel Trailer as defined by Section 3.159 of this bylaw.
- (b) "Mobile Home" means a motor vehicle used as a temporary, permanent or recreational residence or working accommodation unit and shall also include truck campers.

(2) Storage and Parking Requirements

- one (1) boat that does not exceed seven metres (7m) in length;
- one (1) boat trailer that does not exceed seven metres (7m) in length exclusive of hitch or tongue;
- one (1) trailer that does not exceed seven metres (7m) in length;
- one (1) mobile home that does not exceed 7m in length.

The above which are subject to the following regulations:

- (a) where lands are used for apartment dwelling or group housing purposes, the boat, boat trailer, trailer, mobile home or similar vehicle must be stored within a building and shall only be permitted in spaces or areas that are additional to the number of parking spaces required by this bylaw.
 - (b) Where lands are used for any residential purpose other than an apartment dwelling or group housing:
 - (i) the boat, boat trailer, trailer, mobile home, or similar vehicle must be stored within the dwelling or within a private garage or carport or located in the interior side yard to the rear of the front wall of the main building.
 - (ii) In the case of a lot where the exterior side and/or rear lot line abuts a street or a zero point three metre (0.3m) reserve, any boat, boat trailer, trailer, mobile home or similar vehicle may be parked or stored in the exterior side yard and/or rear yard in addition to the locations permitted in Subsection (2) (b) (i) provided that such boat, boat trailer, trailer, mobile home or similar vehicle shall not be located closer than seven point six metres (7.6m) from the exterior side and/or rear lot lines, and provided that all other provisions of this section are complied with.
 - (c) Nothing in this section shall be deemed to diminish or lessen the restrictions imposed by Sections 6.37 and 6.40 of this Bylaw.
- (3) Temporary Boat, Trailer and Mobile Home Storage or Parking

Notwithstanding Subsection (2) hereof, the owner or occupant of any lot in a Rural residential (RR1) Zone with a frontage of twenty-four point four metres (24.4m) or less; or in any Residential (R) Zone; or in any Multiple Family Residential Zone, used for a purpose other than an apartment dwelling house or group housing, may store or park not more than one (1) boat that does not exceed seven metres (7m) in length with or without one (1) boat trailer that does not exceed seven metres (7m) in length exclusive of hitch or tongue, and one (1) trailer that does not exceed seven metres (7m) in length exclusive of hitch or tongue, and one mobile home which does not exceed seven metres (7m) in length, of which he is the owner, in the front or side yard of such lot for a total period of not more than seventy-two (72) hours in any one (1) calendar month.

7.13 VACANT LOT-STORAGE

Notwithstanding any other provisions of this bylaw on any lot in a Rural Residential (RR1) Zone with a frontage of twenty four point four metres (24.4m) or less; or in any Residential R1 Zone; or in any Multiple Family Residential RM1 Zone, on which a main building has not been erected, the storage or parking of a motor vehicle, boat, tourist trailer, mobile home or other similar vehicle shall not be permitted unless:

- (1) the said motor vehicle, boat, tourist trailer, mobile home, or other similar vehicle is located on the rear half of the lot; and
- (2) the lot is owned by the owner of the adjacent lot; and
- (3) provided that, such motor vehicle, boat, tourist trailer, mobile home or other similar vehicle shall not be located closer than seven point six metres (7.6m) from the side and rear lot lines.

7.14 PRIVATE HOME DAY CARE

Private Home Day Care is permitted in a Residential (R) Zone provided that the private home day care is furnished under an agreement entered into between the Dokis First Nation and a person pursuant to section 2a of The Day Nurseries Act, R.S.O. 1970, c.104 as amended and the maximum number of children receiving such private home day care in a dwelling unit at any time shall not exceed five.

7.15 ADULT OR CHILDREN'S GROUP HOMR, GROUP FOSTER HOME OR CHILDREN'S HOME

No person shall hereafter in any Residential Zone use any land, or erect, alter or use any building or structure for an adult or children's home. An adult or children's group home, group foster home or children's home may be permitted in an area zoned Residential in this Bylaw provided that the land, building or structure proposed for such use is rezoned Institutional.

SECTION 8 – RURAL RESIDENTIAL (RR1) ZONE

The following provisions shall apply to all Rural Residential (RR1) Zones.

8.1 PERMITTED USES

No person shall hereafter within the Rural Residential (RR1) Zone use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses.

