

THE CITY OF BELLEVILLE
ZONING BY-LAW NUMBER 10245
AS AMENDED

THE CITY OF BELLEVILLE

BY-LAW NUMBER 10245

Being a By-Law for permitting the use of land, for such purposes, as are set out in this By-Law, and for permitting the erection or use of buildings or structures for such purposes as are set out in the By-Law; and for regulating the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected and the minimum lot frontage and area of the parcel of land and the proportion thereof that any building or structure may occupy; and for requiring the owners or occupants of buildings or structures to be erected or used for a purpose named in the By-Law to provide and maintain loading or parking facilities; and for requiring that municipal services as set out in the By-Law are available to service the land, building or structures as the case may be.

This Edition is prepared for purposes of convenience only, and for accurate reference recourse should be to the original By-Laws.

By-Law 10245 has been amended by the following By-Laws which have received Ontario Municipal approval, where necessary, and which are incorporated in this consolidation.

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
10282	July 18, 1977	December 22, 1978	
10303	July 18, 1977	February 13, 1979	
10380	January 30, 1978	December 22, 1979	
10392	January 30, 1978	December 21, 1979	
10413	March 13, 1978	January 10, 1979 & October 12, 1979	
10429	April 10, 1978	March 2, 1979	
10431	April 10, 1978	March 2, 1979	
10544	November 6, 1978	March 2, 1979	
10574	January 29, 1979	July 9, 1979	
10586	February 26, 1979	October 12, 1979 & December 21, 1979	
10587	February 26, 1979	October 12, 1979	
10607	April 23, 1979	September 11, 1979	
10608	April 23, 1979	December 19, 1979	
10638	June 18, 1979	November 21, 1979	
10670	September 10, 1979	(Not Required)	
10696	October 12, 1979	November 28, 1979	
10719	November 5, 1979	March 14, 1980	
10721	November 5, 1979	December 20, 1979	
10746	December 3, 1979	June 12, 1980	
10749	December 3, 1979	December 21, 1979	
10761	December 17, 1979	(Metric Conversion)	
10784	February 11, 1980		March 15, 1980
10791	February 11, 1980	May 28, 1980	

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
10798	March 10, 1980	June 4, 1980	
10851	July 21, 1980	April 7, 1981	
10866	August 25, 1980	September 15, 1981	
10881	October 6, 1980		February 12, 1981
10882	October 6, 1980	March 24, 1981	
10889	October 20, 1980	January 13, 1981	
10926	December 29, 1980		February 9, 1981
10942	February 9, 1981	May 15, 1981	
10950	February 23, 1981		June 2, 1981
10958	March 9, 1981	August 27, 1981	
10967	April 6, 1981	November 24, 1981	
10980	April 21, 1981	February 11, 1982	
11005	May 19, 1981	August 31, 1981	
11007	May 19, 1981	October 15, 1981	
11022	July 20, 1981		October 9, 1981
11072	December 7, 1981		January 6, 1982
11073	December 7, 1981		January 6, 1982
11088	January 18, 1982	March 30, 1982	
11123	April 13, 1982	June 10, 1982	
11125	April 13, 1982	July 13, 1982	
11133	April 26, 1982		June 2, 1982
11159	July 19, 1982	September 17, 1982	
11174	August 16, 1982	October 4, 1982	
11176	August 16, 1982	October 4, 1982	
11205	October 12, 1982	October 22, 1982	
11215	October 25, 1982	February 3, 1983	
11248	January 31, 1983	November 29, 1983	
11279	April 11, 1983		May 20, 1983
11281	April 11, 1983	August 9, 1983	
11298	May 9, 1983		June 16, 1983
11303	May 24, 1983	September 1, 1983	
11305	May 24, 1983	September 1, 1983	
11321	June 20, 1983	April 2, 1985	
11352	August 15, 1983	November 8, 1983	
11354	August 15, 1983	November 8, 1983	
11358	September 12, 1983	March 22, 1984	
11364	September 12, 1983	November 2, 1983	
11375	October 11, 1983		November 17, 1983

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
11380	October 24, 1983	February 22, 1984	
11383	October 24, 1983	March 22, 1984	
11417	December 19, 1983	February 27, 1984	
11444	February 20, 1984		March 27, 1984
11446	February 20, 1984		October 26, 1984
11460	March 19, 1984	January 30, 1985	
11468	April 2, 1984		May 8, 1984
11470	April 2, 1984		July 18, 1984
11484	April 16, 1984		August 28, 1984
11503	May 14, 1984	April 10, 1985	
11505	May 14, 1984		August 21, 1984
11508	May 28, 1984		July 3, 1984
11510	May 28, 1984		August 21, 1984
11517	June 11, 1984		July 17, 1984
11518	June 11, 1984		July 17, 1984
11572	September 24, 1984	April 11, 1985	
11574	October 9, 1984		December 10, 1984
11590	October 22, 1984		January 8, 1985
11592	October 22, 1984		December 11, 1984
11594	October 22, 1984		December 17, 1984
11596	October 22, 1984		March 21, 1985
11600	November 5, 1984		December 21, 1984
11602	November 5, 1984		December 21, 1984
11603	November 5, 1984		December 11, 1984
11609	November 19, 1984		January 18, 1985
11622	December 17, 1984		January 22, 1985
11639	January 21, 1985		February 26, 1985
11654	February 18, 1985		March 28, 1985
11676	April 1, 1985		May 7, 1985
11679	April 15, 1985		June 25, 1985
11680	April 15, 1985	April 2, 1985	
11701	May 13, 1985		June 25, 1985
11717	June 10, 1985		August 12, 1985
11749	July 15, 1985	August 29, 1985	
11761	August 19, 1985		September 26, 1985
11771	September 9, 1985		October 15, 1985
11799	October 7, 1985		December 2, 1985

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
11801	October 7, 1985	June 19, 1986	
11812	November 4, 1985	June 20, 1986	
11814	November 4, 1985		January 6, 1986
11856	January 6, 1986		February 11, 1986
11879	February 5, 1986		April 1, 1986
11925	April 14, 1986		August 26, 1986
11956	June 9, 1986		August 5, 1986
11968	June 23, 1986		August 1, 1986
11972	July 21, 1986		September 22, 1986
11973	July 21, 1986		September 22, 1986
11974	July 21, 1986		August 26, 1986
11976	July 21, 1986		September 22, 1986
11992	July 21, 1986		November 3, 1986
12028	October 6, 1986		November 12, 1986
12048	November 17, 1986		March 6, 1987
12050	November 17, 1986		January 20, 1987
12051	November 17, 1986		January 5, 1987
12054	November 17, 1986		January 20, 1987
12078	December 15, 1986		January 20, 1987
12080	December 15, 1986		January 20, 1987
12116	January 26, 1987		June 15, 1987
12141	March 9, 1987		April 14, 1987
12147	March 23, 1987		April 28, 1987
12149	March 23, 1987		August 7, 1987
12151	March 23, 1987		August 25, 1987
12158	April 6, 1987		June 22, 1987
12175	April 21, 1987		August 7, 1987
12177	April 21, 1987		May 29, 1987
12200	June 1, 1987		July 7, 1987
12202	June 1, 1987		July 27, 1987
12215	June 29, 1987		August 4, 1987
12220	June 29, 1987		August 20, 1987
12248	August 17, 1987	(Amended by By-Law 2003-09)	December 14, 1987
12250	August 17, 1987		February 5, 1988
12293	October 26, 1987	August 2, 1988	
12294	October 26, 1987		December 1, 1987
12296	October 26, 1987		February 2, 1988

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
12328	December 7, 1987	May 26, 1989	
12330	December 7, 1987		March 16, 1988
12331	December 7, 1987		January 12, 1988
12337	July 18, 1988		August 23, 1988
12357	January 11, 1988	March 28, 1989	
12369	February 8, 1988		March 15, 1988
12371	February 8, 1988		April 26, 1988
12384	February 22, 1988		April 7, 1988
12409	April 5, 1988		May 11, 1988
12411	April 5, 1988		July 28, 1988
12420	May 2, 1988		June 10, 1988
12422	May 2, 1988		August 9, 1988
12423	May 2, 1988	January 22, 1990	
12439	May 30, 1988		November 21, 1988
12440	May 30, 1988		July 7, 1988
12442	May 30, 1988	January 22, 1990	
12444	May 30, 1988		September 12, 1988
12460	June 27, 1988		September 12, 1988
12462	June 27, 1988		November 23, 1988
12463	June 27, 1988		August 5, 1988
12489	August 8, 1988		September 13, 1988
12491	August 8, 1988		March 17, 1989
12492	August 8, 1988		September 13, 1988
12514	September 19, 1988		October 25, 1988
12526	October 17, 1988		November 22, 1988
12543	November 15, 1988		May 5, 1989
12545	November 15, 1988	May 31, 1990	
12547	November 15, 1988		February 22, 1990
12571	December 12, 1988		May 5, 1989
12573	December 12, 1988		May 5, 1989
12575	December 12, 1988		May 9, 1989
12591	January 23, 1989		August 18, 1989
12593	January 23, 1989		June 22, 1989
12595	January 23, 1989		May 30, 1989
12603	February 6, 1989		May 30, 1989
12605	February 6, 1989		May 30, 1989
12607	February 6, 1989		June 22, 1989

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
12636	March 6, 1989	(NOTE: Replaced by By-Law 2001-141)	October 9, 1990
12638	March 6, 1989		January 3, 1990
12640	March 6, 1989		May 23, 1989
12652	April 3, 1989		May 9, 1989
12653	April 3, 1989		May 9, 1989
12661	April 17, 1989		July 6, 1989
12670	May 1, 1989		June 6, 1989
12671	May 1, 1989		June 6, 1989
12673	May 1, 1989		June 28, 1989
12679	May 15, 1989	May 17, 1991	
12698	May 29, 1989		November 16, 1989
12700	May 29, 1989		August 18, 1989
12721	June 26, 1989		August 18, 1989
12723	June 26, 1989		August 21, 1989
12737	July 17, 1989	(Amended by B/L 14190)	September 11, 1989
12757	September 5, 1989		February 19, 1990
12759	September 5, 1989		January 29, 1990
12761	September 18, 1989		February 22, 1990
12771	September 18, 1989		October 17, 1989
12774	October 2, 1989		November 8, 1989
12779	October 2, 1989		November 7, 1989
12781	October 2, 1989		March 30, 1993
12788	October 2, 1989		July 4, 1990
12800	November 13, 1989		February 25, 1991
12844	January 22, 1990		March 30, 1993
12846	January 22, 1990		January 30, 1991
12850	February 5, 1990		January 3, 1991
12860	March 5, 1990		February 11, 1991
12862	March 5, 1990		March 30, 1990
12863	March 5, 1990		September 18, 1990
12867	March 5, 1990		September 26, 1990
12870	March 19, 1990		December 3, 1990
12881	April 2, 1990		October 18, 1993
12906	April 30, 1990		May 25, 1990
12907	April 30, 1990		May 30, 1990
12908	April 30, 1990	November 29, 1990	
12920	May 28, 1990		February 1, 1991

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
12922	May 28, 1990		February 1, 1991
12948	July 16, 1990		June 8, 1993
12949	July 16, 1990		August 10, 1990
12951	July 16, 1990		May 28, 1991
12957	August 13, 1990		January 28, 1991
12958	August 13, 1990		September 10, 1990
12974	September 10, 1990		January 28, 1991
12976	September 10, 1990		January 17, 1991
12977	September 10, 1990		January 22, 1991
12979	September 10, 1990		August 1, 1991
12981	September 10, 1990		December 4, 1991
12993	October 9, 1990		November 2, 1990
12995	October 9, 1990		August 10, 1992
13027	December 3, 1990		February 27, 1997
13036	December 17, 1990		May 28, 1991
13038	December 17, 1990		May 28, 1991
13040	December 17, 1990		March 30, 1993
13041	December 17, 1990		February 4, 1991
13098	May 6, 1991		January 8, 1993
13107	May 21, 1991		December 3, 1991
13108	May 21, 1991		December 3, 1991
13174	October 21, 1991		June 15, 1992
13202	December 2, 1991		January 2, 1992
13218	January 13, 1992		February 7, 1992
13221	January 27, 1992		February 21, 1992
13222	January 27, 1992		February 21, 1992
13251	April 21, 1992		May 15, 1992
13252	May 4, 1992		March 25, 1992
13267	June 1, 1992		May 7, 1993
13277	June 29, 1992		July 24, 1992
13279	June 29, 1992		July 24, 1992
13320	October 5, 1992		October 29, 1992
13334	October 19, 1992		November 12, 1992
13342	November 2, 1992		December 22, 1992
13390	March 8, 1993	(NOTE: Replaced by By-Law 2000-153)	April 6, 1993
13406	April 5, 1993		June 1, 1993
13423	May 3, 1993		June 1, 1993
13424	May 17, 1993		June 11, 1993

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
13425	May 17, 1993		June 11, 1993
13431	May 31, 1993	July 28, 1994	August 3, 1994
13432	May 31, 1993		June 29, 1993
13435	May 31, 1993		July 7, 1993
13436	May 31, 1993		July 7, 1993
13437	May 31, 1993		July 7, 1993
13459	June 28, 1993		July 4, 1995
13460	June 28, 1993		July 27, 1993
13470	August 16, 1993		November 23, 1993
13509	November 1, 1993		November 29, 1993
13512	November 15, 1993		December 9, 1993
13518	November 29, 1993		December 28, 1993
13520	November 29, 1993		August 9, 1994
13521	November 29, 1993		January 17, 1994
13535	January 10, 1994		December 20, 1994
13537	January 10, 1994		April 21, 1994
13539	January 10, 1994		April 21, 1994
13541	January 10, 1994		February 6, 1995
13542	January 10, 1994		February 8, 1994
13553	February 7, 1994		October 24, 1994
13554	February 7, 1994		March 4, 1994
13573	April 5, 1994		June 8, 1994
13578	April 20, 1994		May 24, 1994
13580	May 2, 1994		May 27, 1994
13594	May 30, 1994		September 16, 1994
13623	June 27, 1994		July 25, 1994
13624	June 27, 1994		July 25, 1994
13644	August 15, 1994		October 24, 1994
13646	August 15, 1994		August 29, 1995
13683	October 3, 1994		October 27, 1994
13684	October 3, 1994		October 27, 1994
13698	October 3, 1994		February 20, 1995
13700	October 31, 1994	April 5, 1995	April 18, 1995
13718	November 28, 1994		July 4, 1995
13732	December 12, 1994		January 4, 1995
13753	February 6, 1995		February 28, 1995
13763	February 20, 1995	September 6, 1995	September 11, 1995

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
13764	February 20, 1995		September 5, 1995
13766	February 20, 1995	September 6, 1995	September 11, 1995
13770	March 6, 1995	April 5, 1995	April 18, 1995
13771	March 6, 1995		March 29, 1995
13789	April 3, 1995		August 29, 1995
13791	April 3, 1995		July 4, 1995
13793	April 3, 1995		October 20, 1995
13801	May 1, 1995	(NOTE: Replaced by By-Law 2000-153)	May 25, 1995
13832	May 29, 1995		November 27, 1995
13834	May 29, 1995		November 27, 1995
13842	June 26, 1995		July 20, 1995
13844	July 17, 1995		January 23, 1996
13866	July 17, 1995		August 29, 1995
13870	July 17, 1995	August 1, 1996	September 12, 1996
13880	September 5, 1995		September 29, 1995
13905	November 13, 1995		February 6, 1996
13952	January 22, 1996		February 15, 1996
13958	February 19, 1996	August 17, 1996	September 12, 1996
13995	May 27, 1996	Interim Control By-Law (in effect until May 26, 1997)	
13996	May 27, 1996	Interim Control By-Law (in effect until May 26, 1997)	
13997	May 27, 1996		July 4, 1996
14006	June 10, 1996		July 4, 1996
14016	July 15, 1996		August 27, 1996
14030	August 12, 1996		December 13, 1996
14031	August 12, 1996		September 5, 1996
14042	September 3, 1996		October 1, 1996
14043	September 3, 1996		October 1, 1996
14051	September 3, 1996		October 1, 1996
14078	October 28, 1996		June 9, 1997
14089	November 25, 1996		December 19, 1996
14098	January 13, 1997		February 5, 1997
14103	January 27, 1997		February 18, 1997
14105	January 27, 1997		August 22, 1997
14129	April 1, 1997		April 23, 1997
14147	May 12, 1997		December 11, 1997
14153	May 12, 1997		June 18, 1997
14190	June 23, 1997		October 3, 1997

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
14207	July 21, 1997		December 15, 1997
14220	September 2, 1997		December 15, 1997
14222	September 2, 1997		February 17, 1998
14261	November 24, 1997		June 5, 1998
14270	December 15, 1997		October 7, 1998
14272	December 15, 1997		June 26, 1998
98-26	March 23, 1998		October 26, 1998
98-27	March 23, 1998		October 26, 1998
98-54	May 19, 1998		October 26, 1998
98-56	June 1, 1998		June 26, 1998
98-57	June 1, 1998		June 26, 1998
98-78	June 29, 1998		October 19, 1998
98-79	June 29, 1998		October 19, 1998
98-81	June 29, 1998		October 19, 1998
98-86	July 20, 1998		August 24, 1998
98-114	September 28, 1998		October 27, 1998
98-116	September 14, 1998		October 20, 1998
98-117	September 14, 1998		October 15, 1998
98-159	November 9, 1998		December 8, 1998
99-12	February 8, 1999		March 4, 1999
99-13	February 8, 1999		March 4, 1999
99-41	March 29, 1999		April 28, 1999
99-42	March 29, 1999		April 28, 1999
99-43	March 29, 1999		April 28, 1999
99-47	March 29, 1999		April 29, 1999
99-68	May 10, 1999		June 11, 1999
99-88	June 14, 1999	(NOTE: Replaced by By-Law 2000-153)	July 28, 1999
99-120	July 28, 1999		August 20, 1999
99-121	July 28, 1999		August 20, 1999
99-122	July 28, 1999		August 20, 1999
99-137	September 13, 1999		November 10, 1999
99-153	October 18, 1999		November 10, 1999
99-185	December 13, 1999		January 7, 2000
2000-02	January 17, 2000		February 17, 2000
2000-03	January 17, 2000		February 17, 2000
2000-05	January 17, 2000		February 17, 2000
2000-06	January 17, 2000		February 17, 2000
2000-41	March 9, 2000		March 31, 2000

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
2000-48	March 27, 2000		April 19, 2000
2000-52	April 17, 2000		May 9, 2000
2000-54	April 17, 2000		May 9, 2000
2000-69	May 8, 2000		June 9, 2000
2000-70	May 8, 2000		June 9, 2000
2000-72	May 8, 2000		June 8, 2000
2000-74	May 8, 2000		June 8, 2000
2000-76	May 8, 2000		June 9, 2000
2000-86	June 12, 2000		July 4, 2000
2000-91	June 12, 2000		July 19, 2000
2000-94	June 12, 2000		July 26, 2000
2000-109	July 24, 2000	(NOTE: Replaced by By-Law 2000-153)	August 16, 2000
2000-111	July 24, 2000		August 16, 2000
2000-119	July 24, 2000		August 15, 2000
2000-124	August 28, 2000		September 19, 2000
2000-126	August 28, 2000		September 19, 2000
2000-128	August 28, 2000		September 19, 2000
2000-153	October 16, 2000		November 14, 2000
2001-47	April 9, 2001		May 2, 2001
2001-55	April 23, 2001		May 15, 2001
2001-75	May 14, 2001		June 8, 2001
2001-91	June 11, 2001		July 4, 2001
2001-92	June 11, 2001		July 4, 2001
2001-97	June 11, 2001		July 4, 2001
2001-122	July 23, 2001		August 14, 2001
2001-141	September 10, 2001		October 2, 2001
2002-05	January 14, 2002		February 5, 2002
2002-06	January 14, 2002		February 5, 2002
2002-08	January 14, 2002		February 5, 2002
2002-27	February 11, 2002		March 8, 2002
2002-28	February 11, 2002		March 15, 2002
2002-29	February 11, 2002		March 8, 2002
2002-30	February 11, 2002		March 8, 2002
2002-59	April 8, 2002		April 30, 2002
2002-60	April 8, 2002		April 30, 2002
2002-64	April 8, 2002		April 30, 2002
2002-66	April 8, 2002		April 30, 2002
2002-76	May 13, 2002		June 4, 2002
2002-77	May 13, 2002		June 4, 2002
2002-78	May 13, 2002		June 4, 2002

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
2002-61	May 13, 2002		June 6, 2002
2002-95	June 10, 2002		July 3, 2002
2002-96	June 10, 2002		July 3, 2002
2002-107	July 22, 2002		August 13, 2002
2002-108	July 22, 2002		August 13, 2002
2002-123	August 12, 2002		August 12, 2002
2002-152	October 15, 2002		November 6, 2002
2002-154	October 15, 2002		November 6, 2002
2002-165	November 12, 2002		December 6, 2002
2002-182	December 16, 2002		December 7, 2002
2003-07	January 13, 2003		February 6, 2003
2003-09	January 13, 2003		February 6, 2003
2003-26	February 10, 2003		March 3, 2003
2003-27	February 10, 2003		March 3, 2003
2003-28	February 10, 2003		March 3, 2003
2003-40	March 10, 2003		April 1, 2003
2003-44	March 10, 2003		April 1, 2003
2003-45	March 10, 2003		April 1, 2003
2003-51	April 14, 2003		May 6, 2003
2003-68	May 12, 2003		June 3, 2003
2003-69	May 12, 2003		February 18, 2004
2003-70	May 12, 2003		June 3, 2003
2003-88	June 9, 2003		July 2, 2003
2003-89	June 9, 2003		July 2, 2003
2003-90	June 9, 2003		July 2, 2003
2003-91	June 9, 2003		July 2, 2003
2003-122	July 21, 2003		December 3, 2003
2003-123	July 21, 2003		August 12, 2003
2003-142	August 11, 2003		September 3, 2003
2003-146	August 11, 2003		September 3, 2003
2003-151	September 8, 2003		September 30, 2003
2003-224	December 15, 2003		January 6, 2004
2004-10	-----	April 5, 2004	-----
2004-29	March 8, 2004		March 30, 2004
2004-40	April 13, 2004		May 18, 2004
2004-57	May 10, 2004		June 1, 2004
2004-59	May 10, 2004		June 1, 2004
2004-89	June 14, 2004		July 7, 2004
2004-90	June 14, 2004		July 7, 2004
2004-112	July 19, 2004		August 10, 2004

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
2004-113	July 19, 2004		August 10, 2004
2004-122	August 16, 2004		September 8, 2004
2004-149	October 12, 2004	Temporary Use By-Law (in effect until October 11, 2007)	November 3, 2004
2004-162	November 8, 2004		November 30, 2004
2004-164	November 8, 2004		November 30, 2004
2004-165	November 8, 2004		November 30, 2004
2004-179	November 22, 2004		November 22, 2004
2004-194	December 13, 2004		January 5, 2005
2005-19	February 14, 2005		February 14, 2005
2005-45	March 14, 2005		March 14, 2005
2005-56	April 11, 2005		May 3, 2005
2005-82	May 9, 2005		May 31, 2005
2005-104	June 14, 2005		July 6, 2005
2005-147	August 22, 2005		September 13, 2005
2005-159	September 12, 2005		October 4, 2005
2005-160	September 12, 2005		September 12, 2005
2005-217	December 12, 2005		January 4, 2006
2006-8	January 16, 2006		February 7, 2006
2006-24	February 13, 2006		March 7, 2006
2006-64	April 10, 2006		May 2, 2006
2006-105	June 12, 2006		July 5, 2006
2006-127	August 21, 2006		September 12, 2006
2006-128	August 21, 2006		September 12, 2006
2006-129	August 21, 2006		September 12, 2006
2006-166	October 10, 2006		November 17, 2006
2006-167	October 10, 2006		November 17, 2006
2006-168	October 10, 2006		November 17, 2006
2006-169	October 10, 2006		November 17, 2006
2006-184	November 20, 2006		December 12, 2006
2006-194	December 11, 2006		January 3, 2007
2007-23	February 12, 2007		March 6, 2007
2007-24	February 12, 2007		March 6, 2007
2007-44		October 3, 2005	
2007-47	March 26, 2007		March 26, 2007
2007-83	May 14, 2007		June 5, 2007
2007-106	June 11, 2007		July 4, 2007
2007-108	June 11, 2007	Temporary Use By-Law (in effect until June 10, 2010)	July 4, 2007
2007-131	July 16, 2007		July 16, 2007
2007-132	July 16, 2007		July 16, 2007
2007-134	July 16, 2007	Temporary Use By-Law (in effect until January 15, 2009)	August 8, 2007