(1) Agriculture or Forestry

Agricultural uses including field crops, bush crops, tree crops, nurseries, horticulture, farm or commercial greenhouses, market gardening, orchards, aviaries and apiaries which shall not be obnoxious.

Forestry uses including reforestation and tree farm, conservation of soil and wildlife and fish farms.

(2) Recreational

Parks, playgrounds, community centres or recreational buildings which are owned and operated by the Dokis First Nation.

(3) Institutional

Churches and religious institutions, including educational facilities associated with and accessory thereto, and public schools.

(4) Residential

One single family detached dwelling and accessory living quarters for staff employed on the premises.

(5) Commercial

Retail sale of agricultural produce raised or grown on the immediate property.

(6) Accessory Building and Uses

A private stable subject to the provisions of this Bylaw, a storage building for farm machinery used on the premises, a carport, a private garage, or a private recreation building, non-commercial greenhouses, bath house, swimming pool or tennis court.

8.2 ZONE REQUIREMENTS

No person shall hereafter within a Rural Residential (RR1) Zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the following specifications:

(1) Lot Specifications

Lot Area (Minimum)	2 hectares (5 acres)
Lot Frontage (Minimum)	120 metres (400 feet)

(2) Siting Specifications

Front Yard (Minimum)	30 metres (100 feet)
Side Yard (Minimum)	7.5 metres (25 feet)
Rear Yard (Minimum)	15 metres (50 feet)

(3) Building Specifications

Floor Area of Dwelling (Minimum)	185 square metres (2,000 square feet)
Height (Maximum)	10.6 metres (35 feet)
Lot Coverage (Maximum)	10 percent

8.3 EXCEPTIONS

Where a lot has been lesser frontage or area than is required in this Zone and where such a lot was held under distinct separate ownership from adjoining lands according to the Dokis First Nation Land Titles Office on and prior to the date of the passing of this Bylaw, a single family detached dwelling may be erected, used and altered on such lot subject to the following specifications:

(1) Lot Specifications

Lot Area (Minimum)	2,787 square metres (30,000 square feet)
Lot Frontage (Minimum)	30 metres (100 feet)

(2) Siting Specification

Front Yard (Minimum)	12 metres (40 feet)
Rear Yard (Minimum)	12 metres (40 feet)
Side Yard (Minimum) on (a) one side	1.8 metres (6 feet)
b) other side	4.2 metres (14 feet)

(3) Building Specifications

Floor Area of Dwelling (Minimum)	
(a) one storey	115 square metres (1,250 square feet)
(b) one and one-half storey	130 metres (1,400 square feet)
(c) two storey	140 square metres 1,500 square feet
Height (Maximum)	10.6 metres (35 feet)
Lot Coverage (Maximum)	20 percent

SECTION 9 – ESTATE RESIDENTIAL (RR2) ZONE

9.1 PERMITTED USES

No person shall hereafter within the Estate Residential (RR2) Zone use any lot, or erect alter or use any building or structure for any purpose except one or more of the following uses:

(1) Residential

One single family detached dwelling

(2) Recreational

Public parks owned and operated by the Dokis First Nation

(3) Institutional

Public Schools

(4) Accessory Building and Uses

A private garage, a swimming pool, a tennis court, a carport, a non-commercial greenhouse, horticulture and reforestation.

9.2 ZONE REQUIREMENTS

No person shall hereafter within an Estate Residential (RR2) Zone use any lot, or erect alter or use any building or structure for any purpose except in accordance with the following specifications:

(1) Lot Specifications

Lot Area (Minimum)	0.45 hectares (1.1 acres)
Lot Frontage (Minimum)	30 metres (100 feet)

except where the lot fronts on a turning circle or a curved street and the straight line projection of the street on the interior side forms an angle of less than 135, then the Minimum Lot Width of the lot on the exterior side shall be sixty (30) metres (100 feet)

(2) Siting Specifications

Front Yard (Minimum)	15 metres (50 feet)
Rear Yard (Minimum)	15 metres (50 feet)
Side Yard (Minimum)	7.5 metres (25 feet)

(3) Building Specifications

Floor Area (Minimum)	95 square metres 1,000 square feet
Building Height (Maximum)	10.6 metres (35 feet)
Lot Coverage (Maximum)	15 percent

SECTION 10 – SINGLE FAMILY RESIDENTIAL (R1) ZONE

The following provisions shall apply to all Single Family Residential (R1) Zones.