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
2007-149	August 13, 2007		September 5, 2007
2007-191	November 13, 2007		December 5, 2007
2007-220	December 10, 2007		January 3, 2008
2008-50	March 10, 2008		April 1, 2008
2008-52	March 10, 2008		April 1, 2008
2008-53	March 10, 2008		April 1, 2008
2008-74	April 14, 2008		May 6, 2008
2008-75	April 15, 2008	(NOTE: Amended by By-Law 2017-49)	May 6, 2008
2008-76	April 15, 2008		May 6, 2008
2008-115	June 9, 2008		July 2, 2008
2008-134	July 14, 2008		August 6, 2008
2008-135	July 14, 2008		August 6, 2008
2008-136	July 14, 2008		August 6, 2008
2008-146	July 14, 2008	Temporary Use By-Law (in effect until July 13, 2011)	August 6, 2008
2008-189	October 14, 2008		October 14, 2008
2008-200	November 10, 2008		December 3, 2008
2008-202	November 10, 2008		December 3, 2008
2008-214	December 8, 2008		December 30, 2008
2009-1	January 12, 2009		February 3, 2009
2009-16	February 9, 2009		March 3, 2009
2009-48	April 14, 2009		May 6, 2009
2009-51	April 14, 2009		May 6, 2009
2009-52	April 14, 2009		May 6, 2009
2009-106	July 13, 2009	November 24, 2009	December 2, 2009
2009-109	July 13, 2009	Temporary Use By-Law (in effect until July 12, 2012)	August 5, 2009
2009-110	July 13, 2009		August 25, 2009
2009-139	August 24, 2009		September 16, 2009
2009-146	September 14, 2009		October 6, 2009
2009-192	November 9, 2009		December 1, 2009
2009-193	November 9, 2009	(NOTE: Replaced by By-Law 2017-229)	December 1, 2009
2010-30	March 8, 2010		March 30, 2010
2010-31	March 8, 2010		March 30, 2010
2010-32	March 8, 2010	September 7, 2010	January 31, 2011
2010-126	August 9, 2010	Temporary Use By-Law (in effect until August 8, 2013)	August 31, 2010
2010-127	August 9, 2010		August 31, 2010
2010-150	September 13, 2010		October 5, 2010
2010-168	October 12, 2010		November 4, 2010
2010-178	November 8, 2010		December 7, 2010
2010-201	December 13, 2010		January 5, 2011
2011-4	January 10, 2011		March 7, 2011

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
2011-66	April 11, 2011		May 3, 2011
2011-67	April 11, 2011	Temporary Use By-Law (in effect until April 10, 2014)	May 3, 2011
2011-137	July 11, 2011	Extension to Temporary Use By-Law (in effect until July 14, 2014)	Not Required
2011-151	September 12, 2011		October 4, 2011
2011-152	September 12, 2011		October 4, 2011
2011-164	October 11, 2011		November 2, 2011
2011-165	October 11, 2011		November 2, 2011
2012-49	April 23, 2012		May 16, 2012
2012-73	May 14, 2012		June 7, 2012
2012-76	May 14, 2012	Extension to Temporary Use By-Law (in effect until July 11, 2015)	Not Required
2012-77	May 14, 2012		June 7, 2012
2012-95	June 11, 2012		July 4, 2012
2012-103	June 25, 2012	May 25, 2012	June 25, 2012
2012-119	July 9, 2012		July 31, 2012
2012-120	July 9, 2012		August 2, 2012
2012-139	August 13, 2012		September 5, 2012
2012-143	August 13, 2012		September 5, 2012
2012-150	September 10, 2012		October 2, 2012
2012-188	November 13, 2012		December 13, 2012
2012-218	December 10, 2012		January 3, 2013
2013-07	January 14, 2013		February 5, 2013
2013-08	January 14, 2013		February 5, 2013
2013-35	February 19, 2013		March 19, 2013
2013-43	March 25, 2013		April 16, 2013
2013-66	May 13, 2013		June 5, 2013
2013-67	May 13, 2013		June 5, 2013
2013-93	June 10, 2013		July 3, 2013
2013-95	June 10, 2013	Temporary Use By-Law (in effect until June 9, 2014)	July 3, 2013
2013-113	July 8, 2013		August 1, 2013
2013-114	July 8, 2013		August 1, 2013
2013-147	August 12, 2013		August 12, 2013
2013-158	September 9, 2013		October 7, 2013
2013-202	November 12, 2013		December 5, 2013
2013-203	November 12, 2013		December 5, 2013
2013-223	December 9, 2013		January 6, 2013
2014-04	January 13, 2014		February 4, 2014
2014-25		September 19, 2014	
2014-102	June 23, 2014		June 23, 2014
2014-117	July 14, 2014		August 6, 2014
2014-133	August 11, 2014		September 3, 2014
2014-159	November 10, 2014		May 29, 2015

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERK'S CERTIFICATE</u>
2015-20	January 26, 2015		February 18, 2015
2015-23	January 26, 2015		February 18, 2015
2015-35	February 9, 2015		March 3, 2015
2015-55	March 23, 2015		April 14, 2015
2015-73	April 13, 2015		May 5, 2015
2015-94	May 11, 2015		June 3, 2015
2015-95	May 11, 2015		June 3, 2015
2015-116	June 8, 2015		July 3, 2015
2015-117	June 8, 2015	Extension to Temporary Use By-Law (in effect until July 10, 2018)	Not Required
2015-137	July 13, 2015		August 5, 2015
2015-207	December 14, 2015		January 6, 2016
2016-02	January 11, 2016		February 2, 2016
2016-33	February 8, 2016		March 1, 2016
2016-57	April 11, 2016		May 4, 2016
2016-82	May 9, 2016		June 1, 2016
2016-83	May 9, 2016;		June 1, 2016
2016-84	May 9, 2016		June 1, 2016
2016-85	May 9, 2016		June 1, 2016
2016-86	May 9, 2016		June 1, 2016
2016-112	July 11, 2016		August 3, 2016
2016-114	July 11, 2016		August 3, 2016
2016-140	September 12, 2016		October 12, 2016
2017-03	January 9, 2017		January 31, 2017
2017-04	January 9, 2017		January 31, 2017
2017-05	January 9, 2017		January 31, 2017
2017-38	February 13, 2017		March 7, 2017
2017-49	Mar 20, 2017		April 12, 2017
2017-57	Mar 20, 2017		April 12, 2017
2017-100	May 8, 2017		May 30, 2017
2017-118	June 12, 2017		July 5, 2017
2017-182	October 10, 2017		November 1, 2017
2017-228	December 11, 2017		January 3, 2018
2017-229	December 11, 2017		January 3, 2018
2017-230	December 11, 2017		January 3, 2018

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5. DEFINITIONS (cont'd)

THE CITY OF BELLEVILLE

BY-LAW NUMBER 10245

PART A - APPLICATION AND INTERPRETATION

1. PURPOSE

WHEREAS it is deemed expedient and necessary in the public interest to regulate the use of lands and the character and use of buildings and structures in the City of Belleville pursuant to the authority contained in Section 35 of The Planning Act, R.S.O., 1970, Chapter 349, as amended:

2. TITLE

This By-Law, composed of the text herein and the Schedules and maps attached hereto, and made a part thereof, shall be known as the "**Restricted Area (Zoning) By-Law**" of the City of Belleville.

BE IT THEREFORE ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF BELLEVILLE AS FOLLOWS:

3. AREA DEFINED

The provisions of this By-Law, for the purposes of interpretation and application, shall be held to be the minimum requirements adopted for the health, convenience, safety and general welfare of the public and shall apply to all lands, and the buildings and structures erected thereon, lying, situate and being in the City of Belleville.

4. CONFORMITY

Save as otherwise provided in this By-Law, no land, or building, or structure, shall be used for any purpose, and no building, or structure, shall be erected, altered for any purpose except as hereafter stated in this By-Law and in conformity with all of the applicable provisions of this By-Law.

Nothing in this By-Law shall apply to exempt any person from complying with the requirements of any By-Law in force within the City, or from obtaining any license, permission, consent, permit, authority, or approval required by this or any other by-law of the City or by any other Federal, Provincial or Municipal Law in force at this time of the passing of this By-Law.

5. DEFINITIONS

In this By-Law, unless the context otherwise requires, the definitions hereafter set forth shall apply.

- (1) "**Accessory**" shall mean the use of land or a building or structure that is naturally and normally incidental subordinate, and exclusively devoted to the main use of the land, building or structure and located on the same lot therewith.
- (2) "**Accessory Building or Structure**" shall mean a detached building or structure the use of which is incidental and subordinate to that of the main building and located on the same lot therewith.
- (3) "**Accessory Use**" shall mean a use that is naturally and normally incidental and subordinate to the main use and operated with the main use of the same lot.
- (4) "**Advertising Sign General**" shall mean a sign which refers to goods produced, offered for sale or services obtainable at premises other than the land or building on which the sign is displayed.

5. DEFINITIONS (cont'd)

- (5) **"ADVERTISING SIGN LOCAL"** shall mean a sign which refers only to goods produced or offered for sale or services obtainable at the premises or on the land on which the sign is displayed.
- (6) **"Aisle"** shall mean the area immediately adjacent to each parking space, and capable of vehicular ingress thereto and egress therefrom at all times. No aisle need be provided in conjunction with a parking space for a one family dwelling, semi-detached dwelling, duplex dwelling or a horizontal multiple attached dwelling, where not in the form of Group Housing.
- (7) **"Alter"** shall mean when used in reference to a building or part thereof, to change any one or more of the internal or external dimensions of such building, or to change the type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word **"alter"** means to decrease the width, depth or area thereof of any required yard, setback, landscaped open space or parking area, or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise. The words **"altered"** and **"alteration"** shall have a corresponding meaning.
- 10882 (7a) **"Amusement Arcade"** shall mean a building or place of amusement containing games of chance and/or skill to be used by the general public for recreational purposes and operated for a profit.
- (8) **"Assembly Hall"** shall mean a building, or portion of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious and/or social purposes.
- (9) **"Attached"** shall mean, when used to describe any building or structure, that the roof of such building or structure is supported by a wall of the building.
- (10) **"Basement"** shall mean that portion of a building between two floor levels, which is partly below grade but which has at least one half of its clear height above the adjoining ground level.
- 11125 (10a) **"Boarder"** shall mean a person occupying a sleeping unit in a Boarding, Rooming and/or Lodging House.
- 2002-27 (10b) **"Bed and Breakfast"** shall mean a single detached dwelling in which the owner or operator who occupies the dwelling provides a maximum of three (3) rooms for the temporary accommodation of the traveling public and may provide meals to overnight guests. One parking space per room to be rented and one parking space for the owner/operator shall be provided.
- 11125 (11) **"Boarding, Rooming and/or Lodging House"** shall mean a building designed for residential occupancy, containing,
 - (i) sleeping units, without cooking facilities that are rented to persons other than the owner or members of his family; and
 - (ii) where meals may or may not be served on the premises for compensation;
 - (iii) but shall not include a hotel, motel, private hospital, nursing home or other similar use.
- 10392 (11a) **"Boatel"** shall mean and include a building containing a series of three or more living or sleeping units with individual interior sanitary conveniences for rent and/or hire for temporary living and/or sleeping accommodation of primarily the boating public.
- (12) **"Bona-fide Tourist"** shall mean a person on vacation away from his ordinary place of residence.

5. DEFINITIONS (cont'd)

- (13) **"Building (when used as a noun)"** shall mean anything placed on or under land consisting of four or more walls and a roof notwithstanding the purpose for which it is used or occupied or intended to be used or occupied.
- (14) **"Building Height"** shall mean the height of a building or structure as determined in accordance with Part C, Section 18.
- (15) **"Building, Main"** shall mean a building in which the principal uses of the lot on which it is situated are conducted. In any Residential Zone a building containing or more dwelling units shall be deemed to be a main building on the lot on which it is situated.
- (16) **"Bulk Storage Yard"** shall mean a place where land is used for the storage, in the open, of goods and materials and without limiting the generality of the foregoing shall include coal, lumber, building supplies, construction equipment yards, but shall not include salvage yards.
- 13251 (16a) **"Bus Service Garage"** shall mean a building or structure, and associated parking area, intended to accommodate the service, storage, and accessory office requirements related to the operation of charter and/or scheduled bus service.
- 2002-165 (16b) **"Business and Industrial Incubator"** shall mean a building designated and used for one (1) or more separate business/industrial uses in an early or formative stage and where clerical and/or professional services directly related to such businesses or industries may be provided in common.
- 2002-165 (17) **"Business, Professional and/or Administrative Office"** shall mean a building or structure used for:
 - i) the administrative conduct and management of a business and/or non-profit organization; or
 - ii) the conduct of a professional person or persons, andfor the purpose of this By-Law includes a tourist information centre, a ticket sales office, an administrative center for a government department or agency, an answering or communications service, or a customer contact centre, but shall exclude any use otherwise defined or classified herein.
- 2012-120
- (18) **"Canopy"** shall mean a roof construction or roof overhang, free of enclosing walls, with supporting columns.
- (19) **"Carport"** shall mean a structure not over one storey in height, enclosed by not more than two walls, which is designed for the sheltering of a vehicle.
- (20) **"Cellar"** shall mean that portion of a building between two floor levels which is partly underground and which is, for more than one half of its height measured from the finished floor to the underside of the first floor joists, below the adjoining ground level.
- (21) **"Cemetery"** shall mean land that is set apart or used as a place of the dead or in which human bodies have been buried, and shall also include columbarium and/or crematorium.
- (22) **"Chief Building Official"** shall mean any Official of the City who is charged with the duty of enforcing its Building By-Laws.
- (23) **"Children's Mental Health Centres"** shall mean premises, facilities and services provided for children suffering from mental or emotional disorders.
- (24) **"Church"** shall mean a building or structure used or intended to be used for religious worship; and without limiting the generality of the foregoing may include a chapel, church hall, synagogue, tabernacle, temple and/or other places of religious worship.

5. DEFINITIONS (cont'd)

- (25) **"City"** shall mean the Corporation of the City of Belleville.
- (26) **"Coin-Operated Laundry"** shall mean a building or structure where the service of coin-operated laundry machines, using only water, detergents and additives are made available to the public for the purpose of laundry cleaning.
- (27) **"Commercial"** shall mean the use of land, structure or building for the purpose of buying and selling of commodities, and supplying of services as distinguished from manufacturing or assembling of goods, also as distinguished from other purposes such as warehousing and/or an open storage yard.
- 12679 (27a) **"Commercial Club"** shall mean any club other than a private club as defined herein which is operated for profit or gain.
- (28) **"Commercial School"** shall mean a school conducted for hire, gain and/or profit, other than a private school or public school and includes the study of a dancing teacher or music teacher, an art school, golf school, callisthenics school, business school and/or trade school and/or any other such specialized school conducted for hire, gain and/or profit.
- (29) **"Commercial Vehicle"** shall mean any motor vehicle having permanently attached thereto a truck or delivery body and without limiting the generality of the foregoing shall include ambulances, hearses, fire apparatus, police patrols, motor buses and/or tractors used for hauling purposes on the highways.
- (30) **"Community Centre"** shall mean any tract of land, building or buildings, and/or any part of any building or buildings used for community activities, the control of which is vested in the Municipality, a local board and/or an agent thereof.
- (31) **"Construction Hut"** shall mean a temporary building which is used incidental to the erection or alteration of a building and/or structure.
- (32) **"Construction Yard"** shall mean land used for the storage of materials incidental to the operation of road construction, contractor's establishment and/or a building contractor's establishment.
- (33) **"Convenience Store"** shall mean 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.
- 12679 (33a) **"Convention Centre"** shall mean a building or structure and/or facilities accessory thereto, intended for lease or rental for the purpose of accommodating a group or groups of people freely associating for some common educational, social, cultural, recreational, business, professional or entertainment purpose. Such a facility will offer space for meeting or display purposes and may include catering services.
- (34) **"Corporation"** shall mean the Corporation of the City of Belleville.
- (35) **"Council"** shall mean the Municipal Council of the Corporation of the City of Belleville.
- 12679 (35a) **"Craftshop"** shall mean a building or structure where manufacturing is performed by tradesmen or craftsmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a potter's shop, a jeweller's shop, sculptor's studio or similar uses.

5. DEFINITIONS (cont'd)

- 10980 (36) **"Day Nursery"** shall mean a place that receives for temporary custody for a continuous period, not exceeding twenty-four hours, more than five children under ten years of age, not of common parentage, and which is not part of a public school, separate school, private school or children's mental health centre, but shall include **"day care centres"** and **"nursery schools"**. For the purposes of this Definition:
- a **"day care centre"** shall mean a Day Nursery that enrolls children under ten years of age for a full eight hour day on more than one day a week for more than eight consecutive weeks at a time, but itself may be open more than eight hours a day.
- a **"nursery school"** shall mean a Day Nursery that enrolls children from 30 months through five years of age for a half day on more than one day in a week and for more than eight consecutive weeks at a time.
- (37) **"Detached"** shall mean, when used to describe any building or structure, that the building or structure shall not adjoin on any side, any other building or structure.
- (38) **"Development"** shall mean the construction or erection of building or structures on land.
- (39) **"Dog Kennel"** shall mean a commercial operation where dogs are boarded for compensation and/or bred and/or sold at the premises.
- (40) **"Drive-In Restaurant"** shall mean premises consisting of a building or structure, together with a parking area, from which food, refreshments, dairy products and/or beverages, are offered for sale and/or sold to the public for consumption in automobiles parked on the parking area and/or for consumption elsewhere on the premises, but not necessarily within such building or structure, and does not include a building or structure where food, refreshments, dairy products and/or beverages are offered for sale and/or sold to the public only for consumption within the building or structure.
- (41) **"Driveway"** shall mean a continuous and unobstructed vehicular way of access from and/or egress to a public highway or lane to an aisle.
- (42) **"Dry Cleaners Establishment"** shall mean a building in which the business of dry cleaning, dry dyeing, cleaning, spotting, stain removal and/or pressing of articles and/or goods of fabric is carried on, and in which only non-combustible and non-flammable solvents are, or can be, used which emit no odours or fumes, in which no noise or vibration causes a nuisance or inconvenience within or without the premises, and may include a dry cleaning distribution station.
- (43) **"Dry Cleaning Distribution Station"** shall mean a building or structure, or part of a building or structure, used for the purpose of collection and distribution only, of articles and/or goods to be subjected to the process of dry cleaning, dry dyeing, cleaning, spot and/or stain removing, and for the pressing of any articles and/or goods, which have been subjected to any process elsewhere at a dry cleaners establishment.
- (44) **"Dwelling"** shall mean a building used for residential occupancy but does not include a hotel, motel or similar commercial use.
- 2016-84 (45) **"Dwelling Unit"** shall mean a room or suite of two or more rooms designed or intended for use by an individual or family in which culinary and sanitary conveniences are provided for the exclusive use of such individual or family and with a private entrance from outside the building or from a common hallway or stairway inside, but does not include a hotel, motel, boarding, rooming and/or lodging house, recreational vehicles or mobile home. A dwelling unit shall contain only one kitchen.

5. DEFINITIONS (cont'd)

In this By-Law, the expression:

- a) **"Detached One-Family Dwelling"** shall mean the whole of a building containing one dwelling unit only;
- b) **"Semi-Detached Dwelling"** shall mean the whole of a building divided vertically into two separate dwelling units;

"Where a semi-detached dwelling is located on a through lot, both dwelling units shall front on the same street."

- c) **"Duplex Dwelling"** shall mean the whole of a two storey building divided horizontally into two separate dwelling units, each of which has an independent entrance;
- d) **"Triplex Dwelling"** shall mean the whole of a three storey building divided horizontally into three separate dwelling units, each of which has an independent entrance;
- e) **"Converted Dwelling"** shall mean a dwelling, including any additions thereto, erected prior to January 1, 1935 and which has been, or is proposed to be, altered or converted so as to provide therein two or more dwelling units, each of which has an independent entrance;
- f) **"Double Duplex Dwelling"** shall mean two attached duplex dwellings;
- g) **"Horizontal Multiple Attached Dwelling"** shall mean a building containing attached non-communicating one-family dwelling units divided vertically and/or horizontally, but shall not include any other dwelling defined in this By-Law;
- h) **"Group Housing"** shall mean two or more separate horizontal multiple attached dwellings located on the same lot;
- i) **"Apartment"** shall mean a separate building containing five or more dwelling units having common corridors and stairways and having shared exit and entrance facilities and shall not include a horizontal multiple attached dwelling.

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- j) **"2-unit Dwelling"** shall mean a whole of a building divided into two separate dwelling units, each of which has an independent entrance.

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- k) **"3-unit Dwelling"** shall mean a whole of a building divided into three separate dwelling units, each which has an independent entrance.

- (46) **"Eating Establishment"** shall mean a building, or part of a building, where food is offered for sale and/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 and/or refreshment room or stand.
- (47) **"Eave"** shall mean a roof overhang, free of enclosing walls, without supporting columns.
- (48) **"Erect"** shall mean build, construct, reconstruct, structurally alter and/or enlarge, and shall include the relocation of a structure and any physical operation such as excavation, land fill and/or drainage work preparatory to commencing the work of erecting a building or structure as aforesaid.
- (49) **"Established Grade"** shall mean the average elevation of the surface of the ground at the base of a structure, exclusive of any embankment in lieu of steps.

5. DEFINITIONS (cont'd)

(50) **"Existing"** shall mean existing as of the date of the passing of this By-Law by Council.

(51) **"Family"** shall mean

a) One person occupying a dwelling unit, or

b) Two or more persons occupying a dwelling unit who are living together as husband and wife, or otherwise related by consanguinity or adoption, and may include

i) one or more full-time domestic servants.

ii) foster children placed with the family by the Children's Aid Society under the Child Welfare Act.

iii) not more than three related or unrelated persons whose status is that of paying lodgers or boarders and who live with one person occupying a dwelling unit, or with two or more persons occupying a dwelling unit who are living together as husband and wife or otherwise related by consanguinity or adoption.

2002-28 c) A group of not more than five (5) unrelated persons occupying a dwelling unit that is operated as a single, independent housekeeping unit.

A family does not include a group of children or adults living together under the direct supervision of a government or private agency. Such a group shall be classified as living in a boarding house.

(52) **"First Floor"** shall mean the floor of a building approximately at or immediately above the established grade.

(53) **"Flood Plain"** shall mean the area below the ordinary spring flood level of a watercourse, river or bay as defined by the local Conservation Authority, or a horizontal area 12 m. on each side of the centre line of a watercourse, whichever is greater.

2016-84 (54) **"Floor Area, Gross"** shall mean, in the case of a building or structure, the aggregate of the area of each storey or part of a storey above ground, measured between the exterior faces of exterior walls in the case of a detached building, structure, or in the case of an attached building or structure measured from the centre line of a common wall, at the level of each storey, exclusive, however, of any part of the building or structure which is used for a private garage, porch, veranda or sun room. Where a cellar is designed to be used in conjunction with the commercial or industrial function of the building, the cellar floor area shall be included in the gross floor area.

(55) **"Floor Area, Gross Leasable"** shall mean the total area designated for tenant occupancy and exclusive use, including individual basements, mezzanines and upper floors if any, expressed in sq. m. measures from the centre lines of joint partitions and exteriors of outside walls.

(56) **"Floor Space Index"** shall mean the ratio of the total gross floor space of the building to the net lot area.

(57) **"Fraternal Organization"** shall mean a non-profit, non-commercial organization, which carries on social, cultural and/or welfare programs, for the common betterment of the community, with the extent of the office accommodation in the building so used not exceeding one office for the exclusive use of the secretary of the organization.