10.1 PERMITTED USES

No person shall hereafter within the Single Family Detached Dwelling First Density (R1) Zone use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- (1) Residential
One single family detached dwelling unit.
- (2) Recreational
Parks, community centres or recreational buildings which are owned and operated by the Dokis First Nation.
- (3) Institutional
Public School
- (4) Accessory Building and Uses
A private garage, a carport or a private swimming pool.

10.2 ZONE REQUIREMENTS

No person shall hereafter within a Single Family Detached Dwelling (R1) Zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the following specifications:

	<u>With Municipal Water</u>
(1) <u>Lot Specifications</u>	
Lot Area (Minimum)	2,787 square metres (30,000 square feet)
Lot Frontage (Minimum)	30 metres (100 feet)
(2) <u>Siting Specifications</u>	
Front Yard (Minimum)	9 metres (30 feet)
Rear Yard (Minimum)	9 metres (30 feet)
Side Yard (Minimum) on	
(a) side one side	1.8 metres (6 feet)
(b) other side	4.2 metres (14 feet)
(2) <u>Building Specifications</u>	
Floor Area (Minimum)	
(a) one storey	115 square metres (1,250 square feet)
(b) one and one-half storey	130 square metres (1,400 square feet)
(c) two storey	140 square metres (1,500 square feet)
Building Height (Maximum)	10.6 metres (35 feet)
Lot Coverage (Maximum)	20 percent

10.3 EXEMPTION FROM LOT FRONTAGE AND AREA REQUIREMENTS

Notwithstanding the minimum lot frontage and area specifications of Section 11.2 (1) of the Bylaw, in any Single Family Residential (R1) Zone a single family dwelling may be erected, used, altered or repaired, on a lot or parcel of land which existed on the date of the passing of this Bylaw, provided that the lot or parcel is held under distinct and separate ownership from adjacent lands according to the registration thereof in the Dokis First Nation Land Titles Office.

SECTION 11 – MULTIPLE FAMILY RESIDENTIAL (RM1) ZONE

The following provisions shall apply to all Multiple Family Residential (RM1) Zones.

11.1 PERMITTED USES

No person shall hereafter within the Multiple Family Residential (RM1) Zone use any lot, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- (1) Residential
Semi-detached or duplex dwellings, converted dwellings, triplexes, double duplexes or fourplexes, quadruplexes, boarding or rooming houses.
- (2) Recreational
Parks and playgrounds, community centres, or recreation buildings which are owned and operated by the Dokis First Nation.
- (3) Institutional
Public Schools
- (4) Accessory Building and Uses
A private garage, a carport, or a private swimming pool.

11.2 ZONE REQUIREMENTS

No person shall hereafter within a Multiple Family Residential (RM1) Zone use any lot. Or erect, alter or use any building or structure for any purpose except in accordance with the following specifications:

Semi-detached or Duplex Dwellings, Triplex, Fourplex or Double Duplex, Quadruplex or Converted Dwellings, or a Boarding or Rooming House.

(1) Lot Specifications

Lot Area (Minimum)

(a) semi-detached, duplex or triplex	780 square metres (8,400 square feet)
(b) other	892 square metres (9,600 square feet)

Lot Frontage (Minimum)

(a) semi-detached, duplex or triplex	21.3 metres (70 feet)
(b) other	30 metres (100 feet)

(2) Siting Specifications

Front Yard (Minimum) 9 metres
(30 feet)

Rear Yard (Minimum) 9 metres
(30 feet)

Side Yard (Minimum)
on each side 2.4 metres
(8 feet)

(3) Building Specifications

Floor Area (Minimum)

(a) semi-detached, duplex,
triplex, fourplex,
or quadruplex 83.5 square metres
(900 square feet)

(b) converted dwelling 55 square metres
(600 square feet)
per dwelling unit

(c) boarding or
rooming house 18 square metres
(200 square feet)
per resident

Building Height
(Maximum) 10.6 metres
(35 feet)

Lot Coverage (Maximum) 35 percent

SECTION 12 - RETIREMENT COMMUNITY MULTIPLE RESIDENTIAL (RM2)

The following provisions shall apply to all Retirement Community (RM2) Zones:

12.1 PERMITTED USES

No person shall hereafter within the Retirement Community Multiple (RM2) Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- (1) Residential
Single detached dwelling unit.
- (2) Accessory Building or Uses
A private garage, carport, garden shed, private recreation centre, private swimming pool.

12.2 ZONE REQUIREMENTS

No person shall hereafter within a Retirement Community Multiple (RM2) Zone use any lot, or erect, alter or use any building or structure for any purpose except in accordance with the following specifications:

- (1) Lot Specifications

Lot Area (Minimum)	0.6 hectares
Lot Frontage (Minimum)	54 metres
Lot Area (Minimum) per dwelling unit	750 square metres
- (2) Siting Specifications

Front Yard (Minimum)	4.6 metres
Rear Yard (Minimum)	7.5 metres
Side Yard (Minimum)	7.5 metres
Building Separation (Minimum)	2.4 metres
Building Setback (Minimum) From any common private Road	7.5 metres

(3) Building Specifications

Floor Area (Minimum) per dwelling unit	80 squares metres
Building Height (Minimum)	1 storey
Lot Coverage (Maximum)	20 percent

SECTION 13 – GENERAL PROVISIONS FOR COMMERCIAL ZONES

The following provisions shall apply to all Commercial Zones.

- 13.1 No person shall hereafter within a Commercial (C) Zone use any land, or erect, alter or use any building or structure for any purpose except in accordance with the following provisions.

13.2 ACCESSORY BUILDINGS ON CORNER LOTS

In any Commercial (C) Zone which is contiguous to a Residential (R) or Multiple Residential (RM) Zone, no person shall erect an accessory building on a corner lot at a lesser distance from the street line on which adjoining residential lots front than the depth of the minimum front yard required for a dwelling on the adjoining lot which is in a Residential (R) or Multiple Residential (RM) Zone.

13.3 AUTOMOBILE SERVICE STATION OR PUBLIC GARAGE

The following provisions shall apply to automobile service stations and public garages:

(1) Uses Not Permitted

No person owning, leasing or operating an automobile service shall use or permit it to be used for the purpose of wrecking, parking except vehicles of the owner and employees, storing or selling motor vehicles, or, except vehicles of the owner and employees, storing or selling motor vehicles, or, except in an enclosed building, for washing motor vehicles or vulcanizing tires or tubes or for any running repairs to automobile.

(2) Daylighting Triangle

Where an automobile service station or public garage is at the intersection of two (2) or more streets, a daylighting triangle as defined in Section 3.50 shall be provided by measuring a distance of fifteen (15) metres (fifty (50) feet) in both directions from the intersection of street lines.

(3) Location of Pumps

- (a) the minimum distance of pumps from the street line of the street upon which the lot fronts shall be four point five (4.5) metres (fifteen (15) feet).
- (b) the minimum distance of pumps from the daylight corner shall be three (3) metres (ten (10) feet).

(4) Ramps

- (a) the minimum distance between entrance and exit ramps shall be three (3) metres (ten (10) feet).
- (b) the maximum width of ramp at the street line shall be ten point six (10.6) metres (thirty-five (35) feet).
- (c) the minimum distance between ramps on any street shall be three (3) metres (ten (10) feet).
- (d) the minimum distance from the intersection of the street lines to any ramp on either street shall be three (3) metres (ten (10) feet).
- (e) the minimum interior angle of ramps to street lines shall be sixty (60) degrees – maximum interior angle of ramps to street line- ninety (90) degrees.

13.4 LOADING SPACE

The owner or occupant of a lot, building or structure in a Commercial (C) Zone, including buildings or parts of buildings used for office commercial use, which involves the receiving, shipping, loading or unloading of goods, wares or merchandise, shall provide and maintain in a location suitable to the Dokis First Nation, loading or unloading spaces nine (9) metres (thirty (30) feet) long, three point six (3.6) metres (twelve (12) feet) wide, and having a vertical clearance of at least four point two (4.2) metres (fourteen (14) feet) in accordance with the following standards:

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(1)	<u>Total Commercial Floor Area of Building or Structure</u>	<u>Number of Loading Spaces Required</u>
(a)	less than 140 square metres (1,500 square feet)	0
(b)	exceeding 140 square metres (1,500 square feet) but less than 280 square metres (3,000 square feet)	1
(c)	exceeding 280 square metres (3,000 square feet) but less than 2,323 square metres (25,000 square feet)	2
(d)	exceeding 2,323 square metres (25,000 square feet) but less than 7,432 square metres (80,000 square feet)	3
(e)	exceeding 7,432 square metres (80,000 square feet)	one (1) additional space for every additional 7,432 square metres (8,000 square feet) or fractional part thereof

(2) Access

Access to the loading and unloading space shall be by means of a driveway at least six (6) metres (twenty (20) feet) wide contained within the lot on which the space is located within or adjoining the zone in which the building is located.