5. DEFINITIONS (cont'd)

- (58) **"Front Yard"** shall mean the yard extending across the full width of the lot between the front lot line and the nearest part of any building or structure on the lot.
- (59) **"Front Yard Depth"** shall mean the minimum horizontal distance between the front lot line and the nearest part of any building or structure on the lot.
- (60) **"Garage, Private"** shall mean a building not over one storey in height which is designed for sheltering vehicles and in which no service for profit is rendered.
- (61) **"Government Administration Building"** shall mean 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.
- (62) **"Habitable Room"** shall mean a room, or enclosed floor space of not less than 5.5 sq. m. adjoining an external wall and used or intended to be used for living, eating, cooking or sleeping; but does not include any space in a dwelling or dwelling unit used as a bathroom, pantry, corridor or hallway, closet, stairway or lobby.
- (63) **"Hereafter"** shall mean after the date of the passing of this By-Law.
- (64) **"Home for the Aged"** shall mean a home for the aged, or a rest home established and maintained under "The Homes for the Aged Act", R.S.O. 1970, as amended from time to time.
- (65) **"Home Occupation"** shall mean any occupation that is carried on as a use accessory to the residential use of a dwelling unit by members of the family, and there is no display, notice or advertisement, or parking of commercial or industrial vehicles or storage of materials or containers to indicate to persons residing elsewhere that the dwelling unit is used for any purpose other than as a residence. A home occupation does not include the keeping and serving of boarders, lodgers or roomers.
- (66) **"Hospital, Public"** shall mean any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease and/or injury, and/or for the treatment of convalescent and/or chronically ill persons that is approved under "The Public Hospitals Act" as a public hospital.
- (67) **"Hotel"** shall mean a separate building, or two or more connected buildings, used mainly for the purpose of catering to the needs of the travelling public, by the supply of food and also by the furnishing of sleeping accommodation of not fewer than six bedrooms, as distinguished from any other building or connected buildings used mainly for the purpose of supplying food and lodging by the week, or otherwise commonly known as **"boarding, rooming and/or lodging houses"** or for furnishing living quarters for families and having a dining room or restaurant commonly known as **"apartment dwelling"** or **"private Hotel"**.
- (68) **"Identification Sign"** shall mean a sign, the content of which is limited to displaying the name and address of a person occupying land, or a building, or of an institution occupying the land and/or of the occupation of the person or the activity carried on in the building.
- 11133 (68a) **"Industrial Mall"** shall mean a building or group of buildings constructed for multiple tenant occupancy having a minimum gross floor area of 7,432 sq. m. and containing industrial and commercial establishments.
- 12679 (68b) **"Industrial Supply Outlet"** shall mean a building or part of a building where material for use in industry are kept and offered for sale. Such materials include, but need not necessarily be limited to, paper, printing supplies and machinery supplies.

5. DEFINITIONS (cont'd)

- (69) "**Industrial Use**" shall mean any establishment in which manufacturing processes are carried on, and also includes transportation, wholesaling, warehousing, storage and/or shipping.
- (70) "**Institution**" shall mean 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.
- (71) "**Interior Lot**" shall mean a lot which is bounded by only one street.
- 2016-84 (71a) "**Kitchen**" shall mean an area which contains running water and a refrigerator and a stove or an area for the installation of a refrigerator and a stove.
- (72) "**Landscaped Area**" shall mean the open unobstructed space on a lot accessible from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes and/or other landscaping and includes any surfaced walk, patio and/or similar area, but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure, but shall be deemed to include the area of covered and/or uncovered pedestrian malls in shopping centres.
- (73) "**Lane**" shall mean a public thoroughfare or way, which affords only a secondary means of access to abutting property.
- (74) "**Library**" shall mean a public library to which the provisions of "The Public Libraries Act", R.S.O. 1970, as amended from time to time, apply.
- (75) "**Loading Space**" shall mean a space provided and/or used for the purpose of loading and/or unloading goods, merchandise and/or materials which are pertinent to the operation carried out in any buildings and/or on a parcel of land and is not located on or partly on any street or lane.
- (76) "**Lot**" shall mean a parcel of land, described as an individual parcel of land in a registered plan of subdivision or a parcel of land described by metes and bounds in a deed registered in the Registry Office of the County of Hastings which parcel complies with the provisions of The Planning Act.
- (77) "**Lot Area**" shall mean the total horizontal area within the lot lines of a lot or, where a lot is divided into more than one zone classification, "**lot area**" shall mean the total horizontal area within the respective zone classification, inside the area bounded by the zone boundary or boundaries and/or the lot line or lines, excluding the horizontal area of such lot usually covered by water or marsh, or beyond the rim of a river bank or watercourse, or between the top and toe of a cliff or embankment having a slope of 30 degrees or more from the horizontal.
- (78) "**Lot, Corner**" shall mean a lot situated at the intersection of two or more streets having an angle of intersection of not more than 135 degrees.
- (79) "**Lot Coverage**" shall mean the portion or percentage of the area of a lot upon which buildings are erected.
- (80) "**Lot Depth**" shall mean the horizontal distance between the front and rear lot lines or, where a lot is divided into more than one zone classification, "**lot depth**" shall mean the horizontal distance, within the respective zone classification, between the front or rear lot line and the zone boundary, where such zone boundary is between the front and rear lot lines, as determined in accordance with Part C, Section 11.
- (81) "**Lot Frontage**" shall mean the horizontal distance between the side lot lines or, where a lot is divided into more than one zone classification, "**lot frontage**" shall mean the horizontal distance, within the respective zone classification, between the side lot line and the zone boundary, where such zone boundary is closer than the other side lot line, as determined in accordance with Part C, Section 11.

5. DEFINITIONS (cont'd)

- (82) "**Lot Line**" shall mean any boundary of a lot.
- (83) "**Lot Line, Front**" shall mean the boundary of a lot which is common with the street line, provided that, in the case of a corner lot, the shorter lot line that is common with the street line, shall be deemed to be the front lot line and the longer lot line shall be the "**outside side lot line**".
- (84) "**Lot Line, Rear**" shall mean the lot line opposite the front lot line.
- (85) "**Lot Line, Side**" shall mean any lot line other than the front, rear or outside side lot line.
- (86) "**Lot, Through**" shall mean a lot other than a corner lot having lot lines on two streets.
- (87) "**Manufacturing**" shall mean any operation carried on for the making of any article or part of an article which shall include the altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, canning, adapting for sale, breaking up and/or demolition of the said article and/or thing, but shall not include any use otherwise defined or classified herein; and manufacture shall be construed accordingly.
- (87a) '**Marihuana Dispensary**' shall mean a main use of land or occupancy of a building or structure for the purpose of selling or dispensing marihuana or cannabis products."
- (88) "**Marina**" shall mean a building, structure or place, containing docking facilities and located on a navigable waterway, where boats and boat accessories are stored, serviced, repaired and/or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.
- (89) "**Medical Clinic**" shall mean a building or portion of a building used solely for the purpose of consultation, diagnosis and treatment of patients by two or more legally qualified physicians, dentists, optometrists, chiropodists, chiropractors and/or drugless practitioners, together with their qualified assistant, and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, examination rooms, treatment rooms, laboratories and/or pharmacies used in connection and forming part of the practises, but shall not include accommodation for inpatient care, operating rooms for major surgery, or any use otherwise defined or classified herein.
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- (89a) '**Medical Marihuana Production Facility**' shall mean premises used for growing, producing, testing, destroying, storing, or distribution of medical marihuana or cannabis authorized by a license issued by Health Canada."
- 2012-120 (89b) '**Methadone Dispensary**' shall mean a business selling or filling methadone prescriptions for customers as the primary activity of the business, but excludes a pharmacy or a pharmacy that is accessory and ancillary to a hospital.
- (90) "**Mobile Home**" shall mean a manufactured movable or portable dwelling designed and constructed to be towed to its appropriate site, on its own chassis, to be connected to utilities and designed to be placed on a permanent foundation or piers for year round living. Such dwelling unit may contain parts that may be folded, collapsed or telescoped, when being towed, and expanded later to provide additional cubic capacity, as well as two or more separate towable components designed to be joined into one integral dwelling unit. The "**mobile home**" must contain sleeping accommodation, flush toilet, a tub and/or shower bath, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems.
- 2016-84 (90a) '**Model Home**' shall mean a building which is used on a temporary basis as a sales office or as an example of a type of dwelling that is for sale in a related development and which is not occupied or used as a residential dwelling.

5. DEFINITIONS (cont'd)

- (91) **"Motel"** shall mean and include a building containing a series of three or more living or sleeping units with individual interior sanitary conveniences for rent and/or hire for temporary living and/or sleeping accommodation of the travelling public.
- (92) **"Motor Vehicle"** shall mean any vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric, diesel or steam railways or other vehicles running upon rails; or farm tractor, traction engine or self-propelled implement of farming or road building machine.
- (93) **"Motor Vehicle Body Shop"** shall mean a building or structure used for the painting and/or repairing of motor vehicle bodies, exteriors and/or undercarriages.
- (94) **"Motor Vehicle Gasoline Bar"** shall mean one or more pump islands, each consisting of one or more gasoline pumps, and a shelter having a floor area of not more than 9.5 sq. m., which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles. A **"motor vehicle gasoline bar"** may operate on a self-serve basis.
- (95) **"Motor Vehicle Rental Agency"** shall mean a building, or portion of a building, where motor vehicles are kept for rent, lease or hire under agreement for compensation.
- (96) **"Motor Vehicle Repair Garage"** shall mean a building, or portion of a building, where the exclusive service performed or executed on motor vehicles, for compensation, shall include the installation of exhaust system, repair of the electrical system, transmission repair, brake repair, radiator repair, tire repair and/or installation, rustproofing, motor vehicles diagnostic centre, major and/or minor mechanical repairs and/or similar uses.
- (97) **"Motor Vehicle Sales Room and Lot"** shall mean a building, or portion of a building, or an area of land, or both, the purpose of which is for the display or sale, or both, of new and/or used motor vehicles, but does not include a wrecking or salvage yard or scrap yard. A motor vehicle body repair shop, motor vehicles service station and/or motor vehicle repair garage may form an integral part of such **"motor vehicle sales room and lot"**.
- (98) **"Motor Vehicle Service Station"** shall mean a building or structure where gasoline, oil, grease, anti-freeze, tires, tubes, automotive accessories, electric lightbulbs, sparkplugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, washed, polished or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed. A **"motor vehicle service station"** may operate on a self-serve basis.
- (99) **"Motor Vehicle Washing Establishment"** shall mean a building, or portion of a building, which is used for the operation of motor vehicle washing equipment which is automatic, semi-automatic and/or coin-operated and may include a **"motor vehicle gasoline bar"**.
- (100) **"Municipal Yard and/or Public Utilities Yard"** shall mean any land, buildings and structures owned by the municipality, or any local board or commission, or public utility, and used for the storage, maintenance and/or repair of equipment used in connection with civic works.
- (101) **"Museum"** shall mean a building or buildings used, or to be used, for the preservation of a collection of paintings and/or other works of art, and/or of objects of natural history, and/or of mechanical, scientific and/or philosophical inventions, instruments, models and/or designs, and dedicated or to be dedicated to the recreation of the public, together with any libraries, reading rooms, laboratories and/or other offices and premises used or to be used in connection therewith.

5. DEFINITIONS (cont'd)

- (102) **"Non-Conforming Use"** shall mean that use to which any land, building or structure was lawfully put on the day this By-Law was passed and which does not conform with the requirements of this By-Law for the zone in which such land, building or structure is situated.
- (103) **"Nursing Home"** shall mean any premises maintained and operated for persons requiring nursing care or in which such care is provided to two or more unrelated persons; as licensed by the Province of Ontario.
- (104) **"Open Storage"** shall mean storage outside a building or structure.
- 2012-120 (104a) **"Opioid Substitution Therapy Clinic"** shall mean a Medical Clinic or a Business, Professional and/or Administrative Office that treats clients using Opioid Substitution Therapy as the primary activity of the clinic or office, but does not include a Public Hospital.
- (105) **"Ornamental Structure"** shall mean any ornamental fountain, statue, monument, cenotaph or other memorial or decorative structure which may or may not be part of or accessory to any other structure.
- 13390 (105a) **"Outdoor Patio"** shall mean an outdoor area used on a seasonal basis in conjunction with any eating establishment as defined in this By-Law, where seating accommodation is provided and where meals and/or refreshments are served to the public for consumption on the premises and which is located entirely within the owner's property limits.
- (106) **"Owner"** shall mean a mortgagee, lessee, tenant, occupant, or a person entitled to a limited estate or interest in land, a trustee in whom the land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator or a guardian.
- (107) **"Park"** shall mean 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 designed to serve the residents of a neighbourhood, community, region and/or Province.
- (108) **"Parking Angle"** shall mean the angle, which is equal to or less than a right angle, formed by the intersection of the side of a parking space and a line parallel to the aisle.
- (109) **"Parking Area"** shall mean an area of a lot, or an area within a building or structure, or an area within a covered structure built below ground level, which area shall be available and maintained to provide parking spaces for vehicles, and includes pedestrian walkways, aisles for the movement of vehicles, and other spaces necessarily incident to the parking of vehicles, together with one or more driveways to and from a public street or lane under all conditions of use.
- (110) **"Parking Space"** shall mean an area, exclusive of driveways or aisles, for the parking of vehicles.
- (111) **"Person"** shall mean any individual, association, firm, partnership or incorporated company.
- (112) **"Private Club"** shall mean a building, or portion of a building, located on private lands, used as the premises for a social, athletic, recreational and/or fraternal organization or club, and which is not operated for profit.
- (113) **"Private School"** shall mean a school other than public school, as herein defined, where academic subjects are taught and which is maintained for educational, philanthropic and/or religious purposes.
- (114) **"Professional Person"** shall for the purpose of this By-Law include legally qualified physicians, dentists, optometrists, chiropodists, chiropractors, drugless

5. DEFINITIONS (cont'd)

practitioners, lawyers, engineers, architects, Ontario Land Surveyors and accountants.

- (115) **"Public Authority"** shall mean a Municipal Council, School Board, Public Utilities Commission, Transportation Commission, Public Library Board, Board of Parks Management, Board of Health, Board of Commissioners of Police, Planning Board, and/or other Board, Commission, Committee of Local Authority established for exercising any power or authority under any general or special statute of Ontario with respect to any of the affairs or purposes of a Municipality or a portion thereof and includes any Committee or Local Authority established by By-Laws of the Corporation.
- (116) **"Public Parking Area"** shall mean a parking area used for the temporary storage and/or parking of vehicles, for hire or gain.
- (117) **"Public School"** shall mean a public or separate school, high school, technical school, vocational school, college and university, established and maintained at public expense.
- (118) **"Public Sewage Disposal System"** shall mean a sewage works or water control pollution plant under the care and maintenance of the City or the Ministry of the Environment.
- (119) **"Public Utility"** shall mean a water works and/or water system, sanitary or storm water sewage works, cable television system, telephone system, electrical power and/or energy generating system, street lighting system, natural and/or artificial gas works; and includes any land, building, equipment, collection, distribution, supply and/or transmission systems required for the administration and/or operation of any such system.
- (120) **"Rear Yard"** shall mean a yard extending across the full width of the lot between the rear lot line and the nearest part of the main building or structure on the lot. Where a lot is zoned into more than one zone classification, the **"rear yard"** shall mean the yard extending across the full width of the lot, within the respective zone, between the nearest part of the main building or structure on the lot, and the zone boundary, where such is closer than the rear lot line.
- (121) **"Rear Yard Depth"** shall mean the minimum horizontal distance between the rear lot line and the nearest part of the building or structure on the lot. Where a lot is zoned into more than one zone classification, the minimum **"rear yard depth"** requirement shall be measured, within the respective zone, between the nearest part of the building or structure on the lot, and the zone boundary, where such is closer than the rear lot line.
- 11005 (121a) **"Recreational Facilities"** shall mean the use of land for indoor and outdoor recreational facilities such as playgrounds, parks and other facilities, buildings and/or structures for athletic and/or recreational uses such as: a racquet club, a gymnasium, swimming pool, ice rink and similar indoor and outdoor recreational uses.
- (122) **"Recreation Vehicle"** shall mean a portable structure, intended as a temporary accommodation for travel, recreation and/or vacation use. Such structures include motorized snow vehicles, travel trailers, automobile trailers, motorized homes, slide-in campers, chassis-mounted campers, tent trailers and/or boats, but in no event shall be deemed to include **"mobile homes"**.
- (123) **"Redevelopment"** shall mean the removal of buildings or structures from land and the construction or erection of other buildings or structures thereon.
- 12679 (123a) **"Research Laboratory"** shall mean a building or structure where systematic investigation is undertaken to develop new products, improve existing products or to increase the use of knowledge.

5. DEFINITIONS (cont'd)

- 13037 (123b) "**Residential Care Facility**" shall mean a dwelling unit which provides long term residential accommodation and the appropriate level of care and counselling services to a group of not more than eight (8) persons, excluding supervisory staff. The residents shall be directly or indirectly supervised by a public or private agency and the Facility shall be licensed, approved or funded by a federal or provincial government body. The Residential Care Facility shall be the primary residence of the occupants and, as such, any general administrative office uses associated with the supervisory or sponsoring agency shall not be permitted within the dwelling. Further, a foster home used for the accommodation of foster children under the direction of the Children's Aid Society, or a home serviced by the Victorian Order of Nurses or similar service provided by Registered Nurses, shall not be considered to be a Residential Care Facility.
- 13880 (123d) "**Residential Care and Counselling Centre**" means a building used for the provision of temporary short-term residential accommodation, shelter, advocacy, education and support to persons in crisis situations. The Centre will contain multiple sleeping units without cooking facilities and facilities/areas for ancillary uses such as food preparation/dining, office/administration, counselling/support, and play/recreation. The Centre will be staffed by a public or private agency with a minimum of one staff member on duty at all times (7 days per week, 24 hours per day).
- 12907 (124) "**Retail Store**" shall mean the use of land or the occupancy of a building or structure for the purposes of selling, offering for sale, or renting goods, wares, or merchandise on an item per item basis, directly to the public and includes the storage or warehousing of those goods, wares or merchandise, and without limiting the generality of the foregoing also includes a dress shop, millinery shop, bakery shop and/or tailor's shop, but shall not include an eating establishment, or any use otherwise defined or classified herein.
- (125) "**Salvage Yard**" shall mean premises for the handling of second hand goods, scrap material and/or salvage and without limiting the generality of the foregoing shall include the handling of wastepaper, rags, bones, bottles, bicycles, automobile tires, and/or old metal.
- (126) "**Senior Citizens' Housing**" shall mean any home for Senior Citizens sponsored and administered by any public agency or any service club, church or other non-profit organization, either of which obtains its financing from Federal, Provincial or Municipal Governments or agencies, or by public subscription or donation, or by any combination thereof, and such homes shall include auxiliary uses such as club and lounge facilities, usually associated with Senior Citizens development.
- (127) "**Service Shop**" shall mean a building or part of a building where personal services are provided such as a barber shop, a beauty salon, a shoe repair shop and/or other similar services.
- (128) "**Shopping Centre**" shall mean a group of commercial establishments conceived, designed and developed as a unit, in accordance with the provisions of this By-Law and related in location, size and type to the surrounding trade area which it serves, as opposed to a business area comprising unrelated individual commercial establishments.
- (129) "**Side Yard**" shall mean a yard extending from the front yard to the rear yard between the side lot line and the nearest part of the building or structure on the lot. Where a lot is zoned into more than one zone classification, the "side yard" shall mean the yard extending from the front yard to the rear yard, within the respective zone, between the nearest part of the main building or structure on the lot, and the zone boundary, where such is closer than the side lot line.
- (130) "**Side Yard, Interior**" shall mean any side yard other than an outside side yard.
- (131) "**Side Yard, Outside**" shall mean the side yard of a corner lot extending from the front yard to the rear yard between the flanking street line and the nearest part of

5. DEFINITIONS (cont'd)

the building or structure on the corner lot.

- (132) **"Side Yard, Width"** shall mean the minimum horizontal distance between the side lot line and the nearest part of the building or structure on the lot. Where a lot is divided into more than one zone classification the **"side yard"** shall mean the yard extending from the front yard to the rear yard, within the respective zone, between the nearest part of the main building or structure on the lot, and the zone boundary, where such is closer than the side lot line.
- (133) **"Sign"** shall mean a board, screen or structure having characters, letters, or illustrations applied thereto or displayed thereon in any manner, which shall include the posted or painted advertisements or notices on a building or structure.
- 11125 (133a) **"Sleeping Unit"** shall mean the space, area, furniture, equipment and parts of any building used and occupied by one individual within a building designed or converted for the purpose of providing primarily sleeping accommodation for individuals or a group of individuals.
- 11305 (133b) **"Special Care Residential Building"** shall mean a residential building for the accommodation of Senior Citizens wherein special care in the form of meal preparation and serving, housekeeping and laundry services, and recreational facilities and leisure services, is provided for the residents.
- 2016-84 (134) **"Storey"** shall mean that portion of a building other than a cellar included between the surface of any floor and the surface of the floor, roof, deck or ridge next above it, but shall exclude an unfinished attic.
- (135) **"Street"** shall mean a common and public highway, avenue, parkway, driveway, square, place, bridge viaduct or trestle, designed and intended for, and/or used by, the general public for the passage of vehicles.
- (136) **"Street Line"** shall mean the side limit of a street.
- 2016-84 (137) **"Structure"** shall mean any material object or work erected as a unit or constructed or put together of connected or dependent parts or elements, whether located under, on and/or above the surface of the ground, but shall not include unitary equipment as defined herein.
- (138) **"Swimming Pool"** shall mean an artificial body of water constructed of cement, plastic, fibreglass or similar material, having a depth greater than 0.6 m. and intended primarily for swimming, bathing, wading and diving.
- 2000-86 (138a) **"Take-out Restaurant"** shall mean a building or part of a building, where prepared ready to eat foods intended primarily for consumption off the premises are sold to the public and which is not licensed pursuant to the Ontario Liquor Licence Act, R.S.O. 1990.
- (139) **"Tavern"** shall mean a tavern as defined by "The Liquor Licence Act", R.S.O. 1970, as amended from time to time.
- 98-57 (139a) **"Taxi Business"** shall mean a building or structure and associated parking area, intended to accommodate the service and accessory office requirements related to the operation of a business. A garage shall also be permitted to accommodate minor repairs to taxi vehicles.
- 11005 (139b) **"Tourist-Oriented Retail"** shall mean the use of land or the occupancy of a building or structure for a specialized form of retail which would be of interest to the travelling public such as antique stores, arts and crafts shops and gift shops.
- 13027 (139c) **"Transition Home"** shall mean a dwelling unit which provides short term temporary residential accommodation and the appropriate level of care, treatment, counselling, and/or custody services to a group of not more than fifteen (15) persons, excluding supervisory staff. The residents shall be directly supervised by

5. DEFINITIONS (cont'd)

a public or private agency with a minimum of one staff member on duty at all times (7 days per week, 24 hours per day), and the Home shall be licensed, approved or funded by a federal or provincial government body. The Transition Home shall be a temporary residence for the occupants and as such, any general administrative office uses associated with the supervisory or sponsoring agency shall not be permitted within the dwelling. An administrative office accessory to the Transition Home and required only for the purpose of managing the administration of the Home may be permitted as an accessory use.

2002-61 (139d) "**Truck Trailer Box**" shall mean any vehicle or structure so constructed that it is suitable for being attached to a motor vehicle and is capable of being used for transporting goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.

(140) "**Truck and/or Transport Terminal**" shall mean land, or a building or structure where trucks and/or tractor trailers, are kept for hire, rental and/or lease, and/or stored, and/or parked for remuneration, and/or from which trucks and/or tractor trailers are dispatched for hire as common carriers.

(141) "**Undertaking Establishment**" shall mean a building, or portion of a building, designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

2016-84 (141a) "**Unitary Equipment**" shall include central air conditioning units, heat pumps, swimming pool filters, and domestic fuel tanks.

(142) "**Use (when used as a Verb)**" shall mean the doing or permitting of anything by the owner of any land, building, or structure, directly or indirectly or by or through any servant or agent acting for or with the knowledge and consent of such owner, for the purpose of making use of or occupying the said land, building or structure.

(143) "**Use (when used as a Noun)**" shall mean the purpose for which the land or a building or structure is arranged, designed or intended, or for which either land or a building or structure is or may be occupied.

(144) "**Use - Main**" shall mean the main purpose for which

a) the main building or structure is used.

b) the lot or parcel is used in the case where there is no building or structure erected on the lot.

(145) "**Vehicle**" shall mean a motor vehicle trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled and/or driven by any kind of power, including muscular power but not including the cars of electric or steam railways running only upon rails.

(146) "**Vehicle Weight**" shall mean the weight of a commercial vehicle as listed by the manufacturer.

(147) "**Warehouse Storage**" shall mean a building or structure used for the storage and/or distribution of goods, wares, merchandise, article, and/or things, but does not include any storage and/or distribution of goods connected with any salvage operation or a bulk storage yard or truck and/or transport terminal.

11005 (147a) "**Water-Oriented Restricted Industry**" shall mean the use of enclosed buildings or structures for the purposes of wholesaling, storing, or manufacturing of water-oriented vehicles and/or related equipment such as boats, scuba equipment, fishing equipment and/or similar goods and equipment accessory thereto. These uses shall be such that there are minimal adverse effects on (nearby) land use as the result of the emission of noise, smoke, dust or odour.

5. DEFINITIONS (cont'd)

- 14078 (147b) "**Waste Transfer Station**" shall mean premises used for receiving non-hazardous solid waste which is compacted and stored temporarily prior to disposal at a waste disposal site.
- (148) "**Water-Oriented Retail Sales and Service Establishment**" shall mean the use of land or the occupancy of a building or structure for the purposes of selling, offering for sale, and/or renting of water-oriented vehicles and/or equipment, such as boats, scuba equipment, fishing equipment and/or similar goods, and equipment accessory thereto. Facilities for the servicing and/or repairing of such vehicles and/or equipment may also be provided.
- (149) "**Watercourse**" shall mean creek, river and/or drainage ditch.
- (150) "**Wholesale Business**" shall mean the use of land or the occupancy of a building and/or structure, for the purposes of selling, and/or offering for sale, goods, wares and/or merchandise on a wholesale basis, and includes the storage of warehousing of those goods, wares and/or merchandise.
- (151) "**Workshop**" shall mean that portion of a building or structure used for the servicing and/or repairing of goods and/or merchandise of a type which is sold from the premises of which the workshop is a part.
- (152) "**Yard**" shall mean any open, uncovered, unoccupied space appurtenant to a building, except as specified in Part C, Section 12.
- (153) "**Zone**" shall mean an area of land for which a specific land use is designated by this By-Law.
- (154) "**Zoning Map**" shall mean the maps which illustrate zones and which form part of this By-Law, or any amendment thereto.

1. ADMINISTRATION

- (1) This By-Law shall be administered by a person designated from time to time by the Council as the Zoning Administrator.
- (2) Where land is proposed to be used or a building or structure is proposed to be erected or used in violation of this By-Law:
 - a) No permit for the use of the land or for the erection or use of the building or structure shall be issued;
 - b) No certificate of occupancy for change of use shall be issued; and
 - c) No municipal license shall be issued.
- (3) A person who wished this By-Law amended may apply to the Council setting out the desired amendment, and shall address the application to the City Clerk. This application shall include approximate site plans showing proposed use, setback, location of parking areas, location of entrance and exit driveways, etc.
- (4) The Zoning Administrator, or any employee of the City of Belleville acting under his direction, is hereby authorized to enter, during business hours, upon any property or premises for the purpose of carrying out his duties under this By-Law.
- (5) The Zoning Administrator of this By-Law may designate either street-line of a through lot as the front lot line.
- (6) In the event of conflict between this By-Law and any general or special By-Law, the most restrictive By-Law shall prevail.
- (7) In addition to the requirements of the Building By-Law, every application for a building permit shall be accompanied by plans, in duplicate, drawn to a scale, based upon an actual survey by an Ontario Land Surveyor, showing the true shape and dimension of the lot to be used, or upon which it is proposed to erect any building or structure, and showing the proposed location, height and dimensions of the building or structure or work, in respect of which the permit is applied for, and the location of every building or structure already erected on or partly on such a lot, together with a block plan, and a statement signed by the owner or his agent duly authorized thereunto in writing filed with the Zoning Administrator, which statement shall set forth in detail 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 every such building conforms with the aforesaid requirements of this By-Law.
- (8) Scale drawings shall be submitted with the application for the building permit showing the location of all parking spaces, entrances and exits to such parking areas.
 - (9) The lot and proposed location of every building or structure thereon shall be staked out on the ground before construction is started; and the lack of a land survey or an error in staking does not relieve any person from liability for not complying with the requirements of this By-Law.
- 10413 (10) Except as hereinafter provided, no person shall use land or erect or use a building or structure in the defined area for the **bulk** storage of naphtha, gasoline, dynamite, dualin, nitro-glycerine or gunpowder, petroleum or other dangerous or combustible, inflammable or explosive substances.

- (11) Notwithstanding the provisions of Subsection (12), where dangerous or combustible, inflammable or explosive substances referred to in (12) above are an incidental but integral part of a manufacturing or assembling process, such substances may be used and stored on the premises of an industrial operation, subject to all other provisions of this By-Law and provided that the handling and storage of such substances are in accordance with all other statutes and regulations governing the handling and storage of such substances.
- (12) No person shall use land or erect or use a building or structure in the defined area for any purpose which from its nature or the material used therein is, under the Public Health Act or regulations thereunder, declared to be a noxious trade, business or manufacture.
- (13) The making or establishment of pits and quarries shall be prohibited within the defined area.
- (14) No person shall erect or use any building or structure on any parcel of land which does not front on a street.
- 11375 (15) Notwithstanding any other provision of this By-Law, nothing shall prevent the erection of a permitted detached one (1) family dwelling on a lot which existed as of the date of passing of this By-Law (or on a Lot which was part of a draft-approved plan of subdivision as of the date of passing of this By-Law), and which has insufficient lot frontage or front lot line or lot area provided that there is compliance with all other provisions of this By-Law.
- (16) Notwithstanding any other provision in this By-Law, in a corner lot, the side yard requirement along the outside side lot line shall not be less than the front yard requirement for the zone in which such corner lot is situated.
- (17) No person shall hereafter erect or use in whole or in part, any main building for any purpose unless serviced by and connected to:
 - a) an adequate municipal water supply system; and
 - b) an adequate municipal sanitary sewer system.
- 2016-84 (18) (DELETED)
- 10670 (19) No development shall take place on any parcel of land designated as "**Site Plan Control Area**" in the "**Site Plan Control By-Law**" unless the Council of the Corporation has approved such plans and drawings required under the provisions of the "**Site Plan Control By-Law**".
- 11125 (20) Boarding, rooming and/or lodging houses shall be licensed by the City of Belleville pursuant to Section 352, Subsection 77, of The Municipal Act, R.S.O. 1970.

2. USE PRIOR TO THE BY-LAW AND ALIENATION OF LAND

- (1) Nothing in this By-Law shall apply:
 - a) to prevent the use or maintenance of any land, building or structure for any purpose prohibited by the By-Law if such land, building or structure was lawfully used for such purpose on the day of passing of the By-Law, so long as it continues to be used for that purpose;

- b) to prevent the erection, maintenance or use for a purpose prohibited by the By-Law of any building or structure the plans of which have, prior to the day of passing of the By-Law, been approved by the Chief Building Official, 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 erection of such building or structure if commenced within two years after the day of the passing of the By-Law and such building or structure is completed within a reasonable time after the erection thereof is commenced.
- (2) Nothing in the By-Law shall prevent the strengthening or restoration to a safe condition of any non-conforming building or structure, provided such restoration or repair does not increase the height or size or change the use of such building or structure, unless such change in use is in conformity with the provisions of the zone in which such use is located.
- (3) Notwithstanding anything in the By-Law, no person shall reduce any lot in area, either by conveyance or other alienation of title of any portion thereof so that the area covered by buildings or structures on the lot exceeds the maximum permitted by this By-Law or the yards provided are less than the minimum permitted by this By-Law, for the zone in which the lot is situated. However, no person shall be deemed to have contravened any provision of this By-Law by reason of the fact that any part or parts of any lot has or have been conveyed to or acquired by any Public Authority.

3. EXTERNAL DESIGN AND CHARACTER OF BUILDINGS

- (1) All buildings or structures hereafter erected shall have the roofs and outside walls finished with suitable material recognized as an outside cladding material.
- (2) No person shall erect on lots in any block within a detached one family, semi-detached and/or duplex dwelling project, dwellings, more than 20 percent of which are alike in external design, with respect to size and location of doors, windows and projecting balconies.
- (3) In a residential development no more than three dwellings alike in external design shall be built upon adjoining lots that front on the same street.
- (4) Where this By-Law permits land to be used and buildings and structures to be erected thereon in compliance with provisions respecting external appearance of buildings, yards, parking and loading spaces, landscaping and erecting of signs, those things required by the provisions shall be hereafter maintained.

4. VIOLATIONS AND PENALTIES

- 10950 (1) Every person who uses any land, or erects or uses any building or structure in a manner contrary to any requirements of this By-Law, or who causes or permits such use or erection, or who violates any provision of this By-Law or causes or permits a violation, shall upon conviction therefore, forfeit and pay at the discretion of the "**justice**" a penalty not exceeding the sum of \$1,000.00 (exclusive of costs) for each offence, and in addition thereto a fine not exceeding \$20.00 for every day the offence continues, and the provisions of the Provincial Offences Act as provided and limited by The Municipal Act shall apply thereto.
- (2) Where this By-Law is contravened, in addition to any other remedy provided and to any penalty imposed by this section, such contravention may be restrained by action at the instance of the City or any ratepayer of the City.

5. REPEAL

The following By-Laws of the City of Belleville are hereby repealed:

6495, as amended
7080, as amended
8299

6. VALIDITY

Should any section, part of a section of this By-Law including anything contained on Schedule "A", be declared by a court of competent jurisdiction to be invalid; the same shall not effect the provisions of this By-Law as a whole or any part thereof, other than the part so declared to be invalid.

7. EFFECTIVE DATE

No part of this By-Law shall come into force without the approval of the Ontario Municipal Board but subject to such approval, this By-Law shall take effect from the passing thereof.

1. ESTABLISHMENT OF ZONES

12328

For the purposes of this By-Law, the City of Belleville is divided into the following zones, and their extent, location and boundaries are shown on Schedule "A" attached hereto consisting of one (1) Key Map and seven (7) Zoning Maps, which together with all notations, references and other information shown thereon, are hereby declared to form part of this By-Law.

<u>ZONE</u>	<u>SYMBOL</u>
Residential First Density Zone	R1
Residential Second Density Zone	R2
Residential Third Density Zone	R3
Residential Fourth Density Zone	R4
Residential Fifth Density Zone	R5
Residential Sixth Density Zone	R6
Residential Seventh Density Zone	R7
Residential Commercial Zone	R7C1
Residential Eighth Density Zone	R8
Residential Holding	RH
Local Commercial Zone	C1
General Commercial Zone	C2
Highway Commercial Zone	C3
Shopping Centre Commercial Zone	C4
Non-Retail Commercial Zone	C5
Water-Oriented Commercial Zone	C6
Motor Vehicle Commercial Zone	C7
Commercial Recreational Zone	CR
Commercial Holding Zone	CH
Restricted Industrial Zone	M1
General Industrial Zone	M2
Waterfront Industrial Zone	M3
<u>12679</u> Prestige Industrial Commercial Zone	MCP
Community Facility Zone	CF
Nursing Home Zone	NH
Open Space Zone	O1
Open Space Zone	O2
Open Space Zone	O3
Environmental Control Zone	E
Holding Zone	H

2. INTERPRETATION OF THE ZONING MAP

The building and structures, and uses of buildings, structures and land permitted by this By-Law in the said Zones may be referred to as R1, R2, R3, etc., as indicated in Part C, Section (1) above, buildings, structures and uses respectively, and the expression R1 Zone, R2 Zone, etc., when used in this By-Law shall mean respectively an area of the City of Belleville delineated on a Zoning Map and designated thereon by the Symbols R1, R2, etc.

Where the Zone symbol applicable to certain lands, on the Zoning Map, is followed by a dash and a number, (for example R2-1), then special provisions in addition to the normal

zone provisions apply to such lands. Such special provisions will be found by reference to the "Special Provisions" section of that particular Zone. Lands designated in this manner shall be subject to all the restrictions of the Zone, except as otherwise provided by the special provisions.

3. BOUNDARIES OF THE ZONES

- (1) Where the boundary of any Zone is uncertain and:
 - a) the boundary is shown on the Zoning Maps as following a street, lane, railway right-of-way or watercourse, the centre line of the street, lane, railway right-of-way, electric transmission line right-of-way or watercourse is the boundary;
 - b) the boundary is shown on the Zoning Maps as substantially following lot lines shown on a registered plan of subdivision, such lines are the boundary;
 - c) the boundary is shown on the Zoning Maps as running substantially parallel to a street line and the distance from the street line is not indicated, the boundary shall be deemed to be parallel to such street line and the distance from the street line shall be determined according to the scale shown on the Zoning Maps;
 - d) the boundary is shown on the Zoning Maps as following the shoreline of a river or bay, the shoreline of a river or bay is the boundary;
 - e) the boundary is shown on the Zoning Maps as following a street or lane and the street or lane is hereafter closed the land in the closed street or lane is included in the Zone of the abutting land, and if such street or land formed a boundary between two or more different Zones, the centre line of the closed street or lane is the boundary.

4. EXCEPTIONS TO THE BY-LAW

- (1) Nothing in this By-Law shall apply to prevent the use of a building, or part thereof, as a temporary polling station for a Federal, Provincial or Municipal election or referendum.
- 2016-84 (2) Notwithstanding any other provision of this By-Law, uses such as a storage trailer, freight container, construction camp or other temporary work camp, a tool shed, scaffold, or other building or structure as well as the parking or storage of any construction equipment or construction vehicle(s) incidental to a Municipally, Provincially or Federally funded construction project or construction on private property shall be permitted provided that:
 - i) such uses, buildings or structures shall only be permitted for as long as the same are necessary for work in progress that has neither been finished nor discontinued for a period of 60 days; and
 - ii) a valid building permit or site alteration permit for the construction remains in place, if such a permit was required; and
 - iii) such uses, buildings or structures are removed when the work in connection with which they were constructed is terminated.
- 10413 (3) Nothing in this By-Law shall prevent land from being used as a street or prevent the installation of a watermain, sanitary sewer main, storm sewer main, gas main, pipe line, overhead or underground electric telegraph, telephone or other supply and/or communication line, including their distribution, transformer, pumping and/or regulating stations; provided that the location of such main, line or station

has been approved by the Corporation.

- (4) Nothing in this By-Law shall prevent the establishment of publicly owned and operated parks or playgrounds, including any buildings or structures accessory thereto, in any Zone provided that such uses, buildings or structures shall be in compliance with the provisions for the Open Space Zone (01 and 02).

2016-84 (5) “Nothing in this By-Law shall prevent the erection of model homes on lands that currently have draft plan of subdivision or condominium approval for residential purposes provided that:

- i) the total number of permits for single detached, semi-detached or duplex model home dwellings shall be limited to 8, including one street townhouse model home building containing a maximum of 8 dwelling units;
- ii) the type of model home dwelling shall comply with the provisions of the zone in which it is located;
- iii) the dwelling shall be used for the purpose of a model home only and shall not be occupied as a dwelling unit prior to the date of the registration of the plan of subdivision, the substantial completion of services, and obtaining any required building permits, all to the satisfaction of the City;
- iv) the model home shall comply with all other provisions of this By-Law, as though the dwellings and/or units were constructed on the lot within the registered plan of subdivision; and
- v) the model home shall comply with all applicable terms and conditions of the said subdivision or condominium agreement.

5. SIGNS

(1) Nothing in this By-Law shall apply to prevent the use of signs on any land, building or structure, but the erection, use and maintenance of such signs shall be subject to the provisions of the Sign By-Law of the City of Belleville.

(2) Notwithstanding the generality of the foregoing:

- a) no person shall within any of the Zones, erect, use or maintain any sign except in accordance with the uses permitted in the following schedule:

<u>SIGN</u>	<u>ZONES IN WHICH THEY ARE PERMITTED</u>
-------------	------------------------------------------

- | | | |
|------|---------------------|-------------------------------------------------|
| i. | identification | all zones |
| ii. | local advertising | all commercial and industrial zones |
| iii. | general advertising | C2, C3, C4, C5, C6, C7 and all industrial zones |

b) nothing in this By-Law shall apply to prevent the erection or display of the following types of notices, or signs within any Zone:

- i. official notices, signs, placards, proclamations or bulletins required to be displayed pursuant to the provisions of any Federal, Provincial or Municipal legislation or displayed on behalf of the City by any Board, Commission or Department of the City which is fully authorized to carry out specified functions for or on behalf of the City;
- ii. notices or signs for the guidance, warning or restraint of persons in

respect of the land or premises on which they are displayed, provided that the signs are not larger than 0.2 sq. m.;

- iii. authorized signs or signals erected for the purpose of regulating the speed or flow or direction of vehicular traffic;
- iv. a sign or notice offering for rent or sale a building or lot on which the sign or notice is placed, provided that the sign is not larger than 0.3 sq. m.

6. RESIDENTIAL LOT OCCUPANCY

Except as specifically stated elsewhere in this By-Law, in any Residential Zone no person shall erect more than one (1) main building on any lot.

7. (DELETED)

8. ACCESSORY BUILDINGS OR STRUCTURES

- (1) The total lot coverage of all accessory buildings, including a detached private garage, shall not exceed ten (10) percent of the area of the lot, except that a swimming pool may have an additional lot coverage of twenty (20) percent.
- (2) Accessory buildings or structures which are not attached to the main building on the lot, shall be erected in conformity with the minimum front yard and outside side yard regulations of the Zone in which such main building is located, but shall not be located closer to the street line than the main building on the lot. Where an accessory building or structure is attached to the main building on the lot, such attached accessory building or structure shall be erected in conformity with the minimum front yard and outside side yard regulations applicable to the main building on the lot.
 - (2) Any detached accessory building or structure shall not be erected less than 1.0 m. from an interior side or rear lot line, except that a mutual garage may be erected on a common lot line.
- (3) Where a detached accessory building or structure is erected on any lot, the distance between such detached accessory building or structure and the main building on the lot shall be:

11518

- a) where the accessory building or structure faces a wall of the main building containing a window or opening into a habitable room, 3.0 m., except in the case of a swimming pool the minimum distance shall be 1.8 m.;
- b) where the detached accessory building or structure faces a wall of the main building which does not contain any window or opening into a habitable room, 1.2m.
- (4) Where the entrance to a private garage is from a lane to the rear of the lot, such accessory building shall be a minimum of 1.0 m. from the rear lot line, but shall be no closer than 7.5 m. from the opposite boundary of the lane.
- (5) Notwithstanding the provisions of Subsection 8(2) of this By-Law where a lot is contiguous to a navigable river or bay, an accessory building used as a boat house may be erected up to the lot line contiguous to the navigable river or bay.
- (6) No accessory building shall exceed one storey or 4.5 m. in height, whichever is the lesser.
- (7) The use of any accessory building for human habitation is not permitted.

- 2002-61 (8) A truck trailer box shall be a permitted accessory structure within the following zones: C1, CC, C2, C3, C4, C5, C6, C7, CR, CM, M1, M2, M2C, M3, M4, MCP, CF, 01, 02, 03 and E. Notwithstanding and in addition to the requirements of Section 8 of this Part C, where the zone abuts a residential zone or residential use, the setback shall be a minimum of 15 m from the lot line

9. HOME OCCUPATION

Where this By-Law permits a Home Occupation to be carried on in a dwelling or dwelling unit, the following provisions shall apply:

- (1) The Home Occupation shall be secondary to the use of the dwelling or dwelling unit;
- (2) The Home Occupation shall not change the character of the dwelling or dwelling unit;
- (3) The Home Occupation shall not change the external appearance of the dwelling or dwelling unit;
- (4) The Home Occupation shall not create or become a public nuisance in particular in regard to noise, traffic or parking;
- (5) The Home Occupation shall not occupy more than 10% of the gross floor area of the dwelling or dwelling unit;
- (6) The occupant of a dwelling or a dwelling unit who is carrying on the Home Occupation in the dwelling or the dwelling unit may not employ any employees on the premises.

10. OFFICE FOR A PROFESSIONAL PERSON

Where this By-Law permits the office for a professional person to be carried on in a dwelling or dwelling unit, the following provision shall apply:

- (1) The office shall be located in the same dwelling or dwelling unit in which the professional person resides.
- (2) Not more than one person may be employed on the premises.
- (3) In addition to the parking requirements contained in Part C, Section 14, three parking spaces shall be provided.
- (4) The office shall not occupy more than 25% of the gross floor area of the dwelling or dwelling unit.
- (5) The office shall not change the external appearance of the dwelling or dwelling unit.
- (6) The office shall not create or become a public nuisance in particular in regards to noise, traffic or parking.

11. DIMENSIONS OF LOTS

Where this By-Law refers to the dimensions of any lot, the frontage of and depth of said lot shall be ascertained by the application of the rules hereinafter stated:

- (1) The frontage of a lot, where such lot has parallel side lot lines, shall be measured on a straight line which is perpendicular to the side lot lines and 7.5 m. back from the front lot line. However, where the side lot lines are not parallel, lot frontage shall be measured on a straight line which is 7.5 m. back from, and parallel to, the

front lot line. In the case of a lot which has a curved front lot line, lot frontage shall be measured on a straight line which is tangent to the mid point of a curved line which is 7.5 m. back from, and parallel to, the front lot line.

- (2) For the purposes of Subsection (1) above, the frontage of a corner lot which has a daylight triangle, shall be measured on a straight line, 7.5 m. back from the front lot line and perpendicular to the side lot line, between the side lot line and the projection of the outside side lot line.
- (3) The depth of a lot, for the purposes of establishing the dimensions of a lot, shall be the horizontal distance between the front and rear lot lines and where these lines are not parallel, the horizontal distance between the mid point of the front lot line and the mid point of the rear lot line. Where no rear lot line exists, lot depth shall be the distance between the apex of the triangle formed by the side lot lines and the mid point of the front lot line.
- (4) Notwithstanding the foregoing, where a lot is divided into more than one zone classification, a zone boundary may be used in place of a lot line, when determining lot dimensions, where such zone boundary is located closer than the respective lot line, provided such lot dimension is determined entirely within the respective zone classification.

12. YARDS AROUND BUILDINGS

- (1) The parts of any attachments to a main building which may project on or over a minimum required yard are:
 - a) cornices, sills, eaves and eaves troughs, which project no more than 0.8 m. into any required yard;
 - b) a chimney which projects no more than 0.6 m. into any required yard;
 - (c) unenclosed verandas, balconies and porches which project not more than 1.2 m. in a front yard, or no more than 3.0 m. into a required rear yard;
 - (d) unenclosed steps, with or without a landing, above or below the surface of the yard, which project no more than 0.6 m. into or over any required side yard;
 - (e) canopies which project no more than 1.2 m., into any required yard, provided that any canopy is at least 2.0 m. above the surface of the yard and no supports or posts are constructed under the canopy;
 - (f) fire escapes which project not more than 1.5 m. into a rear yard.
- (2) The portions of and attachments to any accessory building, otherwise permitted by this By-Law, which may project over or into any required side or rear yard are eaves, troughs and sills which project no more than 0.5 m..
- (3) Notwithstanding anything contained in this By-Law, no person who uses land or erects buildings or structures thereon, shall place in or on a corner lot any building or structure, or any wall, fence, tree or hedge or other barrier which would obstruct visibility above a height of 0.6 m. above the grade of the centre line of the intersecting streets, on that portion of the lot:
 - a) within a triangle formed by the boundaries of the lot common with the street lines and a straight line connecting points on each of the said boundaries measured distance 6.0 m. from the point where they intersect;
 - b) in the case where the lot boundaries abutting the intersecting streets have been joined by a curve, the area between the chord joining the beginning and end of such curve, and the street line.

12670 (4) In a Residential Zone, no person shall erect any wall or fence, or any other barrier, which would obstruct visibility above a height of 0.6 m. above the grade on the front lot line and on those portions of the side lot lines between a point 4.5 m. back from the street lines and the street line.

13. OBJECTS PROHIBITED IN YARDS

(1) Except as hereinafter provided no person shall obstruct by the erection of a building or structure, or by the storage of lumber, salvage or similar material, any front yard, side yard or rear yard required to be provided by this By-Law.

(2) In any Residential Zone:

a) No person shall use any lot for the parking or storage of any commercial vehicles in excess of 2945 kg. (6500 pounds) vehicle weight;

b) Notwithstanding the provisions of Subsection (2) a) of this Section, the occupant of any dwelling may use any garage situated on the same lot, for the housing or storage of one commercial vehicle, not exceeding 4530 kg. (9986 pounds) vehicle weight, which vehicle is operated by himself;

c) Notwithstanding Subsection (2) a) and b) of this Section, commercial vehicles which attend at premises for the purpose of delivering goods or providing a service to the occupant shall not be deemed to contravene this By-Law;

(d) Where a recreational vehicle is parked in any yard of a lot, such vehicle shall not be used for living or sleeping accommodation for longer than 30 consecutive days by any person in transit between one place and another; but in no event shall such living or sleeping accommodation be leased or rented;

(e) No person shall use any lot for the parking in any yard of:

i. a motor vehicle used for stock car racing;

ii. a motor vehicle which has had part or all of its superstructure removed;

iii. a motor vehicle which is in an unlicenceable condition.