(3) Loading Space Surface

The driveway and loading and unloading space shall be constructed of crushed stone or gravel and paved with five (5) centimetres (two (2) inches) of asphalt over fifteen (15) centimetres (six (6) inches) of Granular A material and be suitably drained.

(4) Location

The loading or unloading spaces required shall be located in the interior side or rear yard unless the setback from the street line is a minimum of sixty (60) metres (two hundred (200) feet), or a location suitable to the Corporation.

(5) Exceptions and Additions to Buildings

The loading or unloading space requirements referred to herein shall not apply to any buildings in existence at the date of the passing of this Bylaw so long as the floor area as it existed at such date is not increased. If an addition is made to the building or structure which increases the floor area then additional loading or unloading spaces shall be provided according to the provisions of this Bylaw.

13.5 PARKING AREA LOCATION

Where a parking space or spaces are required by this Bylaw in a Commercial (C) Zone, such spaces shall be located a minimum of one point five (1.5) metres (five (5) feet) from any side or rear lot line, and shall not be located within three (3) metres (ten (10) feet) of any residential lot.

13.6 RESIDENTIAL USE IN A COMMERCIAL BUILDING

Where any residential use is permitted in a commercial zone, the minimum floor area of each dwelling unit shall not be less than fifty-five (55) square metres (six hundred (600) square feet).

SECTION 14 – OFFICE COMMERCIAL (C1) ZONE

The following provisions shall apply to all Office Commercial (C1) Zones.

14.1 PERMITTED USES

No person shall hereafter within an Office Commercial (C1) Zone use any land, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(1) Commercial

A business, government, administrative, service or professional office building, retail stores and personal service shops such as food, produce, grocery and meat stores, drug store, supermarket, barber and beauty shops, mens and ladies hairstyling establishments, hardware store, bank, credit union office, camera shops, photo studio, television and radio sales and service shops, bake shop, confectionery, restaurant, take-out restaurant, variety store, convenience store, men and women's wearing apparel, florist, boutiques, wallpaper and paint store, book store, shoe store, pet shop, travel agency, dry cleaners, laundromat, a gas bar and taxi stand.

(2) Accessory Uses

A building or use which is accessory to a permitted use in the Office Commercial (C1) Zone.

14.2 ZONE REQUIREMENTS

No person shall hereafter within an Office Commercial (C1) Zone use any land, or erect, alter or use any building or structure for any purpose except in accordance with the following specifications:

(1) Commercial

(a) Lot Specifications

Lot Area (Minimum)	557 square metres (6,000 square feet)
Lot Frontage (Minimum)	18.0 metres (60 feet)
Lot Depth (Minimum)	30 metres (100 feet)

(b) Siting Specifications

Front Yard (Minimum)	7.5 metres (25 feet)
Rear Yard (Minimum)	9 metres (30 feet)
Side Yard (Minimum) on - one side	1.2 metres (4 feet)
- other side	3.6 metres (12 feet)

(c) Building Specifications

Gross Floor Area (Maximum)	100 percent
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Building Height (Maximum)	10.6 metres (35 feet)
Lot Coverage (Maximum)	35 percent
Floor Area Requirements (Minimum)	90 square metres (1,000 square feet)

SECTION 15 – GENERAL COMMERCIAL (C2) ZONE

The following provisions shall apply to all General Commercial (C2) Zones.

15.1 PERMITTED USES

No person shall hereafter within a General Commercial (C2) Zone use any land, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(1) Commercial
A Charitable Casino.

(2) Accessory Uses
A building or use which is accessory to a permitted use in the General Commercial (C2) Zone.

15.2 ZONE REQUIREMENTS

No person shall hereafter within a General Commercial First (C2) Zone use any land, or erect, alter or use any building or structure for any purpose except in accordance with the applicable gaming license requirements.

SECTION 16 – INSTITUTIONAL (I) ZONE

16.1 PERMITTED USES

No person shall hereafter within an Institutional (I) Zone use any land, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(1) Institutional

An administrative building of The Dokis First Nation, the Province of Ontario or the Dominion of Canada, fire hall, arena, cemetery, church, community centre, non-profit recreational uses, fraternal lodge, association or institutional hall including a nursery school, clinic, nursing home, public or private hospital, public or private school.