2002-61 (f) A truck trailer box shall not be permitted within any residential zone.

14. OFF-STREET PARKING REQUIREMENTS

For every building or structure erected, altered or enlarged after the passing of this By-Law, except in those areas listed in Part C Subsection 15 (1) listed, there shall be provided and maintained off-street parking in conforming with the following Schedule:

SCHEDULE

<u>TYPE OR NATURE OF BUILDING</u>	<u>MINIMUM REQUIRED PARKING SPACES</u>
<u>10413</u> a detached one family dwelling, a duplex or semi-detached dwelling, or horizontal multiple attached dwelling where each unit fronts on a public street and has its own garage and driveway and where not in the form of group housing	1 parking space for each dwelling unit

<u>11125</u> a boarding, rooming and/or lodging house	<p>1 parking space per dwelling unit if family occupied; plus</p> <p>1 parking space per boarder; plus 1 parking space per staff member involved who is on duty; plus</p> <p>1 parking space per four boarders for visitor parking</p>
all other dwellings not listed in this	1 1/4 parking spaces for each dwelling unit schedule
a hospital	1 parking space for every 3 beds
a motel or hotel	1 parking space for each sleeping room
a tavern, restaurant or eating establishment	1 parking space for every 4 persons that can be accommodated at one time
a retail store, convenience store, service store or other similar establishment	1 parking space for every 18.5 sq. m. of floor area
shopping centre	<p>(i) <u>Offices</u></p> <p>a) where the gross floor area of office space consists of less than twenty (20) percent of the gross leasable floor area of the shopping centre, no parking space is required;</p> <p>b) where the gross floor area of office space is in excess of twenty (20) percent of the gross leasable floor area, of the shopping centre, 2.5 parking spaces for each 93 sq. m., or part thereof, of floor area in excess of twenty (20) percent of the gross leasable floor area of the shopping centre</p> <p>(ii) <u>Any Other Permitted Use</u></p> <p>5.5 parking spaces for each 93 sq. m. of gross leasable floor area</p>
senior citizen's housing	1 parking space shall be provided per 4 dwelling units or part thereof, plus 1 parking space for a dwelling unit designed for a resident caretaker
a drive-in restaurant	1 parking space for every 4.5 sq. m. of gross floor area
a church, church hall, theatre, auditorium, or other place of assembly	1 parking space for every 5 seats or where the seating is provided by open benches, every 0.5 m. of bench space shall be considered as one seat for the purpose of this By-Law

manufacturing or warehousing	a) where the manufacturing or industrial undertaking is operated by non-shift employees: <ul style="list-style-type: none">i. 1 parking space for each employee; plusii. 1 parking space for each company vehicle; plusiii. 1 parking space for each 929.0 sq. m. of gross floor area or part thereof.
manufacturing or warehousing	b) where the manufacturing or industrial undertaking is largely operated by employees working in shifts: <ul style="list-style-type: none">i. 1 parking space for every 1.5 employees on combined employment of the two largest shifts; plusii. 1 parking space for each non-shift employee; plusiii. 1 parking space for each company vehicle
a nursing home	a parking space for every 4 beds or portion thereof.
<u>10980</u> a day nursery	1 parking space for every 12 children enrolled or part thereof, plus 1 visitor parking space
for every building or structure not specified above	1 parking space for every 28 sq. m. of gross floor area

15. SUPPLEMENTARY OFF-STREET PARKING REQUIREMENTS

- (1) The following supplementary requirements shall apply to all required parking areas in all zones except in the case of detached one family dwellings, semi-detached dwellings, duplex dwellings and horizontal multiple attached dwellings where not in the form of Group Housing:
 - a) Every parking space shall have a minimum width of 2.4 m. and a minimum length of 6.0 m. provided that a parking space having a parking angle less than twenty (20) degrees shall be at least 7.0 m. in length. No obstruction of a required parking space shall be permitted. Where a solid wall abuts a parking space, such parking space shall have a minimum width of 2.7 m. However, where a minimum width of 2.7 m. is supplied in parking structures, supporting columns may project a maximum of 0.3 m. into one side only of the parking space, where the other side of the parking space is not limited by a solid wall and where the minimum aisle width is 6.4 m. for parking supplied in conjunction with residential uses, and 6.7 m. for non-residential uses;
 - b) All off-street parking required for any main use shall be provided on the same lot on which such main use is located;

- c) Ingress and egress directly to and from any off-street parking spaces shall be by means of a hard-surfaced aisle having a width of at least 3.9 m. for a parking angle of 0 degrees to 50 degrees, 5.5 m. for a parking angle greater than 50 degrees but less than 70 degrees, and 7.0 m. for parking supplied in conjunction with residential uses, and 7.3 m. for non-residential uses, for a parking angle of 70 degrees to 90 degrees, provided, however, for the latter parking angle where each parking space has a minimum width of 2.7 m. the aisle may be reduced to a width of 6.4 m. for parking supplied in conjunction with residential uses, and to a width of 6.7 m. for non-residential uses;
 - d) The parking area shall be constructed of crushed stone, slag, gravel, having an asphalt or cement binder, or any type of permanent type surfacing with drainage facilities that comply with the requirements of the Corporation;
 - e) Every driveway to a parking area shall be surfaced in the same or better manner as the parking area. Such driveway or driveways shall have a minimum width of 3.0 m. but shall not exceed 9.0 m. in width. Driveway widths in Residential Zones shall be subject to Subsection 15.(5) of this Part C;
 - f) The lights used for illumination of the parking area shall be so arranged as to divert the light away from adjacent lots;
 - g) Driveways to a parking area shall not pass through zones other than the one containing such parking area;
 - h) When a building or structure accommodates more than one type of use, the off-street parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building or structure occupied by the separate types of use.
- (2) In addition to the requirements of Subsection 15(1) above, the following additional requirements shall apply to required parking areas provided in all C1, C2, C3, C4, C5, C6, C7, M1, M2, M3, NH and CF Zones;
- a) Where parking is provided in any front yard or outside yard, the parking areas shall be separated from any adjacent street line by a strip of land not less than 1.5 m. in width, which shall be reserved for landscaping purposes and such strip shall include a curb or similar barrier, except for a driveway or driveways.
 - b) A structure not more than 4.5 m. in height and not more than 4.5 sq. m. in area may be erected in the parking area for the use of parking attendants;
 - c) No gasoline pump for retail purposes or other service station equipment shall be located or maintained on any off-street parking area;
 - d) Where off-street parking abuts a Residential Zone or RH Zone, the parking area shall be separated from the abutting lot line by a strip of land at least 1.5 m. in width. Such strip of land shall be retained for landscaping purposes, and shall include at least one row of hardy shrubs not less than 1.5 m. in height and shall be maintained in a healthy growing condition except for a driveway or driveways.
- (3) For detached one family dwellings, semi-detached dwellings, duplex dwellings and horizontal multiple attached dwellings, where not in the form of Group Housing, the required off-street parking space per dwelling unit may be located in a driveway or private garage located on the same lot as the dwelling unit.

12698 (4) a) Notwithstanding the requirements of Part C, Section 14, of this By-Law, within the areas zoned C2 and located within the boundary formed by the following, off-street parking shall be provided in accordance with the requirements of Subsection 15.(4)b) of this Part C:

the west side of Church Street between Dundas Street East and Station Street;

the south side of Station Street between Church Street and the Moira River, and the south side of Moira Street between Coleman Street and North Front Street;

the north side of the CP rail line between Church Street and Coleman Street;

and the east side of Coleman Street between Dundas Street West and Bridge Street West, and the west side of Coleman Street between Bridge Street West and Moira Street West (properties fronting on the west side of Coleman Street shall be considered to form part of the defined area).

b) For every building or structure erected, altered or enlarged after the passing of this By-Law within the area identified in Subsection 15(4)a) of this Part C, there shall be provided and maintained off-street parking in conformity with the requirements of Part C, Section 14, with the exception that for the first 371.6 sq. m. of gross floor area of the building or structure no parking spaces shall be provided, and for the total gross floor area of the building or structure in excess of 371.6 sq. m., the total number of parking spaces required to be provided for one or more permitted main commercial uses or main community facility uses shall be reduced by 10% in total.

Notwithstanding the preceding, and notwithstanding the requirements of Part C, Section 14, no parking shall be required to be provided for the property identified as Municipal Number 160-168 Front Street.

2012-73 (5) In a Residential Zone, the portions of a driveway or parking area in a front yard, outside side yard, or extension of an outside side yard into a rear yard may be up to 6.0 m. in width. Where such lot has a lot frontage greater than 12.0 m., driveways or parking areas in a front yard, outside side yard, or extension of an outside side yard into a rear yard may cover up to 50% of the yard, subject to a maximum width of 9.0 m at the street line. The portion of those yards not covered by driveways or parking areas must be maintained as a landscaped area.

16. OFF-STREET LOADING REQUIREMENTS

For every building or structure hereafter erected for an industrial or commercial use, except in the C5 Zone, involving the frequent shipping, loading or unloading of persons, animals, goods, wares or merchandise, there shall be provided and maintained for the premises, loading facilities on land that is not part of a street, comprised of one or more loading spaces in accordance with the gross floor area of the building or structure as follows:

<u>GROSS FLOOR AREA</u>	<u>NUMBER OF LOADING SPACES</u>
415 sq. m. or less	None
from 415 sq. m. to 2,300 sq. m. inclusive	1
over 2,300 sq. m.	2

17. SUPPLEMENTARY OFF-STREET LOADING REGULATIONS

- (1) Each loading space shall not be less than 12 m. long and 3.6 m. wide and have a vertical clearance of not less than 4.5 m.;
- (2) Every loading space shall have unobstructed access to a public street or lane by means of a driveway having a minimum width of 6.0 m.;
- (3) Every loading space shall be constructed of crushed stone, slag, gravel, having an asphalt or cement binder, or any type of permanent type, surfacing with drainage facilities that comply with the requirements of the Corporation;
- (4) Every loading space shall be maintained with a stable surface that is treated so as to prevent the rising of dust or loose particles;
- (5) Every driveway shall be surfaced in the same or better manner as the loading area;
- (6) Where the loading area is adjacent to a Residential Zone or RH Zone, any lighting facilities shall be so arranged as to deflect the light away from the Residential Zone or RH Zone;
- (7) Where the loading area is adjacent to a Residential Zone or RH Zone, a barrier at least 1.5 m. in height shall be erected on the abutting lot line where it abuts the Residential Zone or RH Zone. Such barrier shall be constructed of material and in a manner to effect complete visual screening of the loading area.

18. HEIGHTS OF BUILDINGS AND STRUCTURES

- (1) The height of a building or structure shall be the vertical distance between the highest point of the building or structure and the elevation of the ground at the base of the building or structure.
- (2) The elevation of the ground at the base of a building or structure shall be determined by the application of the rules hereafter stated:
 - a) Where the said building or structure is to be erected closer than 15.0 m. to the streetline of the lot, the ground elevation shall be:
 - i. in the case of an interior lot - the elevation of the centre line of the public road abutting the lot, opposite the centre line of the lot;
 - ii. in the case of a corner lot - the mean of the elevations of the centre lines of the two abutting public roads, opposite the centre line of the lot and opposite a line halfway between front lot line and rear lot line.
 - b) Where the said building or structure to be erected is more than 15.0 m. distant from any street line of the lot the ground elevation shall be the mean elevation of the ground at the base of the front wall of the said building or structure exclusive of any embankment and any steps.
 - c) Where the said building or structure to be erected on a corner lot is more than 15.0 m. distant from one street line of the lot and less than 15.0 m. from the other street line, the ground elevation shall be the elevation of the centre line of the public road closest to the building or structure measured opposite the centre of the building or structure.
- (3) For the purpose of determining the height of a building or structure, the following shall not be included:
 - a) An elevator housing, a roof stairway, a water tank, a ventilating fan

housing, a skylight, a steeple, a clock tower, a chimney, a smokestack, a fire wall or a parapet wall; or

- b) A roof sign, a radio or television aerial, a flag pole or similar device not structurally essential to the building.

19. LANDSCAPING

Where this By-Law requires the provision of landscaping strips or areas of landscaped open space, the land provided for landscaping strips shall be graded, sodded and/or seeded to grass and planted with trees and/or shrubs so as to form at maturity a dense, thick screen or buffer; the land provided for landscaped open space shall be graded, sodded and/or seeded to grass and planted with trees and/or shrubs. The said grassland, trees and/or shrubs shall be maintained or from time to time renewed by the landowner to provide and maintain a privacy screen for the residents of the area.

20. SENIOR CITIZENS' HOUSING

Where a dwelling is constructed, which is designed and operated exclusively for senior citizens, on a lot located in any R5, R6, R7 or R8 Zone, the following requirements shall apply notwithstanding the floor area requirements of these zones, and provided all other requirements of these zones are complied with:

Minimum gross floor area per dwelling unit:

- i. Bed-sitting room unit 31.5 sq. m.
- ii. One bedroom unit 42.5 sq. m.

21. DAY NURSERIES

10980

The following requirements shall apply to day nurseries in the R1, R2, R3, R4, R5, R6, R7, R7C1, R8, C1, C2 and CF Zones.

- (1) Lot Frontage (minimum) 18.0 m.
- (2) Front Lot Line (minimum) 16.5 m.
- (3) Lot Area (minimum) 696.5 sq. m.
- (4) Front Yard Depth (minimum) 7.5 m.
- (5) Rear Yard Depth (minimum) 7.5 m.
- (6) Interior Side Yard (minimum) 3.0 m.
- (7) Lot Coverage (maximum) 35%
- (8) Building Height (maximum) 10.6 m.
- (9) Maximum Enrolment: Day Nurseries shall be restricted to a maximum enrolment of 24 children at any one time.
- (10) Outdoor Play Space for a "day care centre": a minimum of 7.0 sq. m. per licensed child to be located in the rear yard and in the case of a corner lot in the rear yard and/or outside side yard.
- (11) Distance between Day Nurseries: there shall be a minimum radius of 200 m. measured from the property line to property line between any two Day Nurseries.

(12) **FOR PARKING REQUIREMENTS**

See Part C, Sections 14 & 15.

(13) **SPECIAL PROVISIONS**

- (a) For Day Nurseries located within areas zoned R6, R7, R7C1 and R8, the provisions of Subsections (8) and (11) of this Section 21 shall not apply.
- (b) For Day Nurseries located within areas zoned C1, the provisions of Subsections (9) and (11) of this Section 21 shall not apply.
- (c) For Day Nurseries located within areas zoned C2, the provisions of Subsections (4), (5), (6), (9) and (11) of this Section 21 shall not apply.
- (d) For Day Nurseries located within areas zoned CF, the provisions of Subsections (8), (9) and (11) of this Section 21 shall not apply.

22. RESIDENTIAL CARE FACILITIES

13027

The following requirements shall apply to Residential Care Facilities locating in the R1, R2, R3, R4, R5, R6, R7, R7C1, and R8 zones.

(1) **Minimum Floor Area**

18.5 m² per resident

(2) **Minimum Yard Area**

7 m² per resident (to be maintained as accessible landscaped open space)

(3) **Distance Separation**

- (i) Within R1, R2, R3, and R4 Residential Zones, a minimum distance separation of 250 metres (820 feet) shall be required between Residential Care Facilities or between a Residential Care Facility and a Transition Home.
- (ii) Within R5, R6, R7, R7C1, and R8 Residential Zones, a minimum distance separation of 160 metres (525 feet) shall be required between Residential Care Facilities. A minimum distance separation of 250 metres (820 feet) shall be maintained between a Residential Care Facility located within a medium or high density residential use and a Transition Home. (Note: Distance separation as required in (i) and (ii) above shall be measured as a radius around the location of the facility and shall be measured from the closest points of the property lines between the two facilities.)
- (iii) A maximum number of one (1) Residential Care Facility or Transition Home shall be permitted per 1000 population.

(4) **Parking**

Not more than eight (8) and not less than five (5) residents, a minimum of three (3) parking spaces in either the side or rear yard.

Not more than four (4) residents, a minimum of two (2) parking spaces in either the side or rear yard.

23. TRANSITION HOME

13027

The following requirements shall apply to Transition Homes locating in the

CF - Community Facility and C5 - Non-Retail Commercial Zones as well as all Zones located within the designated area shown on Appendix IX of this By-Law.

- (1) Lot Frontage (minimum) 18.0 m.
- (2) Front Lot Line (minimum) 16.5 m.
- (3) Lot Area (minimum) 696.5 sq. m.
- (4) Front Yard Depth (minimum) 7.5 m.
- (5) Rear Yard Depth (minimum) 7.5 m.
- (6) Interior Side Yard Width (minimum) 1.2 m.
(plus 0.6 m. for each additional storey
above one storey)
- (7) Lot Coverage (maximum) 35 percent
- (8) Building Height (maximum) 10.6 m.
- (9) Minimum Floor Area per
resident = (200 sq. ft.) 18.5 sq. m.
- (10) Minimum Yard Area 7.0 sq. m.
(to be maintained as landscaped open space)
- (11) Distance Separation
 - (i) A minimum distance separation of 250 metres (820 feet) shall be required between Transition Homes or between a Transition Home and a Residential Care Facility. (Such distance separation as required in (i) above shall be measured as a radius around the location of the facility and shall be measured from the closest points between the property lines of the two facilities.)
 - (ii) A maximum of one (1) Transition Home or Residential Care Facility per 1000 population.
- (12) Parking

A minimum of four (4) parking spaces. If located within an area designated for Residential use, the parking shall be provided in a side or rear yard.

24. OUTDOOR PATIO PROVISIONS

2000-153

Outdoor patios may be permitted as an accessory use to any eating establishment located in any CC, C2, C3, C4 or C6 zone subject to the following provisions:

- 1) No person shall establish an outdoor patio within:
 - a) 25 metres of any lot that contains a dwelling and is located within a residential zone; or
 - b) 5 metres of any lot that contains a dwelling and is located within a non-residential zone.

Notwithstanding the foregoing, no setback shall be required for an outdoor patio from any lot containing a dwelling in a C2 or C6 zone.

- 2) No person shall establish an outdoor patio within any parking area that is

required to satisfy the minimum parking requirements established by this By-Law for all uses located on the same lot therewith.

- 3) No person shall establish an outdoor patio that does not meet the minimum building setback or yard width requirements set out in this By-Law applicable to eating establishments located within the same zone, but this provision shall not apply to outdoor patios located within any C2 or C6 zone.
- 4) Notwithstanding the definition of 'accessory use' in this By-Law, within any area zoned C2 or C6, an outdoor patio may be permitted on lands separate from the lands upon which the main use is located, provided the outdoor patio abuts the lands upon which the main use is located.
- 5) For purposes of this By-Law, areas used for outdoor patios shall not be considered gross floor area or gross leasable floor area, and shall not be considered part of the building for purposes of determining lot coverage.
- 6) For purposes of this By-Law, off-street parking shall be required for outdoor patios in accordance with Part C, Sections 14 and 15 at the rate of one (1) parking space for every four (4) persons that can be accommodated at one time in the outdoor patio in excess of twenty (20) persons, but no off-street parking shall be required for any outdoor patio located within any C2 or C6 Zone.

The following provisions shall apply to the use of land and the construction of buildings in all R1 Zones subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Building**

- 10413 a) a detached one family dwelling;
- b) a public school and/or a private school;
- 10980 c) a church;
- 13027 d) a day nursery;
- e) residential care facility.

(2) **Accessory Uses, Buildings or Structures**

- a) Any use, building or structure, which is subordinate and customarily incidental to the main building;
- b) A home occupation;
- c) An office for a professional person.

2. ZONE REQUIREMENTS FOR A DETACHED ONE FAMILY DWELLING

- (1) Lot Frontage (minimum) 18.0 m.
- (2) Front Lot Line (minimum) 16.5 m.
- (3) Lot Area (minimum) 696.5 sq. m.
- (4) Front Yard Depth (minimum) 7.5 m.
- (5) Rear Yard Depth (minimum) 7.5 m.
- (6) Interior Side Yard Width (minimum)
 - a) Where no garage or carport is attached to, or is built as an integral part of the main building, on one side 2.4 m. on the other side 1.2 m. plus 0.6 m. for each additional or partial storey above one storey.
 - b) Where a garage or carport is attached to, or is built as an integral part of the main building,
 - i. on the side where the garage or carport is attached or built
 - (aa) where there is no living accommodation above the garage or carport, 1.2 m.
 - (bb) where there is living accommodation above such garage or carport, 1.2 m. plus 0.6 m. for each additional or partial storey above the garage or carport.
 - ii. on the other side 1.2 m. plus 0.6 m. for each additional or partial storey above one storey.
- (7) Lot Coverage (maximum) 35%

(8) Building Height (maximum) 10.6 m.

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

3a. FOR RESIDENTIAL CARE FACILITIES

13027

The requirements of Section 2, of this Part D, shall apply, in addition to the requirements of Part C, Section 22.

4. FOR SCHOOL OR CHURCH PROVISIONS

See Part Y, Section 2.

5. FOR HOME OCCUPATION PROVISIONS

See Part C, Section 9.

6. FOR OFFICE FOR A PROFESSIONAL PERSON PROVISIONS

See Part C, Section 10.

7. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

8. SPECIAL PROVISIONS

(1) Notwithstanding the provisions of Subsections 2(4) and 2(5) of this Part, within the area zoned R1-1 the minimum depth of the front yard and the minimum depth of the rear yard shall be as follows:

Front Yard Depth (minimum) 7.3 m.

Rear Yard Depth (minimum) 2.4 m.

12151 (2) Notwithstanding the provisions of Sections 1, 2, 3 and 7 of this Part D, within the area zoned R1-2, the following provisions shall apply:

(a) **Permitted Uses**

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(i) **Main Buildings**

aa. Detached one family dwellings.

(ii) **Accessory Uses, Buildings or Structures**

Any accessory use, building or structure, which is subordinate and incidental to the main buildings.

(b) **Zone Requirements**

(i)	Lot Frontage (minimum)	57.6 m.
(ii)	Front Lot Line (minimum)	57.6 m.
(iii)	Lot Area (minimum)	13,750 sq. m.
(iv)	Lot area Per Detached One Family Dwelling (minimum)	859 sq. m.
(v)	Front Yard Depth (minimum)	7.5 m.
(vi)	Rear Yard Depth (minimum)	7.5 m.
(vii)	Interior Side Yard Width (minimum)	7.5 m.
(viii)	Distance Between Dwellings on Lot (minimum)	3.0 m.
(ix)	Lot Coverage (maximum)	35%
(x)	Building Height (maximum)	10.6 m.
(xi)	Maximum Number of Dwelling Units on a Lot	16

(c) **Requirements for Accessory Buildings or Structures**

- (i) A maximum of one (1) accessory building or structure shall be permitted for the storage of maintenance supplies and equipment by the condominium corporation, and such building shall be located no closer than 1.0 m. from any side or rear lot line.
- (d) Off-Street Parking
 - (i) Off-street parking shall be provided in accordance with Part C, Sections 14 and 15, and the following Subsection.
 - (ii) The minimum distance between a common driveway and/or common parking area, and the exterior wall of any main building shall be 6.0 m.

2002-76 (3) Notwithstanding and in addition to the provisions of Subsection 1 (1) of this Part D, within the area zoned R1 - 3, a bed and breakfast shall be a permitted use.

2004-112 (4) Deleted July 8, 2013 and replaced by following:

2013-114 (4) Notwithstanding the provisions of Subsection 1 (1) of this Part D, within the area zoned R1-4 a 2nd (second) dwelling unit shall be a permitted use in addition to the permitted uses of Subsection 1 (1).

9. FOR DAY NURSERY PROVISIONS

10980

See Part C, Section 21.

The following provisions shall apply to the use of land and the construction of buildings in all R2 Zones subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Building**

- 10413 a) a detached one family dwelling;
- b) a public school and/or a private school;
- 10980 c) a church;
- 13027 d) a day nursery.
- e) a residential care facility

(2) **Accessory Uses, Buildings or Structures**

- a) Any use, building or structure, which is subordinate and customarily incidental to the main building.
- b) A home occupation.
- c) An office for a professional person.