(2) Accessory Buildings and Uses

A building or use which is accessory to a permitted use in the Institutional (I) Zone.

16.2 ZONE REQUIREMENTS

No person shall hereafter within an Institutional (I) Zone use any land, or erect, alter or use any building or structure for any purpose except in accordance with the following specifications:

(1) Residential Use

Residential (R1) Zone requirements shall apply to an accessory Single Family Detached Dwelling. For an accessory residential use in an institutional building, the zoning specifications for an institutional use in an (I) Zone shall apply and in addition, the minimum floor area of a dwelling unit shall not be less than fifty-five (55) square metres (six hundred (600) square feet).

(2) Institutional Use

(a) <u>Lot Specifications</u>	NIL
(b) <u>Siting Specifications</u>	
Front Yard (Minimum)	9m (30 feet)
Rear Yard (Minimum)	9m (30 feet)
Side Yard (Minimum) on - both sides	3.6m (12 feet)

In addition to these requirements, for every storey above three (3) storeys, these minimum requirements shall be increased by one point two (1.2) metres (four (4) feet).

(c) <u>Building Specifications</u>	
Gross Floor Area (Maximum)	150 percent
Building Height (Maximum)	6 storeys
Lot Coverage (Maximum)	35 percent
(d) <u>Parking Specifications for a use not otherwise specified</u>	one (1) parking space for each twenty-seven (27) square metres (three hundred(300) square feet) of gross floor area

SECTION 17 – GENERAL PROVISIONS FOR INDUSTRIAL ZONES

The following provisions shall apply to all Industrial Zones:

17.1 No person shall hereafter in an Industrial (M) Zone use any land, or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

17.2 LOADING SPACE

(1) The owner or occupant of any lot, building or structure in an Industrial (M) Zone, including buildings or parts of buildings used for office commercial use, which involves the receiving, shipping, loading or unloading of goods, wares or merchandise, shall provide and maintain in a location suitable to the Municipality loading or unloading spaces thirteen point seven (13.7) metres (forty-five (45) feet) long, three point six (3.6) metres (twelve (12) feet) wide, and having a vertical clearance of at least four point two (4.2) metres (fourteen (14) feet) in accordance with the following standards:

<u>Total Floor Area of Building or Structure</u>	<u>Number of Loading Spaces Required</u>
(a) 225 square metres or less	0
(b) 225 square metres to 550 square metres	1

- (c) exceeding 550 square metres but less than 2,323 square metres 2
- (d) exceeding 2,323 square metres but less than 7,432 square metres 3
- (e) exceeding 7,432 square metres 1 additional space for every additional 7,432 square metres or fractional part thereof

(2) (a) Access

Notwithstanding any other provisions of this bylaw for driveway width, access to loading or unloading spaces shall have a driveway at least six (6) metres (twenty (20) feet) wide unless such spaces are directly linked to a lane or roadway.

(b) Location

The loading or unloading spaces required shall be located in the interior side or rear yard unless the setback from the street line is a minimum of sixty (60) metres (two hundred (200) feet).

(c) Loading Space Surface

The driveway and loading and unloading space shall be constructed of crushed stone or gravel and paved with ten (10) centimeters (six (6) inches) of Granular A material and be suitably drained and maintained.

(e) Exceptions and Additions to Buildings

The loading or unloading space requirements referred to herein shall not apply to any buildings in existence at the date of the passing of this Bylaw so long as the floor area as it existed at such date is not increased. If an addition is made to the building or structure which increases the floor area then additional loading or unloading spaces shall be provided according to the provisions of this Bylaw.

(3) Exemption

For the purposes of this Section, any industrial units within a multiple occupancy industrial building which do not exceed 225 square metres in gross floor area shall not be included in calculations for required loading spaces as set out in this Section.

17.3 PARKING SPACE LOCATION

Where a parking space or spaces are required by this Bylaw in an Industrial Zone, such spaces shall be located in the side or rear yard not less than one point five (1.5) metres (five (5) feet) from any side or rear lot line, except customer and visitor parking spaces which may be located in the front yard at right angles to the driveway to a depth of six (6) metres (twenty (20) feet).