2. ZONE REQUIREMENTS FOR A DETACHED ONE FAMILY DWELLING

- (1) Lot Frontage (minimum) 15.0 m.
- (2) Front Lot Line (minimum) 13.7 m.
- (3) Lot Area (minimum) 464.5 sq. m.
- (4) Front Yard Depth (minimum) 7.5 m.
- (5) Rear Yard Depth (minimum) 7.5 m.
- (6) Interior Side Yard Width (minimum)
 - a) Where no garage or carport is attached to, or is built as an integral part of the main building, on one side 2.4 m. on the other side 1.2 m. plus 0.6 m. for each additional or partial storey above one storey.
 - b) Where a garage or carport is attached to, or is built as an integral part of the main building
 - i) on the side where the garage or carport is attached or built
 - (aa) where there is no living accommodation above such garage or carport, 1.0 m.
 - (bb) where there is living accommodation above such garage or carport, 1.0 m. plus 0.6 m. for each additional or partial storey above the garage or carport.
 - ii) on the other side 1.2 m. plus 0.6 m. for each additional or partial storey above one storey.
- (7) Lot Coverage (maximum) 35%
- (8) Building Height (maximum) 10.6 m

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

3a. FOR RESIDENTIAL CARE FACILITIES

13027

The requirements of Section 2, of this Part E, shall apply, in addition to the requirements of Part C, Section 22.

4. FOR SCHOOL OR CHURCH PROVISIONS

See Part Y, Section 2.

5. FOR HOME OCCUPATION PROVISIONS

See Part C, Section 9.

6. FOR OFFICE FOR A PROFESSIONAL PERSON PROVISIONS

See Part C, Section 10.

7. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

8. SPECIAL PROVISIONS

(1) Notwithstanding the provisions of Sections 1, 2 and 3 of this Part and Subsection 2(2) of Part B, within the area zoned R2-1 the following provisions shall apply:

(a) **Permitted Uses**

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

i) **Main Building**

- aa. a detached one family dwelling;
- bb. a church;
- cc. a parish hall.

ii) **Accessory Uses, Buildings or Structures**

Any accessory use, building or structure, which is subordinate and incidental to the main building.

(b) **Zone Requirements for a Detached One Family Dwelling**

- i) Lot Frontage (minimum) 12.0 m.
- ii) Lot Area (minimum) 371.5 sq. m.
- iii) Front Yard Depth (minimum) 6.0 m.
- iv) Rear Yard Depth (minimum) 7.5 m.
- v) Interior Side Yard Width (minimum)

aa. Where a garage or carport is attached to, or is built as an integral part of the main building, on one side 2.4 m., on the other side 1.2 m. plus 0.6 m. for each additional metre on each storey above one storey.

bb. Where a garage or carport is attached to, or is built as an integral part of the main building

a) on the side where the garage or carport is attached or built

i) where there is no living accommodation above such garage or carport 1.0 m.

ii) where there is living accommodation above such garage or carport, 1.0 m. plus 0.6 m. for each storey above the garage or carport

b) on the other side 1.2 m. plus 0.6 m. for each storey above one storey

vi) Lot Coverage (maximum) 35%

vii) Building Height (maximum) 10.6 m.

(c) **Requirements for Accessory Buildings or Structures**

i) Front Yard Depth (minimum) 6.0 m.

ii) Interior Side Yard (minimum) 0.6 m.

iii) Lot Coverage (maximum) 10%

(d) **Provisions for Existing Dwellings**

i) Where at the time of the passing of this By-Law a dwelling has been erected on a lot, such dwelling and lot shall be deemed to comply with all requirements of this By-Law.

ii) Where at the time of the passing of this By-Law a dwelling has been erected on a lot, such dwelling may be extended, enlarged, improved and occupied, provided the yards existing at the time of the passing of this By-Law are not reduced in depth; and where any such yards are larger in depth than required by this By-Law, such yards may be reduced to the minimum yards required by this By-Law, provided the maximum lot coverage as required by Subsection (b) of this Section is maintained, and provided such building continues to be used in the same manner and for the same purpose it was used at the time of the passing of this By-Law.

iii) A dwelling destroyed by fire, or any other act of God, may be restored and reconstructed on the same lot providing the yard depths existing at the time prior to the destruction are maintained, or are not reduced to a depth lesser than required by this By-Law.

(2) Notwithstanding the provisions of Subsection 1(1) of this Part, within the area zoned R2-2 a semi-detached dwelling is permitted. Such dwelling may be extended, enlarged, improved and occupied, provided the yards existing at the time of passing of this By-Law are not reduced in depth or width; and where any such yards are larger than required by Section 3 of Part G of this By-Law, such yards may be reduced to the minimum yards required, provided the maximum lot coverage as prescribed in Section 3 of Part G of this By-Law is maintained.

- (3) Notwithstanding the provisions of Subsection 1(1) of this Part, the existing private clubs, at the locations listed below, are permitted, in addition to those uses listed in Section 1 of this Part. These existing private clubs shall be subject to the zone regulations of Part Y, Section 2 of this By-Law.

Location of Private Club

- a) 111 Bay Drive
- b) the south side of Victoria Street at Rollins Drive.

10413 (4) Notwithstanding the provisions of Subsection 2(4) of this Part E, within the area zoned R2-3 the minimum front yard depth shall be 3.6 m.

10413 (5) Notwithstanding but in addition to the provisions of this Part E, within the area zoned R2-4, the maintenance garage located on that lot at the time of the passing of this By-Law shall be a permitted use.

10413 (6) Notwithstanding but in addition to the provisions of this Part E, within the area zoned R2-5 the apartment dwelling existing at the time of the passing of this By-Law shall be a permitted use.

11622 (7) Notwithstanding the provisions of Section 16 of Part B, within the area zoned R2-6, a minimum outside side yard width of 4.4 m. shall be permitted.

12141 (8) Notwithstanding the provisions of Subsection 2(1) of this Part E, within the area zoned R2-7, the minimum lot frontage shall be 13.8 m.

13683 (9) Notwithstanding the provisions of Subsection 2.(1) of this Part E, within the area zoned R2-8 the minimum lot frontage shall be 14.1 metres.

A former Subsection (9) was deleted by By-Law Number 13554.

14006 (10) Notwithstanding the provisions of Section 2.(4) of this Part E, within the area zoned R2-9, the minimum required front yard depth shall be 6.0 metres.

98-26 (11) Notwithstanding the provisions of Section 2(2) of this Part E, within the area zoned R2-10, the minimum front lot line shall be 11.8 metres.

98-54 (12) Notwithstanding the provisions of Section 2(1) (2), (3), and (4) of this Part E, within the area zoned R2-11, the following provisions shall apply:

- (i) Lot Frontage (minimum) 13.4 m
- (ii) Front Lot Line (minimum) 13.4 m
- (iii) Lot Area (minimum) 421 m²
- (iv) Front Yard Depth 6.0 m

2000-02 (13) Notwithstanding the provisions of Section 2(6) (a) of this Part E, within the area zoned R2-12 where no garage or carport is attached to, or is built as an integral part of the main building, the side yard setback shall be 2.4 m on one side and 1.2 m plus 0.3 m for each additional or partial storey above one storey.

2000-76 (14) Notwithstanding the provisions of Section 2(4) within the area zoned R2 - 13, the minimum front yard depth shall be 5.5 metres.

2002-27 (15) Notwithstanding but in addition to the provisions of Section 1(1) of this Part E, within the area zoned R2 - 14, a bed and breakfast shall be a permitted use.

Furthermore, that within the area zoned R2 - 14, the provisions of Section 8 (4) of this Part E shall apply.

2002-96 (16) Notwithstanding the provisions of Section 2 (7) within the area zoned R2 - 15, the maximum lot coverage shall be 37%.

Furthermore, that within the area zoned R2 - 15, the provisions of Section 8 (10) of this Part E shall apply.

2002-154 (17) Notwithstanding the provisions of Sections 2(2), 2(4) and 2(7) of this Part E, within the area zoned R2-16, the following provisions shall apply:

- (i) Front Lot Line (minimum) 12.2 m
- (ii) Front Yard Depth (minimum) 6.0 m
- (iii) Lot Coverage – single storey only (maximum) 37%

(18) Notwithstanding the provisions of Section 2(4) and 2(7) of this Part E, within the area zoned R2-17, the following provisions shall apply:

- (i) Front Yard Depth (minimum) 6.0 m
- (ii) Lot Coverage – single storey only (maximum) 37%

2002-182 (19) Notwithstanding the provisions of Section 1 of this Part E, within the area zoned R2-18 the permitted use shall be restricted to the paved parking area existing on the date of the passing of this By-Law and, furthermore, the approximately 30 metre by 45 metre portion of land located at the north limit of the R2-18 zone shall be maintained as a landscaped area.

2003-26 (20) Notwithstanding the provisions of Section 2(3) and 2(4) within the area zoned R2-19, the following provisions shall apply:

- (i) Front Yard Depth (minimum) 6.0 m
- (ii) Lot Area (minimum) 371.5 m²

2003-45 (21) Notwithstanding the provisions of Section 1 (1) of this Part E, within the area described as Part of Lots 7 and 8, Registered Plan No. 163 (Lane Avenue) and zoned R2-h, no person shall erect any building or structure until such time as the 'h' holding symbol has been removed. The 'h' holding symbol shall be only removed subject to the following matters being addressed:

- (i) For the most northerly 15 metres of the subject land fronting on Lane Avenue, the 'h' holding symbol shall prohibit development until such time as an agreement between the owners and the City of Belleville has been approved regarding satisfactory road widening on Lane Avenue; and,
- (ii) For the remaining 66 metres of the subject land fronting on Lane Avenue; the 'h' holding provision shall prohibit development until such time as the issues of municipal services, including sanitary sewer, road width and the establishment of a road allowance configuration have been addressed to the satisfaction of the City of Belleville.

(NOTE TO FILE: By-Law Number 2005-19, passed February 14, 2005, removed the "h" holding symbol **only from the lands described as** Part of Lot 8, Registered Plan No. 163, City of Belleville, County of Hastings.)

2003-51 (22) Notwithstanding the provisions of Sections 2(1), 2(4) and 2(7) of this Part E, within the area zoned R2-20, the following provisions shall apply:

- (i) Lot Frontage (minimum) 14.75 m
- (ii) Front Yard Depth (minimum) 6.0 m
- (iii) Lot Coverage – single storey only (maximum) 38%

- 2003-90 (23) Notwithstanding the provisions of Sections 2(4) and 2(7) of this Part E, within the area zoned R2-21, the following provisions shall apply:
- (i) Front Yard Depth (minimum) 6.0 m
 - (ii) Lot Coverage – single storey only (maximum) 40%
- 2003-91 (24) Notwithstanding the provisions of Sections 2(4) and 2(7) of this Part E, within the area zoned R2-22, the following provisions shall apply:
- (i) Front Yard Depth (minimum) 5.5 m
 - (ii) Lot Coverage – single storey only (maximum) 40%
- 2003-142 (25) Notwithstanding the provisions of Sections 2(2) and 2(4) of this Part E, within the area zoned R2-23, the following provisions shall apply:
- (i) Front Lot Line (minimum) 11.2 m
 - (ii) Front Yard Depth (minimum) 6.0 m
- 2007-220 (26) Notwithstanding the provisions of Section 1(1) of this Part E and Section 3(2) of Part G, within the area zoned R2-24, a semi-detached dwelling shall be a permitted use subject to a minimum lot frontage per dwelling unit of 8.8 metres.
- 2010-127 (27) Notwithstanding the provisions of Subsections 2 (4) and 2 (6) of this Part E, within the area zoned R2-25, the minimum front yard depth shall be 6.0 metres and the minimum interior side yard width shall be 1.2 metres.
- 2010-150 (28) Notwithstanding the provisions of Sections 2(4) and 2(7) of this Part E, within the area zoned R2-26, the minimum front yard depth shall be 6.0 metres and the maximum lot coverage shall be 38%.
- 2012-218 (29) Notwithstanding the provisions of Subsection 1 (16) of Part B, Subsection 12 (1) of Part C and Subsection 2 (1) of this Part E, within the area zoned R2-27, the minimum outside side yard shall be 3.6 metres, unenclosed steps shall be permitted to encroach 1.2 metres into the outside side yard, and the minimum lot frontage shall be 13.2 metres.
- 2013-93 (30) Notwithstanding the provision of Subsection 1 (16) of Part B, within the area zoned R2-28, the provisions of Subsection 8 (27) of this Part E shall apply, save and except that the minimum outside side yard depth shall be 4.0 metres.
- 2017-182 Notwithstanding the provision of Subsection 2 (7) of this Part E, within the area zoned R2-28, the maximum lot coverage for single storey only shall be 40%.
- 2nd paragraph deleted by By-Law 2015-137 July 13, 2015 & replaced with the following:
- 2015-137 Notwithstanding the provisions of Subsection 1 (1) of this Part E, within the area zoned R2-28-h, no person shall erect or occupy any building or structure or use any building or structure and land for any purposes, other than the use that existed on the date of the passing of this By-Law. The h – holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that the standard of roadway access is satisfactory to the City of Belleville.
- 2017-38 (NOTE TO FILE: By-Law Number 2017-38, passed February 13, 2017, removed the “h” holding symbol from the lands described as 19 Cobblestone Street, former Township of Sidney, now City of Belleville, County of Hastings.)

2015-23 (31) Notwithstanding the provisions of Section 1 of this Part E, and Subsection 15 (1) g) of Part C, within the area zoned R2-29 a beauty salon used only in association with the C1-4 zoned area to the north and to be only located within the single detached dwelling existing on the day of the passage of this By-Law shall be a permitted use, in addition to the uses permitted by Section 1 of this Part E. Moreover, driveways to the parking areas shall be shared with the C1-4 zoned area to the north.

9. FOR DAY NURSERY PROVISIONS

10980

See Part C, Section 21.

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Belleville, in the County of Hastings, and being composed of part of Lots 35, 36 and 37, Registered Plan No. 65, City of Belleville, and being designated at Parts 1 and 2 on Plan 21R-8144.

The following provisions shall apply to the use of land and the construction of buildings in all R3 Zones subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Building**

- a) a semi-detached dwelling;
- b) a day nursery;
- c) a residential care facility.

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(2) **Accessory Uses, Buildings or Structures**

- a) Any use, building or structure, which is subordinate and customarily incidental to the main building;
- b) A home occupation;
- c) An office for a professional person.

2. ZONE REQUIREMENTS FOR A SEMI-DETACHED DWELLING

- (1) Lot Frontage (minimum) 18.0 m.
- (2) Lot Frontage per dwelling unit (minimum) 9.0 m.
- (3) Front Lot Line (minimum) 16.5 m.
- (4) Lot Area (minimum) 674.0 sq. m.
- (5) Lot Area per Dwelling Unit (minimum) 337.0 sq. m.
- (6) Front Yard Depth (minimum) 7.5 m.
- (7) Rear Yard Depth (minimum) 7.5 m.
- (8) Interior Side Yard Width (minimum)
 - a) Where no garage or carport is attached to, or is built as an integral part of the main building 2.4 m., plus 0.6 m. for each storey above one storey.
 - b) Where a garage or carport is attached to, or is built as an integral part of the main building 1.2 m., plus 0.6 m. for each storey above one storey.
- (9) Gross Floor Area (minimum per dwelling unit) 83.5 sq. m.
- (10) Lot Coverage (maximum) 45%
- (11) Building Height (maximum) 10.6 m.

3. FOR ACCESSORY BUILDINGS OR STRUCTURE PROVISIONS

See Part C, Section 8.

3a. FOR RESIDENTIAL CARE FACILITIES

13027

The requirements of Section 2, of this Part F, shall apply, in addition to the requirements of Part C, Section 22.

4. FOR HOME OCCUPATION PROVISIONS

See Part C, Section 9.

5. FOR OFFICE FOR A PROFESSIONAL PERSON PROVISIONS

See Part C, Section 10.

6. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

7. SPECIAL PROVISIONS

(1) Notwithstanding the provisions of Subsections 4) and 5) of this Part, within the area zoned R3-1 the minimum lot area and minimum lot area per dwelling unit shall be 813 sq. m. and 406.5 sq. m.

8. FOR DAY NURSERY PROVISIONS

10980

See Part C, Section 21.

The following provisions shall apply to the use of land and the construction of buildings in all R4 Zones subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Building**

- a) a detached one family dwelling;
- b) a semi-detached dwelling;
- c) a duplex dwelling;
- d) a triplex dwelling;
- e) a converted dwelling;
- 10413 f) a public school and/or a private school;
- g) a church;
- 10980 h) a day nursery;
- 11125 i) a boarding, rooming and/or lodging house;
- 13027 j) a residential care facility.

(2) **Accessory Uses, Buildings or Structures**

- a) Any use, building or structure, which is subordinate and customarily incidental to the main building;
- b) A home occupation;
- c) An office for a professional person.

2. ZONE REQUIREMENTS FOR A DETACHED ONE FAMILY DWELLING

- (1) Lot Frontage (minimum) 12 m.
- (2) Front Lot Line (minimum) 10.6 m.
- (3) Lot Area (minimum) 371.5 sq. m.
- (4) Front Yard Depth (minimum) 3.6 m.
- (5) Rear Yard Depth (minimum) 7.5 m.
- (6) Interior Side Yard Width 1.2 m. on each side plus 0.6 m. for each additional or partial storey above one storey
- (7) Lot Coverage (maximum) 35%
- (8) Building Height (maximum) 10.6 m.

3. ZONE REQUIREMENTS FOR A SEMI-DETACHED DWELLING

- (1) Lot Frontage (minimum) 18.0 m.
- (2) Lot Frontage per Dwelling Unit (minimum) 9.0 m.

(3)	Front Lot Line (minimum)	16.5 m.
(4)	Lot Area (minimum)	674.0 sq. m.
(5)	Lot Area per Dwelling Unit (minimum)	337.0 sq. m.
(6)	Front Yard Depth (minimum)	3.6 m.
(7)	Rear Yard Depth (minimum)	7.5 m.
(8)	Interior Side Yard Width (minimum)	3.0 m. on each side, except here a garage or carport is attached to, or is built as an integral part of the main building, in which case each side shall be 1.2 m. plus 0.6 m. for each additional or partial storey above one storey.
(9)	Gross Floor Area (minimum per Dwelling Unit)	83.5 sq. m.
(10)	Lot Coverage (maximum)	35%
(11)	Building Height (maximum)	10.6 m.

4. ZONE REQUIREMENTS FOR A DUPLEX DWELLING

(1)	Lot Frontage (minimum)	18.0 m.
(2)	Front Lot Line (minimum)	16.5 m.
(3)	Lot Area (minimum)	674.0 sq. m.
(4)	Front Yard Depth (minimum)	3.6 m.
(5)	Rear Yard Depth (minimum)	7.5 m.
(6)	Interior Side Yard Width (minimum each side)	2.4 m.
(7)	Gross Floor Area (minimum per Dwelling Unit)	83.5 m.
(8)	Lot Coverage (maximum)	35%
(9)	Building Height (maximum)	10.6 m.

5. ZONE REQUIREMENTS FOR A TRIPLEX DWELLING

(1)	Lot Frontage (minimum)	22.8 m.
(2)	Front Lot Line (minimum)	21.3 m.
(3)	Lot Area (minimum)	1,012.5 sq. m.
(4)	Front Yard Depth (minimum)	3.6 m.
(5)	Rear Yard Depth (minimum)	7.5 m.

(6)	Interior Side Yard Width (minimum)	2.4 m. on one side and 4.5 m. on the other
(7)	Gross Floor Area (minimum per dwelling unit) (except basement dwelling unit)	83.5 sq. m. 46.0 sq. m.
(8)	Lot Coverage (maximum)	35%
(9)	Building Height (maximum)	10.6 m.

6. ZONE REQUIREMENTS FOR A CONVERTED DWELLING

- (1) Such dwelling shall have been erected as a detached one family dwelling prior to January 1, 1935.
- (2) No dwelling unit shall contain a gross floor area of less than 55.5 sq. m.
- (3) The minimum lot area per dwelling unit shall be 337 sq. m.
- (4) No addition or enlargement shall be made to the external walls or roof of the dwelling.
- (5) No external stairway, other than an open fire escape, shall be provided.
- (6) Such dwelling shall be certified by the Building Inspector to be structurally suitable for such conversion.

6a. ZONE REQUIREMENTS FOR A BOARDING, ROOMING AND/OR LODGING HOUSE

11125

The requirements of Section 2 of this Part G, shall apply, and in addition the following:

- (1) A maximum number of five (5) sleeping units are permitted.

6b. FOR RESIDENTIAL CARE FACILITIES

13027

The requirements of Section 2, of this Part G, shall apply, in addition to the requirements of Part C, Section 22.

7. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

8. FOR HOME OCCUPATION PROVISIONS

See Part C, Section 9.

9. FOR OFFICE OF A PROFESSIONAL PERSON PROVISIONS

See Part C, Section 10.

10. FOR SCHOOL OR CHURCH PROVISIONS

See Part Y, Section 2.

11. OFF-STREET PARKING

- (1) Off-street parking shall be provided in accordance with Part C, Sections 14 and 15 and the following Subsection.

- 11215 (2) All required off-street parking spaces for triplex dwellings and converted dwellings shall be located in the rear yard.

Notwithstanding the preceding, one parking space may be located in the front yard for the existing converted dwelling at the following location: Lot 54, Registered Plan 109, identified as Municipal No. 48 Sinclair Street. Such parking area and any internal driveway shall not be located closer than 1.5 m. to any interior side or rear lot line. In the case of a corner lot, no parking area shall be located within a required outside side yard.

12. SPECIAL PROVISIONS

- (1) Notwithstanding the provisions of Subsection 1(1) of this Part, the existing private clubs, at the locations listed below, are permitted, in addition to those uses listed in Section 1 of this Part. These existing private clubs shall be subject to the zone regulations of Part Y, Section 2 of this By-Law.

Location of Private Club

- a) 109 Cedar Street;
 - b) 315 Church Street;
 - c) The northwest corner of the intersection of William Street and Dundas Street East;
 - d) 51 Highland Avenue
 - e) 58 Highland Avenue (**DELETED BY BY-LAW NUMBER 13880**)
 - f) The west side of Hambly Street;
 - g) 132 Foster Avenue
- (2) Notwithstanding the provisions of Subsections 2(1), 2(2), 2(3) and 2(6) of this Part, and provided that the use of the parcel of land existing at the time of approval of this By-Law remains the same, within the area zoned R4-1, the minimum side yard, the minimum lot area and the minimum frontage requirements shall be as follows:

Lot Frontage (minimum)	11.34 m.
Lot Area (minimum)	337.51 sq. m.
Interior Side Yard Width (minimum)	0.50 m.

- (3) Notwithstanding the provisions of Subsection 2(1), 2(2), 2(3) and 2(6) of this Part, and provided that the use of the parcel of land existing at the time of approval of this By-Law remains the same, within the area zoned R4-2, the minimum side yard, the minimum lot area and the minimum frontage requirements shall be as follows:

Lot Frontage (minimum)	11.96 m.
Lot Area (minimum)	350.59 sq. m.
Interior Side Yard Width (minimum)	0.36 m.

- (4) Notwithstanding the provisions of Subsection 2(1), 2(2), 2(3) and 2(6) of this Part, and provided that the use of the parcel of land existing at the time of approval of this By-Law remains the same within the area zoned R4-3, the minimum side yard, the minimum lot area, and the minimum frontage requirements shall be as follows:

Lot Frontage (minimum)	12.06 m.
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Lot Area (minimum) 353.55 sq. m.
Interior Side Yard Width (minimum) 0.65 m.

- (5) Notwithstanding the provisions of Subsection 2(6) of this Part, and provided that the use of the parcel of land existing at the time of approval of this By-Law remains the same, within the area zoned R4-4, the minimum side yard shall be as follows:

Interior Side Yard Width (minimum) 0.66 m.

- (6) a) Notwithstanding the provisions of Subsections 2(1), 2(2) and 2(6) of this Part, and provided that the use of the parcel of land existing at the time of approval of this By-Law remains the same, within the area zoned R4-5, the minimum frontage and side yard requirements shall be as follows:

Lot Frontage (minimum) 10.58 m.
Interior Side Yard Width (minimum) 0.60 m.

- b) For the purposes of this Subsection lot frontage shall be measured along the westerly boundary of the parcel zoned R4-5 which boundary abuts the easterly boundary of the right-of-way immediately south of the south limit of John Street.

- (7) a) Notwithstanding the provisions of Subsections 2(1) and 2(2) of this Part, and provided that the use of the parcel of land existing at the time of approval of this By-Law remains the same, within the area zoned R4-6, the minimum lot frontage requirement shall be as follows:

Lot Frontage (minimum) 11.93 m.

- b) For the purposes of this Subsection lot frontage shall be measured between the side lot lines along a line at right angles to the entire line of the lot and at the minimum distance from the front of the lot permitted for erection of buildings.

- (8) For the purposes of this By-Law, within the area zoned R4-7, the lot frontage shall be measured along the easterly boundary of the parcel which boundary abuts the south-westerly limit of John Street and the westerly boundary of a parcel of land described under instrument number D646.

- (9) For the purposes of this By-Law, within the area zoned R4-8, the lot frontage shall be measured along the westerly boundary of the parcel, which boundary abuts the easterly boundary of the right-of-way immediately south of the south limit of John Street.

- (10) For the purposes of this By-Law, within the area zoned R4-9, the lot frontage shall be measured along the westerly boundary of the parcel, which boundary abuts both the easterly boundary of John Street and the easterly boundary of the right-of-way immediately south of the south limit of John Street.

- 10413 (11) Notwithstanding but in addition to the provisions of this Part G, within the area zoned R4-10, the four professional offices contained in the dwelling located on the lot and existing at the time of the passing of this By-Law, shall be a permitted use.

- 10413 (12) Notwithstanding the provisions of Subsection 5(1) of this Part G, within the area zoned R4-11 the minimum frontage shall be 18.0 m.

- 11159 (13) Notwithstanding the provisions of Section 1(1) of this Part G, within an area
13435 zoned R4-12, the main building shall be limited to one detached one family dwelling.
- 11444 (14) Notwithstanding the provisions of Section 1(1) of this Part G, within an area zoned R4-13, the main building shall be restricted to the four unit dwelling located on the lot and existing as of the date of passing of this By-Law.
- 11879 (15) Notwithstanding the provisions of Section 1(1) and 6 of this Part G, within the area zoned R4-14, the existing building containing a maximum of four dwelling units shall be a permitted use provided that all yard areas and building setbacks are not reduced in depth or width. Furthermore, and notwithstanding the provisions of this Part G, Section 11, within the area zoned R4-14, a minimum of four parking spaces located in the side and rear yard, shall be provided.
- 12078 (16) Notwithstanding the provisions of Sections 2(1), 2(2), 2(5) and 2(6) of this Part G, within the area zoned R4-15, the minimum lot frontage, front lot line, rear yard depth, and interior side yard width shall be as follows:
- | | |
|------------------------------------|---------|
| Lot Frontage (minimum) | 4.66 m. |
| Front Lot Line (minimum) | 4.66 m. |
| Rear Yard Depth (minimum) | Nil |
| Interior Side Yard Width (minimum) | Nil |
- 12409 (17) Notwithstanding the provisions of Section 1(1) of this Part G, within an area zoned R4-16, the permitted uses shall be limited to a detached one-family dwelling, or a semi-detached dwelling.
- 99-137(18) Notwithstanding and in addition to the provisions of Subsections 1(1) and 4(5) of this Part G, within the area zoned R4-17, a three unit dwelling shall be permitted and the existing rear yard shall not be reduced in depth.
- 12492 (19) Notwithstanding the provisions of Subsections 1(1) and 2(5) of this Part G, within the area zoned R4-18, the main building shall be restricted to a detached one family dwelling, and the existing rear yard shall not be reduced in depth.
- 12571 (20) Notwithstanding the provisions of Sections 2(4) and 2(6) of this Part G, within the area zoned R4-19, the following provisions shall apply:
- | | |
|----------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| (a) Front Yard Depth (minimum) | 1.7 m. |
| (b) Interior Side Yard Width (minimum) | on one side 1.2 m. plus 0.6 m. for each additional or partial storey above one storey, and on the other side 1.06 m. |
- 12652 (21) Notwithstanding the provisions of Section 1(1) of this Part G, within the area zoned R4-20, the permitted uses shall include, in addition to those uses permitted in Section 1(1) of this Part G, a two-storey building divided into three separate dwelling units, and the zone requirements of Section 5 of this Part G shall apply to such permitted use.
- 12774 (22) Notwithstanding the provisions of Subsection 5(45)c) of Part A, within the area zoned R4-21, a one-storey building containing not more than two dwelling units shall be a permitted use; and furthermore notwithstanding the provisions of Subsections 4(1), 4(2) and 4(6) of this Part G, within the area zoned R4-21, the minimum lot frontage, front lot lines, lot area and interior side yard width shall be as follows:

Lot Frontage (minimum)	11.9 m.
Front Lot Line (minimum)	11.9 m.
Lot area (minimum)	590 sq. m.
Interior Side Yard Width (minimum)	2.4 m. on one side 1.2 m. on the other side

12781 (23) Notwithstanding the provisions of Subsection 2(4) of this Part G, within the area zoned R4-22, the minimum front yard depth shall be 18.0 m.

12949 (24) Notwithstanding the provisions of Sections 1, 2, 3, 4, 5, 6 and 6A of this Part G, within the area zoned R4-23, the permitted use of the main building shall be restricted to a dwelling, containing not more than two dwelling units, one of which shall be a bachelor apartment having not more than 55 sq. m. of gross floor area. Such detached two family dwelling shall be subject to the zone requirements of Sections 4(2) through 4(6) inclusive, 4(8) and 4(9) of this Part G.

13041 (25) Notwithstanding the provisions of Sections 4(1), 4(2), 4(3), 4(6), 4(9) of this Part G of this By-Law, within the area zoned R4-24, the following provisions shall apply:

Lot Frontage (minimum)	16.15 m.
Front Lot Line (minimum)	16.15 m.
Lot Area (minimum)	630 sq. m.
Interior Side Yard Width (minimum)	1.75 m. on one side 2.4 m. on the other side
Building Height (maximum)	11.28 m.

Notwithstanding the definition of a duplex in Part A, Section 5, of this By-Law, which limits the height to a two storey building, the existing two and one half storey building shall be permitted within the area zoned R4-24.

13222 (26) Notwithstanding the provisions of Section 1, Sections 6(3) and 6a of this Part G, within the area zoned R4-25, the permitted use of the main building shall be restricted to a detached one family dwelling, or a converted dwelling containing not more than two dwelling units.

13554 (27) Notwithstanding the provisions of Subsection 1(1) of this Part G, within the area zoned R4-26, the permitted uses shall be limited to a detached single unit dwelling.

13880 (28) Notwithstanding the provisions of Subsection 1 (1) of this Part G, within the area zoned R4-27, a Residential Care and Counselling Centre shall be a permitted use in addition to those uses listed in Section 1 of this Part G.

Notwithstanding the provisions of Sections 2 to 6a inclusive of this Part G, in the area zoned R4-27, the zone requirements applicable to a Residential Care and Counselling Centre shall be as follows:

Lot Frontage (minimum)	15.0 m.
Front Lot Line (minimum)	15.0 m.
Lot Area (minimum)	696.5 sq. m.
Front Yard Depth (minimum)	7.5 m.
Rear Yard Depth (minimum)	Nil
Interior Side Yard Width (minimum)	7.5 m.
Lot Coverage (maximum)	35%
Building Height (maximum)	16.0 m.
Floor Area Per Resident (minimum)	18.5 sq. m.
Yard Area Per Resident to be maintained as Landscaped Open Space (minimum)	7 sq. m.

Notwithstanding the provisions of Section 11 of this Part G, within the area zoned R4-27, off street parking requirements applicable to a Residential Care and Counselling Centre shall be as follows:

A minimum of 8 spaces shall be provided in accordance with Part C, Section 15.

14089 (29) Notwithstanding the provisions of Section 1 of this Part G, within the area zoned R4-28, the permitted uses shall include, in addition to those uses permitted in Section 1 of this Part G, a 2-unit dwelling subject to the following provisions:

1.	Lot Frontage (minimum)	12.0 m.
2.	Front Lot Line (minimum)	10.6 m.
3.	Lot Area (minimum)	371.5 sq. m.
4.	Front Yard Depth (minimum)	3.6 m.
5.	Rear Yard Depth (minimum)	7.5 m.
6.	Interior Side Yard Width (minimum)	2.4 m. on one side and 1.2 m. on the other side plus 0.6 m. for each additional or partial storey above one storey
7.	Lot Coverage (maximum)	35%
8.	Building Height (maximum)	10.6 m.
9.	Off Street Parking (minimum)	1 space per dwelling unit (in accordance with the provisions of Part C, Section 15)
10.	Floor Area per Unit (minimum)	65 sq. m.

14261 (30) Notwithstanding the provisions of Section 2.(4) of this Part G, within the area zoned R4-29, the minimum required front yard depth shall be 6.0 m.

98-26 (31) Notwithstanding the provisions of Section 2(4) of this Part G, within the area zoned R4-30, the minimum front yard depth shall be 6.0 m.

98-26 (32) Deleted by By-Law Number 98-159.

99-43 (33) Notwithstanding the provisions of Section 6(2) of this Part G, within the area zoned R4 - 31, the minimum required gross floor area per dwelling unit shall be 48.9 sq. m.

2000-74 (34) Notwithstanding the provisions of Section 1.(1) and 2.(4) of this Part G, within the area zoned R4 - 32, the permitted use within a main building shall be restricted to a detached one family dwelling, and the minimum front yard depth shall be 6.0 m.

2000-91 (35) Notwithstanding the provisions of Section 2(4) of this Part G, within the area zoned R4 - 33, the minimum required front yard depth shall be 5.5 metres.

2002-154(36) Notwithstanding the provisions of Sections 1(1), 2(4) and 2(7) of this Part G, within the area zoned R4-34, the following provisions shall apply:

Permitted Uses (Main Building)

- (i) a detached one family dwelling

Zone Requirements

- (i) Front Yard Depth – attached garage (minimum) 6.0 m.
- (ii) Lot Coverage – single storey only (maximum) 40%

- 2003-09 (37) Notwithstanding the provisions of Section 1(1) and 2(6) of this Part G, and the provisions of Section 14 of Part C, within the area zoned R4-35, the only permitted uses shall be a single detached residential dwelling, as well as an assembly hall and accessory office operated in conjunction with the undertaking establishment located at Municipal Number 80 Highland Avenue. Moreover, within the area zoned R4-35, the minimum easterly interior yard width shall be 0.9 metres and the minimum number of spaces required for an assembly hall and accessory office shall be seven (7).
- 2003-91 (38) Notwithstanding the provisions of Section 2(7) of this Part G, within the area zoned R4-36, the maximum lot coverage permitted for single storey only shall be 40%.
- 2003-142 (39) Notwithstanding the provisions of Section 2(3) and 2(4) of this Part G, within the area zoned R4-37, the following provisions shall apply:
- | | | |
|------|----------------------------|------------|
| (i) | Lot Area (minimum) | 350 sq. m. |
| (ii) | Front Yard Depth (minimum) | 6.0 m. |
- 2004-90 (40) Notwithstanding the provisions of Sections 2 (5) and (6) of this Part G, within the area zoned R4-38, the minimum rear yard depth shall be 5.4 metres and the minimum westerly interior side yard width shall be 0.6 metres.
- (41) Notwithstanding the provisions of Sections 1 (1) and 2 (4) of this Part G, within the area zoned R4-39, a three (3) unit dwelling shall be permitted subject to a minimum front yard depth of 2.5 metres and the following:
- no dwelling unit shall contain a gross floor area of less than 55.5 square metres;
 - the minimum lot area per dwelling unit shall be 337 square metres;
 - no addition or enlargement shall be made to the external walls or roof of the dwelling;
 - no external stairway, other than a fire escape, shall be provided; and
 - such dwelling shall be certified by the Building Inspector to be structurally suitable for such conversion.
- 2006-169 (42) Deleted by By-Law 2013-67 May 13, 2013
- 2008-75 (43) Notwithstanding the provisions of Subsection 2 (4), 2 (6) and 2 (7) of this Part G, and Subsection 1 (16) of Part B, within the area zoned R4-41, the main building shall be limited to a detached one family dwelling, subject to a minimum front yard depth of 6.0 metres, a minimum exterior side yard width of 5.0 metres, a minimum interior side yard width of 1.2 metres and a maximum lot coverage of 40% permitted for single storey only.
- 2017-49
- 2008-76 (44) Notwithstanding the provisions of Subsections 3 (4) and 3 (5) of this Part G, within the area zoned R4-42, the minimum lot area shall be 603 square metres and the minimum lot area per dwelling unit shall be 301 square metres.
- 2008-136 (45) In addition to the permitted uses of this Part G, within the area zoned R4-43, a 3-unit dwelling shall be a permitted use subject to the provisions of Section 5 of this Part G, save and except for a minimum lot frontage and a minimum front lot line of 20 metres.
- 2008-200 (46) Notwithstanding the provisions of Subsections 1 (1), 3 (2) and 3 (5) of this Part G, within the area zoned R4-44, one-half (1/2) of a semi-detached dwelling shall be permitted to have a maximum of two (2) dwelling units subject to a minimum lot frontage of 9.0 metres and a minimum lot area of 260 square metres.

2008-214 (47) In addition to the permitted uses of this Part G, within the area zoned R4-45, a 3-unit dwelling shall be a permitted use.

2009-109 (48) Notwithstanding the provisions of Subsections 3 (4), 3 (5), 3 (7) and 3 (10) of this Part G, and Subsection 12 (1) d) of Part C, within the area zoned R4-46, the minimum lot area shall be 603 square metres, the minimum lot area per dwelling unit shall be 301 square metres, the minimum rear yard depth shall be 6.0 metres, the maximum lot coverage shall be 38% and the maximum encroachment of unenclosed steps into a side yard shall be 1.2 metres.

2010-31 Deleted by By-Law 2011-165 October 11, 2011

2011-165 (49) Notwithstanding the provisions of Subsection 1 (1) of this Part G, within the area zoned R4-47 the only permitted uses shall be a single detached residential dwelling and a double duplex dwelling, the latter of which is subject to satisfying the requirements of Section 2 of Part I.

Notwithstanding the provisions of Section 1 of this Part G, within the area zoned R4-47-h, no person shall erect any building or structure or use the land for any purpose other than a single detached dwelling. The 'h' holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that the following has been addressed to the satisfaction of the City of Belleville:

- confirmation that the existing sanitary sewer and water service can accommodate a double duplex dwelling; and
- that plan of condominium approval is obtained to permit a double duplex dwelling.

2010-127 (50) Notwithstanding the provisions of Subsections 2 (6) and 2 (7) of this Part G, within the area zoned R4-48, the minimum interior side yard width shall be 1.2 metres and the maximum lot coverage, for single storey only, shall be 40%.

2012-95 (51) DELETED BY BY-LAW NUMBER 2014-04 JANUARY 13, 2014

2013-43 (52) Notwithstanding the provisions of Subsection 2(4), 2(6) and 2(7) of this Part G, within the area zoned R4-50, the main building shall be limited to a detached one (1) family dwelling, subject to a minimum front yard depth of 6.0 metres, a minimum interior side yard width of 1.2 metres and, for single storey only, a maximum lot coverage of 40%.

2013-93 (53) Notwithstanding the provisions of Subsections 4 (1), 4 (2) 4 (3), 4 (4) and 4 (7) of this Part G, within the area zoned R4-51, the minimum lot frontage and front lot line, respectively, shall be 15.0 metres, the minimum lot area shall be 510 square metres, the minimum front yard depth shall be 7.5 metres, the minimum exterior side yard width shall be 3.6 metres and the minimum gross floor area per dwelling unit shall be 75 square metres.

2017-182 Notwithstanding the provisions of Part A, Subsection 5 (45) c), and for the purpose of this subsection, a Duplex Dwelling may also be a single storey building with a second dwelling unit located in the basement or cellar.

2016-84 (54) Notwithstanding the provisions of Subsections 3 (4), 3 (5), 3 (6) 3 (10) of this Part G, within the area zoned R4-52 the minimum lot area shall be 669 square metres, the minimum lot area per dwelling unit shall be 334 square metres, the minimum front yard depth shall be 6.0 metres, the exterior side yard width shall be 3.6 metres and the maximum lot coverage shall be 45%.

Notwithstanding the provisions of Subsection 1 (1) of this Part G, within the areas zoned R4-48-h, R4-51-h and R4-52-h no person shall erect or occupy any building or structure or use any building or structure and land for any purposes, other than the use that existed on the date of the passing of this By-Law. The h - holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that a sanitary sewer outlet and a storm sewer outlet have been provided to the satisfaction of the City of Belleville.

2017-118 (55) Notwithstanding the provisions of Subsections 1 (1) of this Part G, within the area zoned R4-53 a 3-unit dwelling shall be the only permitted use subject to one (1) dwelling unit being permitted to locate below grade.”

2017-182 (56) Notwithstanding the provisions of Subsection 2 (4) of this Part G, within the area zoned R4-54, the provisions of Subsection 12 (50) of this Part G shall apply, save and except that the minimum front yard depth to the front of an attached garage shall be 6.0 metres.

2017-182 (57) Notwithstanding the provisions of Subsections 3 (1), 3 (2), 3 (3), 3 (4), 3 (5), 3 (6), 3 (8), and 3 (10) of this Part G, and Subsection 1 (16) of Part B, within the area zoned R4-55, a semi-detached dwelling, or linked semi-detached dwelling shall be permitted, subject to a minimum lot frontage and front lot line per unit of 8.4 m, a minimum lot area of 280 m² per unit, a minimum front yard setback of 6.0 m, a minimum exterior side yard setback of 3.6 m, a minimum interior side yard setback of 1.2 m, and a maximum lot coverage of 45%.

13. FOR DAY NURSERY PROVISIONS

10980

See Part C, Section 21.

The following provisions shall apply to the use of land and the construction of buildings in all R5 Zones subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Residential Building**

- a) a horizontal multiple attached dwelling;
- b) group housing.

10980 (2) **Accessory Uses, Buildings or Structures**

- a) Any use, building or structure, which is subordinate and customarily incidental to the main residential building;
- b) A day nursery;
- 13027 c) A residential care facility.

2. ZONE REQUIREMENTS

- (1) Lot Frontage (minimum) 30.0 m.
- (2) Front Lot Line (minimum) 27.4 m.
- (3) Lot Area (whichever is greater)
 - a) Minimum 929 sq. m.
 - b) Minimum per type of dwelling unit
 - i. bed-sitting room or bachelor 162.5 sq. m.
 - ii. one bedroom 162.5 sq. m.
 - iii. two bedroom 186.0 sq. m.
 - iv. three bedroom or more 232.0 sq. m.
- (4) Minimum number of dwelling units in one main building 3
- (5) Front Yard Depth (minimum) to the closest wall of any building on the lot 7.5 m.
- (6) Interior Side Width and Rear Yard Depth (minimum)
 - a) to a wall of a building which contains windows to habitable rooms 7.5 m.
 - b) to a wall of a building which contains no windows to habitable rooms 3.0 m.
- (7) Gross Floor Area (minimum per dwelling unit) 74.0 sq. m.
- (8) Lot Coverage (maximum) 30%
- (9) Landscaped Area (minimum) 40%

- (10) Building Height (maximum) 10.6 m. or 2 1/2 storeys, whichever is the lesser
- (11) Minimum Distance Between Dwellings on Lot:
- a) Between two exterior walls which contain no windows to habitable rooms 3.0 m.
 - b) Between two exterior walls, one of which contains windows to habitable rooms 9.0 m.
 - c) Between two exterior walls both of which contain windows to habitable rooms 15.0 m.
 - d) Notwithstanding clauses a), b) and c) hereof, the minimum distance between two exterior walls shall be increased by the width of any driveway running between such walls.
- (12) The width of any court upon which windows from a living room, a dining room, or a bedroom open shall not be less than the height of any opposing wall forming said court. The width of any other court shall not be less than two-thirds the height of any opposing wall forming said court.
- (13) The depth of any court shall not be greater than one and one-half times the width.

3. FOR SENIOR CITIZENS' HOUSING PROVISIONS

See Part C, Section 20.

3a. FOR RESIDENTIAL CARE FACILITIES

13027

The requirements of Section 2, of this Part H, shall apply, in addition to the requirements of Part C, Section 22.

4. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

5. OFF-STREET PARKING

- (1) Off-street parking shall be provided in accordance with Part C, Sections 14 and 15, and the following Subsections.
- (2) No off-street parking area or internal driveway for Group Housing shall be located closer than 6.0 m. to any street line nor 1.5 m. to any interior side or rear lot line, except that where the land abutting the interior side or rear lot line of the lot to contain Group Housing is used, or zoned, for detached one family dwellings, or is in an RH Zone, any parking area or internal driveway shall be separated from such abutting lot line by a strip of land not less than 3.0 m. in width. Such strip of land shall be reserved for landscaping purposes and shall contain at least one row of hardy shrubs, not less than 1.5 m. in height, and shall be maintained in a healthy growing condition.

- (3) The minimum distance between a driveway and/or parking area, and the exterior wall of any main building, shall be:
 - a) where there are windows to habitable rooms 7.5 m.
 - b) where there are no windows to habitable rooms 1.5 m.
- (4) Width of Driveways:
 - a) minimum width of one-way driveway 3.0 m.
 - b) minimum width of a two-way driveway 5.5 m.

6. SPECIAL PROVISIONS

- (1) Notwithstanding the provisions of Subsection 2(5) of this Part, within the area zoned R5-1 the minimum depth of the front yard shall be as follows:
 - Front Yard Depth (minimum) 3.6 m.
- 11383 (2) Notwithstanding the provisions of Section 2 of this Part H, within the area zoned R5-2, the following provisions shall apply:
 - (a) Lot Frontage (minimum) 30.0 m.
 - (b) Front Lot Line (minimum) 27.4 m.
 - (c) Lot Area (minimum) 1,125.0 sq. m.
 - (d) Lot Area per Dwelling Unit (minimum) 140.0 sq. m.
 - (e) Minimum Number of Dwelling Units per Main Building 3
 - (f) Front Yard Depth (minimum) 3.6 m.
 - (g) Interior Side Yard Width (minimum) 2.0 m.
 - (h) Rear Yard Depth (minimum) 2.4 m.
 - (i) Gross Floor Area (minimum per dwelling unit) 90.0 sq. m.
 - (j) Lot Coverage (maximum) 62%
 - (k) Landscaped Area (minimum) 25%
 - (l) Building Height (maximum) 12.0 m.
 - (m) Minimum Distance Between Dwellings on Lot:
 - i. Between two exterior walls which contain no windows to habitable rooms 3.0 m.
 - ii. Between two exterior walls, one of which contains windows to habitable rooms 9.0 m.

- iii. Between two exterior walls, both of which contain windows to habitable rooms 15.0 m.
- iv. In addition to the preceding clauses i, ii, and iii, the minimum distance between exterior walls shall be increased by the width of any driveway between such walls.

(p) Notwithstanding the provisions of Section 12(1) c) of Part C, unenclosed verandahs, balconies, porches and decks that are attached to the main building may project no more than 3.6 m. over a required front yard, or no more than 2.4 m. over a required rear yard.

(n) and (o) were missed due to a typographical error.

11460 (3) Notwithstanding the provisions of Subsection 2(6) a), and Subsection 5(2) and Subsection 5(3) of this Part H, within the area zone R5-3, the rear yard depth (minimum) shall be 4.5 m. and no off-street parking area or internal driveway for Group Housing shall be located closer than 4.0 m. to any street line or closer than 1.5 m. to any interior side or rear lot line, and the provisions of Subsection 5(3) of this Part H shall not apply. Within the area zoned R5-3, the provisions of Part C, Subsection 12(4) shall not apply.

11460 (4) Notwithstanding the provisions of this Part H, Subsection 1 and 2, within the area zoned R5-4, the permitted uses shall be restricted to private recreational vehicle storage and off-street parking and private outdoor recreational facilities.

2000-69 (5) Notwithstanding the provisions of Sections 2(1), 2(2), 2(3), 2(5), 2(6), 2(8), 2(9), of this Part H, within the area zoned R5-5 the following provisions shall apply:

- a) Lot Frontage (minimum) 6.1 m.
- b) Front Lot Line (minimum) 6.1 m.
- c) Lot Area (minimum) 240 sq. m.
- d) Front Yard Depth (minimum) 4.8 m.
- e) Interior Side Yard Width (minimum) 1.2 m.
Except where adjacent to a common wall of a horizontal multiple attached dwelling where the side yard shall be reduced to Nil
- f) Rear Yard Depth (minimum) 6 m.
- g) Lot Coverage (maximum) 62%
- h) Landscaped Area (minimum) 18%

11572 (6) Notwithstanding the provisions of Section 2(3), of this Part H, within the area zoned R5-6, the maximum number of dwelling units shall be restricted to twenty (20) units.

11749 (7) In addition to the requirements of Section 2 of this Part H, within an area zoned R5-7 the maximum number of dwelling units permitted shall be 24, and any development occurring on lands zoned R5-7 shall be in accordance with the site plan attached hereto and forming part of this By-Law as Appendix II. Further more, notwithstanding the requirements of Part C, Section 8, Subsection (2) the location of all accessory buildings within the area zoned R5-7 shall be in accordance with the site plan attached hereto as Appendix II.