17.4 PARKING SPACE REQUIREMENTS – MULTIPLE OCCUPANCY BUILDING

Notwithstanding any other provisions of this Bylaw, the owner of any building or structure erected or used for multiple occupancy office-retail-industrial purposes 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 as follows:

One (1) parking space for each nine (9) square metres (one hundred (100) square feet) or gross floor area for the first one hundred eighty-five (185) square metres (two thousand (2,000) square feet), one (1) parking space for each eighteen point five (18.5) square metres (two hundred (200) square feet) of gross floor area for the next two hundred eighty (280) square metres (three thousand (3,000) square feet), and one (1) parking space for each twenty-seven (27) square metres (three hundred (300) square feet) of the remaining gross floor area.

17.5 YARD ENCROACHMENT PERMITTED

Gate House

Notwithstanding the yard provisions of this Bylaw, a gatehouse shall be permitted in a front or side yard in an Industrial (M) Zone.

SECTION 18 – INDUSTRIAL (M) ZONE

The following provisions shall apply to all Industrial (M) Zones.

18.1 PERMITTED USES

No person shall hereafter within an Industrial (M) Zone use any land, or erect, alter or use any building or structure for any purpose except one or more of the following uses:

(1) Bulk fuel storage and distribution, car washing establishment, autobody repair shop, heavy service shop, power, transportation and communications uses. Freight transportation terminal, truck service garage, used truck, construction equipment and machinery sales, service, rebuilding and repair.

(2) Industrial

Manufacturing, including primary processing, fabricating or assembling of material and products of the following industries:

- (a) Agricultural products and supply, food and beverage industries;
- (b) Rubber and plastics products industries;
- (c) Leather products industries;
- (d) Primary metal industries;
- (e) Petroleum and coal products industries;
- (f) Chemical and chemical products industries;
- (g) Cement and concrete products industries;
- (h) Construction yards, housing and building materials and products industries;
- (i) Woodworking and metal products industries;
- (j) Foundries, forging and machine shops;
- (k) Machinery, machine tools and production equipment products and parts industries;
- (l) Transportation equipment manufacturing industries.

(3) An automobile wrecking yard, a salvage yard, a commercial quarry or pit, or other obnoxious use is not permitted.

18.2 ZONE REQUIREMENTS

No person shall hereafter within an Industrial (M) Zone use any land, or erect, alter or use any building or structure for any purpose except in accordance with the following specifications:

(1) Lot Specifications

Lot Area (Minimum)	.4 ha (1 acre)
Lot Frontage (Minimum)	45 m (150 feet)

(2) Siting Specifications

Front Yard (Minimum)	12 m (40 feet)
Rear Yard (Minimum)	12 m (40 feet)
Side Yard (Minimum)	6 m (20 feet)

(3) Building Specifications

Building Height (Maximum)	10.6 m (35 feet)
Lot Coverage (Maximum)	50 percent

(4) Open Storage

(a) No open storage or open-air operations shall be permitted closer than twelve (12) metres (forty (40) feet) to any street line and not within any minimum yard.

(b) Open storage will be permitted only of commodities used in or produced from the industrial operations on the site.

(5) Planting Strip

A landscaped strip of twelve (12) metres (forty (40) feet) in width in the front yard and three (3) metres (ten (10) feet) in width in the exterior side yard and rear yard of a corner lot, shall be maintained adjacent to the street line except for those areas required for entry ramps and permitted parking.

SECTION 19 – OPEN SPACE AND CONSERVATION (O) ZONE

The following provisions shall apply to all Open Space and Conservation (O) Zones.

19.1 PERMITTED USES

No person shall hereafter within an Open Space and Conservation (O) Zone use any land or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- (1) Commercial
A golf course, driving range, private recreation area, all commercial uses associated with any permitted Agricultural use.
- (2) Institutional
Bird or animal sanctuaries, pavilions, museums, pow-wow grounds, public recreation centres or parks.
- (3) Accessory Buildings and Uses
All accessory buildings which are ancillary to any of the permitted uses in this zone.

19.2 ZONE REQUIREMENTS

No person shall hereafter within an Open Space and Conservation (O) Zone use any land, or erect, alter or use any building or structure for any purpose except in accordance with the following specifications:

- (1) Any building erected in an Open Space and Conservation (O) Zone shall be set back a minimum of nine (9) metres (thirty (30) feet) from any lot line and shall not exceed twenty (20) percent lot coverage.

(2) Residence for Owner or Caretaker

Notwithstanding any other provisions in this Bylaw, a single family detached dwelling in conformity with the building specifications of a Single Family Residential (R1) Zone may be permitted in the Open Space and Conservation (O) Zone subject to the approval of the Dokis First Nation.