12147 (8) Notwithstanding the provisions of Subsection 2(1), 2(2) and 2(4) of this Part H, within the area zoned R5-8, the minimum lot frontage, front lot line, and number of dwelling units in one main building shall be as follows:

- a) Lot Frontage (minimum) 18.0 m.
- b) Front Lot Line (minimum) 18.0 m.
- c) Minimum Number of Dwelling Units in One Main Building 2

12200 (9) Notwithstanding the provisions of Sections 2(1), 2(2), 2(3)b)iii, 2(5), 2(6), 2(8), 2(9), 5(3) and 5(4)b) of this Part H, within the area zoned R5-9, the following provisions shall apply:

- a) Lot Frontage (minimum) 3.3 m.
- b) Front Lot Line (minimum) 3.3 m.
- c) Lot Area per Two-Bedroom Dwelling Unit (minimum) 91.6 sq. m.
- d) Front Yard Depth (minimum) 2.4 m.
- e) Interior Side Yard Width (minimum) Nil
- f) Lot Coverage (maximum) 75%
- g) Landscaped Area (minimum) 8%
- h) Minimum Distance Between a Parking Area and the Exterior Wall of any Main Building Nil
- i) Minimum Width of a Two-Way Driveway 3.0 m.

12440 (10) Notwithstanding the provisions of Subsection 2(3) of this Part H, within the area zoned R5-10, the maximum number of dwelling units shall be restricted to sixteen (16) units.

12571 (11) Notwithstanding the provisions of Subsection 5(3) of this Part H, within the area zoned R5-11, the following provisions shall apply:

- a) The minimum distance between a driveway and/or parking area, and the exterior wall of any main building shall be:
 - i. where there are windows to habitable rooms 7.5 m.
 - ii. where there are no windows to habitable rooms 1.5 m.
except that the minimum distance between a parking area contained in a carport and the exterior wall of not more than two handicapped accessible dwelling units shall be nil.

12593 (12) Notwithstanding the provisions of Subsection 2(3) of this Part H, within the area zoned R5-12, the maximum number of dwelling units shall be restricted to thirty-three (33) units.

12867 (13) Notwithstanding the zone requirements of Subsections 2(1), 2(2), 5(3) of this Part H, within the area zoned R5-13, the following provisions shall apply:

- (a) Lot Frontage (minimum) 20.0 m.
- (b) Front Lot Line (minimum) 20.0 m.
- (c) Minimum distance between a parking area appurtenant to a dwelling unit and the exterior wall of a main building Nil
- (d) Minimum distance between a driveway connecting to a public road and the exterior wall of a main building 6.0 m.

12974 (14) Notwithstanding the provisions of Subsections 2(3) and 2(4), of this Part H, within the area zoned R5-14, the following provisions shall apply:

- (a) Lot Area (minimum) 2,069 sq. m.
- (b) Maximum Number of Dwelling Units 12
- (c) Gross Floor Area (minimum per Dwelling Unit) 68 sq. m.

12981 (15) Notwithstanding the provisions of Subsection 2(1), 2(2) and 5(2) of this Part H, within the area zoned R5-15, the following provisions shall apply:

- (a) Lot Frontage (minimum) 22.5 m.
- (b) Front Lot Line (minimum) 22.9 m.
- (c) Minimum distance between parking area and interior lot line to the south 1.5 m.

13107 (16) Notwithstanding the provisions of Subsection 5(3) of this Part H, within the area zoned R5-16, the minimum distance between a driveway and/or parking area and the exterior wall of any main building shall be nil where parking is provided in a garage and carport.

Furthermore, within the area zoned R5-16, the maximum number of dwelling units in one main building shall be 6.

13098 Paragraph 17 replaced by 2008-115 (June 9, 2008)

2008-115 (17) Notwithstanding the provisions of Subsection 2 (1), 2 (2), 2 (3), 2 (5), 2 (6), 2 (8) and 2 (9) of this Part H, within the area zoned R5-17 the following provisions shall apply:

- (i) Lot Frontage (minimum) 6.0 m.
- (ii) Front Lot Line (minimum) 6.0 m.
- (iii) Lot Area (minimum) 190.0 m²
- (iv) Front Yard Depth (minimum) 1.0 m.
- (v) Interior Side Yard Width (minimum) 1.0 m. on end unit except where the interior side yard is adjacent to a common wall of a horizontal attached dwelling unit, the side yard shall be Nil
- (vi) Lot Coverage (maximum) 44%
- (vii) Landscaped Area (maximum) N.A.

O.M.B.(18) Notwithstanding the zone requirements of Subsection 2(3)b), of this Part H,
Decision within the area zoned R5-18, the maximum number of dwelling units shall be 59.
3/25/92

Furthermore, notwithstanding and in addition to the zone requirements of Subsection 2(6) of this Part H, within the area zoned R5-18, the minimum side yard setback from an exterior wall to a boundary line of a zone that permits a detached one family dwelling, shall be 12 metres.

13252

Furthermore, notwithstanding and in addition to the zone requirements of Subsection 5(3) of this Part H, within the area zoned R5-18, the minimum distance between a parking area contained in a carport and the exterior wall of not more than four handicapped accessible dwelling units, shall be nil.

Furthermore, notwithstanding and in addition to the provisions of Subsection 12(1), Part C, within the area zoned R5-18 the maximum allowable distance that unenclosed verandahs, balconies, porches and decks with ramps, that are attached to not more than two handicapped accessible dwelling units within the main building, may project over a required interior side yard, shall be 4.5 metres.

Furthermore, notwithstanding and in addition to the provisions of Subsection 1.1(2)a) of this Part H, within the area Zoned R5-18 a maximum of 92 square metres of building area for a community centre, shall be a permitted accessory use.

13406 (19) Notwithstanding the provisions of Subsections 2(3), 2(5), 2(6), 2(7) and 2(10), of this Part H, within the area zoned R5-19, the following provisions shall apply:

(a)	Lot Area (minimum)	1074.2 sq. m.
(b)	Front Yard Depth (minimum)	3.9 m.
(c)	Rear Yard Depth (minimum)	3.26 m.
(d)	Interior Side Yard Width (minimum)	
	(i) to a wall of a building which contains windows to habitable rooms	7.5 m.
	(ii) to a wall of a building which contains no windows to habitable rooms	3.0 m.
(e)	Gross Floor Area Per Dwelling Unit (minimum)	
	6 units of	69.3 sq. m.
	5 units of	64.2 sq. m.
	6 units of	71.9 sq. m.
	1 unit of	67.5 sq. m.
	1 unit of	48.2 sq. m.
(f)	Building Height (maximum)	12.2 m.
(g)	Maximum Number of Units	19

Furthermore, notwithstanding the provisions of Section 5 of this Part H, and Subsections 15 1(a) and 15 1(c) of Part C, the following provisions shall apply:

(a)	Parking Space Length (minimum)	5.1 m.
(b)	Parking Space Width (minimum)	2.4 m.
(c)	Parking Aisle Width (minimum)	4.99 m.
(d)	Number of required Parking Spaces (minimum)	19
(e)	Landscaping Strip between a Driveway or Parking Area and a Rear or Side Lot Line (minimum)	Nil
(f)	Width of a Two-way Driveway (minimum)	3.26 m.

- (g) Distance from Parking Area to a Habitable Room (minimum) 2.0 m.

13459 (20) Notwithstanding the provisions of Section 2.(7), and Section 5.(3) a), of this Part H, within the area zoned R5-20, the following provisions shall apply:

- i) gross floor area per dwelling unit (minimum) 47.6 sq. m.
- ii) distance between a parking area and a wall of the main building with a window to a habitable room (minimum) Nil

O.M.B.(21) Notwithstanding the provisions of Section 2.(1), 2.(2) and 2.(3), of this Part H, Decision 09/07/94 within the area zoned R5-21, the following provisions shall apply:

- i) lot frontage (minimum) 24.9 m.
- ii) front lot line (minimum) 24.45 m.
- iii) number of dwelling units (maximum) 5

13771 (22) Notwithstanding the provisions of Subsection 5.(3) and Subsection 5.(2) of this Part H, within the area zoned R5-22, no off-street parking area shall be located less than 3 metres from any street line, and the provisions of Subsection 5.(3) shall not apply.

Furthermore, within the area zoned R5-22, the provisions of Subsection 15.(1) g) of Part C shall not apply.

14016 (23) Notwithstanding the provisions of Subsections 2.(1), 2.(2), 2.(3), 2.(4), 2.(5), 2.(6), 2.(8) and 5.(3), of this Part H, within the area zoned R5-23, the following provisions shall apply:

- a) Lot Frontage (minimum) 7.3 m
- b) Front Lot Line (minimum) 7.3 m
- c) Lot Area (minimum) 190 sq. m.
- d) Number of Dwelling Units in One Main Building (minimum) 2
- e) Front Yard Depth (minimum) 5.0 m.
- f) Interior Side Yard Width (minimum) (except where the interior side yard is adjacent to a common wall of a horizontal multiple attached dwelling unit, the side yard may be reduced to Nil)
- g) Rear Yard Depth (minimum) 7.5 m.
- h) Lot Coverage (maximum) 50%
- i) Where not more than 2 dwelling units are attached and where one dwelling unit is located on a corner lot, the following provisions shall apply to the dwelling unit on the corner lot:
 - i) Front Yard Depth (minimum) 12.0 m.
 - ii) Rear Yard Depth (minimum) Nil
 - iii) Outside Side Yard Width (minimum) 5.0 m.

- iv) Inside Side Yard Width (minimum) 5.0 m.

and the following provisions shall apply to the attached dwelling unit not fronting on the corner lot:

- v) Front Yard Depth (minimum) 5.0 m.
- vi) Rear Yard Depth (minimum) 5.0 m.
- vii) Interior Side Yard Width (minimum) (except where Interior Side Yard is adjacent to a common wall of a horizontal multiple attached dwelling unit, the side yard shall be reduced to Nil) 5.0 m.
- viii) Distance of a Driveway or Parking Space adjacent to a wall of the dwelling with a window or opening to a habitable room (minimum) Nil

98-26 (24) Notwithstanding the provisions of Section 2(1), (2), (3), (4), (5), (6), (10) and (11) of this Part H, within the area zoned R5-24, the following provisions shall apply:

- 98-159 (a) Lot Frontage (minimum) 7.0 m.
- 98-159 (b) Front Lot Line (minimum) 6.0 m.
- (c) Lot Area (minimum) 250.0 m.²
- 98-159 (d) Minimum number of dwelling units on one main building 2
- (e) Front Yard Depth (minimum) 6.0 m.
- (f) Rear Yard Depth (minimum) 7.5 m.
- (g) Interior Side Yard Depth (minimum) (except where the interior side yard is adjacent to a common wall of a horizontal attached dwelling unit, the side yard shall be Nil) 3.0 m.
- (h) Outside Side Yard Depth (minimum) 3.6 m.
- (i) Building Height (maximum) 10.6 m.
- (j) Minimum Distance between Parking Area or Driveway and Main Building Nil

2000-126 (24) Furthermore, in addition to the provisions of Sections 1 and 3 of this Part H, within the area zoned R5 - 24, a detached one family dwelling and a semi-detached dwelling shall be permitted uses subject to the following provisions:

	<u>Detached Single Unit Dwelling</u>	<u>Semi-Detached Dwelling</u>
Minimum Lot Frontage	8 m.	14.6 m.
Minimum Front Lot Line	7 m.	13 m.
Minimum Lot Frontage/Unit	---	7.3 m.
Minimum Lot Area	280 m ²	500 m ²
Minimum Lot Area/Unit	---	250 m ²
Minimum Front Yard Depth	6 m.	6 m.
Minimum Rear Yard Depth	7.5 m.	7.5 m.
Minimum Interior Side Yard	1.0 m.	1.0 m.
Maximum Lot Coverage	50%	50%
Maximum Building Height	10.6 m.	10.6 m.

99-68 (25) Notwithstanding the provisions of Subsection 2(8), (10), (11) (c)(d), Subsection 5(3)(a), of this Part H, within the area zoned R5-25, the following special provisions shall apply:

- | | | |
|-------|-----------------------------------------------------------------------------------------------------------------|----------|
| (i) | Lot Coverage (maximum) | 33% |
| (ii) | Building Height (maximum) | 1 storey |
| (iii) | Distance between two exterior walls both of which contain windows to habitable rooms (minimum) | 4.2 m. |
| (iv) | Distance between two exterior walls of a dwelling separated by a driveway running between such walls (minimum) | 16.0 m. |
| (v) | Distance between a driveway and the exterior wall of a building containing windows to habitable rooms (minimum) | 4.9 m. |
| (vi) | Distance between a parking area and the exterior wall of a main building (minimum) | Nil |

2000-05 (26) Notwithstanding the provisions of Subsection 2(1), (2), (3) (4) (5) (6), (8), (10), and 5(3) of this Part H, within the area zoned R5-26, the following special provisions shall apply:

- | | | |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| (a) | Lot Frontage (minimum) | 7.0 m. |
| (b) | Front Lot Line (minimum) | 6.0 m. |
| (c) | Lot Area (minimum) | 250.0 m. ² |
| (d) | Minimum number of dwelling units on one main building | 2 |
| (e) | Front Yard Depth (minimum) | 6.0 m. |
| (f) | Rear Yard Depth (minimum) | 7.5 m. |
| (g) | Interior Side Yard Depth (minimum) (except where the interior side yard is adjacent to a common wall of a horizontal attached dwelling unit, the side yard shall be Nil) | 3.0 m. |
| (h) | lot coverage (maximum) | 50% |
| (i) | Outside Side Yard Depth (minimum) | 3.6 m. |
| (j) | Building Height (maximum) | 10.6 m |
| (k) | Minimum Distance between Parking Area or Driveway and Main Building | Nil |

2001-55 (27) Notwithstanding the provisions of Section 2 (4), 11(c), 5 (3) of this Part H, within the area zoned R5 - 27, the following provisions shall apply:

- | | | |
|-------|--------------------------------------------------------------------------------------------------------------------|-------|
| (i) | Minimum dwelling units in one building | 2 |
| (ii) | Minimum distance between two exterior walls both of which contain windows to habitable rooms | 4.5 m |
| (iii) | Minimum distance between a driveway and the exterior wall of a main building containing windows to habitable rooms | 5 m |
| (iv) | Minimum distance between a parking area and the exterior wall of a main building | Nil |

2000-54 (28) Notwithstanding the provisions of the provisions of Section 2.(6) a), (11) c) d) and 5 (3) of this Part H, and Section 15 (1) a) of Part C, within the area zoned R5-28, the following provisions shall apply:

- | | | |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| (i) | Interior Side Yard Depth (minimum) | 6.1 m. |
| (ii) | Distance between two exterior walls both of which contain windows to habitable rooms (minimum) | 7.5 m. |
| (iii) | Distance between two exterior walls of a dwelling shall not be required to be increased by the width of any driveway running between such walls | |
| (iv) | Distance between a driveway and/or parking area, and the exterior wall of a main building (minimum) | Nil |
| (v) | Width of parking aisle where the parking angle is 70° - 90° and the parking space width is 2.7 m (minimum) | 5.0 m. |

2002-08 NOTE: Section 29 Replaced by 2008-52 – March 10, 2008

2008-52 (29) Notwithstanding the provisions of Section 2 (8), 2 (11) (d) and 5 (3) of this Part H, within the area zoned R5-29 the maximum lot coverage shall be 32.9%, the minimum distance between the exterior walls of dwellings on a lot bisected by a driveway shall be 18 metres and the minimum distance between a driveway and/or parking area, and the exterior wall of a main building shall be NIL.

Notwithstanding the provisions of Section 1 (1) of this Part H, within the area zoned R5-29-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of the R5-29-h zone. The 'h' holding symbol shall not be removed from the R5-29-h zone until it has been demonstrated to the satisfaction of the municipality that sanitary sewer is available to service the lands.

2002-66 (30) Notwithstanding the provisions of Sections 2(1)(2)(6a), and 5(3) of this Part H, within the area zoned R5 - 30, the following provisions shall apply:

- | | | |
|-----------------|------------------------------------------------------------------------------------|--------|
| (i) | Lot Frontage (minimum) | 14.6 m |
| (ii) | Front Lot Line (minimum) | 14.6 m |
| (iii) | Interior Side Width | |
| | - to a wall at a building which contains windows to habitable rooms | 7 m |
| (iv) | Distance between a parking area and the exterior wall of a main building (minimum) | 1.5 m |
| <u>2006-105</u> | (v) Lot Coverage (maximum) | 38% |

Within the R5-30 zone, the minimum interior side width for Condominium Unit # 6 shall be 6.0 metres.

Notwithstanding the provisions of Section 1(1) of this Part H, within the area zoned R5-30-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of the R5-30-h zone. The 'h' holding symbol shall not be removed from the R5-30-h zone until it has been demonstrated to the satisfaction of the municipality that stormwater management has been properly addressed, the required Environmental Site Assessments have been conducted, the environmental remediation has been completed and a Record of Site Condition has been filed.

2007-131 (NOTE TO FILE: By-Law Number 2007-131, passed July 16, 2007, removed the "h" holding symbol **from the lands described as** Part of Lot 13, Concession 1, City of Belleville, County of Hastings.)

2002-59 (31) Notwithstanding the provisions of Subsections 1(1) of this Part H, permitted uses shall include a single unit dwelling, semi-detached dwelling and horizontal multiple attached dwelling.

Furthermore, within the area zoned R5 - 31, with respect to a single unit dwelling, the provisions of Section 2, Part G shall apply; notwithstanding Section 2(4) of Part G, the minimum front yard depth shall be 6 m.

Furthermore, within the area zoned R5 - 31, with respect to a semi-detached dwelling, the provisions of Section 3, Part G shall apply; notwithstanding Section 3(6) and 3(8), the minimum front yard depth shall be 6 m and the minimum interior side yard width shall be 1.2 m on one side plus 0.6 m for each additional or partial storey above one storey, except where the interior side yard is adjacent to the common wall, the side yard may be reduced to nil.

Furthermore, notwithstanding the provisions of Section 2 of this Part H, with respect to horizontal multiple attached dwellings, the following provisions shall apply:

ZONE REQUIREMENTS FOR FREEHOLD TOWN HOME DWELLING:

- (i) Lot Frontage (minimum) 6.0 m
- (ii) Front Lot Line (minimum) 5.0 m
- (iii) Lot Area (minimum) 180.0 m²
- (iv) Front Yard Depth (minimum) 6.0 m
- (v) Rear Yard Depth (minimum) 7.5 m
- (vi) Interior Side Yard Depth (minimum) 2.2 m on end unit except where the interior side yard is adjacent to a common wall of a horizontal attached dwelling unit, the side yard shall be NIL
- (vii) Lot Coverage (maximum) 60%
- (viii) Building Height (maximum) 10.6 m
- (ix) Minimum Distance between Parking Area or Driveway and Main Building Nil
- 2002-95 (x) Outside Side Yard Depth (minimum) 3.6 m

2005-147 (32) Notwithstanding the provisions of Sections 2(1), 2(2), 2(3), 2(5), 2(6), 2(8) and 5(3) of this Part H, within the area zoned R5-32 the following provisions shall apply for a freehold townhouse dwelling:

- (i) Lot Frontage (minimum) 7.0 m
- (ii) Front Lot Line (minimum) 6.0 m
- (iii) Lot Area (minimum) 212.0 m²
- (iv) Front Yard Depth (minimum) 6.0 m
- (v) Interior Side Yard Depth (minimum) 3.0 m on end unit except where the interior side yard is adjacent to a common wall of a horizontal attached dwelling unit, the side yard shall be Nil
- (vi) Lot Coverage (maximum) 50%
- (vii) Minimum Distance between Parking Area or Driveway and Main Building Nil

2006-194 (33) Notwithstanding the provisions of Sections 2(1), 2(2), 2(3), 2(5), 2(6), 2(8), 2(10) and 5(3) of this Part H, within the area zoned R5-33 the following provisions shall apply for a freehold townhouse dwelling:

(i)	Lot Frontage (minimum)	5.5 m
(ii)	Front Lot Line (minimum)	4.5 m
(iii)	Lot Area (minimum)	175.0 m ²
(iv)	Front Yard Depth (minimum)	6.0 m
(v)	Interior Side Yard Depth (minimum)	1.0 m on end unit except where the interior side yard is adjacent to a common wall of a horizontal attached dwelling unit, the side yard shall be NIL
(vi)	Outside Side Yard Depth (minimum)	4.0 m
(vii)	Lot Coverage (maximum)	42%
(viii)	Building Height (maximum)	12.0 m
(ix)	Minimum Distance between Parking Area or Driveway and Main Building	Nil

Notwithstanding the provisions of Section 1(1) of this Part H, within the area zoned R5-33-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of the R5-33-h zone. The 'h' holding symbol shall not be removed from the R5-33-h zone until acceptable side yard requirements has been demonstrated to the satisfaction of the City of Belleville to ensure lot grade issues, side slopes and swales are constructed to City requirements.

2017-57 (NOTE TO FILE: By-Law Number 2017-57, passed March 20, 2017, removed the “h” holding symbol **from the lands described as** Part of Lot 37, Concession 1, former Township of Sidney, now City of Belleville, County of Hastings.)

2008-53 (34) Notwithstanding the provisions of Sections 2(4), 2(5), 2(6), 2(8), 2(11) and 5(3) of this Part H, within the area zoned R5-34 the following provisions shall apply:

(i)	Number of Dwelling Units in One Main Building (minimum)	2
(ii)	Front Yard Depth (minimum)	3.6 m
(iii)	Interior Side Yard Width (minimum)	6.0 m
(iv)	Lot Coverage (maximum)	35%
(v)	Minimum Distance between Main Buildings with Windows to Habitable Rooms	12.8 m
(vi)	Minimum Distance between Driveway and Main Building either with Windows or without Windows to Habitable Rooms	Nil

2008-76 (35) Notwithstanding the provisions of Subsections 2 (1), 2 (2), 2 (3), 2 (5), 2 (6), 2 (8) and 2 (9) of this Part H, and Subsection 1 (14) of Part B, within the area zoned R5-35, the provisions of Subsection 6 (5) shall apply and certain of the lots shall be permitted to front on a common elements condominium private road.

2009-146 (36) Notwithstanding the provisions of Subsection 2 (3) b), 2 (5), 2 (11) c) and 5 (3) a) of this Part H, within the area zoned R5-36, the minimum lot area shall be 16,150 square metres, the minimum front yard depth shall be 5.3 metres, the minimum distance between the exterior walls of dwellings which contain windows to habitable rooms shall be 9 metres, and the minimum distance between a driveway and/or parking area, and the exterior wall of a main building that

contain windows to habitable rooms shall be 3 metres. In addition the buildings, parking areas and driveways that existed on the date of the passage of this By-Law shall be deemed to comply with all the requirements of the By-Law.

2010-127 (37) Notwithstanding the provisions of Subsection 6 (5) c) of this Part H, within the area zoned R5-37, the provisions of Subsection 6 (5) shall apply, save and except that the minimum lot area shall be 212 square metres.

2012-143 (38) Notwithstanding the provisions of Subsections 2 (1), 2 (2), 2 (3), 2 (5), 2 (6), 2 (8) and 5 (3) of this Part H, within the area zoned R5-38, the provisions of Subsection 6 (31) for horizontal multiple attached dwellings shall apply, save and except for a minimum lot area of 173.0 square metres and a minimum front yard depth of 4.8 metres.

2013-43 (39) Notwithstanding the provisions of Sections 2(1), 2(2), 2(3), 2(5), 2(6), 2(8), 2(9), 2(10) and 5(3) of this Part H, and Subsection 1(16) of Part B, within the area zoned R5-39 the following provisions shall apply for a freehold townhouse dwelling:

(i)	Lot Frontage (minimum)	6.1 m
(ii)	Front Lot Line (minimum)	6.1 m
(iii)	Lot Area (minimum)	190.0 m ²
(iv)	Front Yard Depth (minimum)	6.0 m
(v)	Interior Side Yard Depth (minimum)	1.5 m on end unit except where the interior side yard is adjacent to a common wall of a horizontal attached dwelling unit, the side yard shall be NIL
(vi)	Outside Side Yard (minimum)	4.5 m
(vii)	Lot Coverage (maximum)	58%
(viii)	Landscaped Area (minimum)	30%
(ix)	Building Height (maximum)	12.0 m
(x)	Minimum Distance between Parking Area or Driveway and Main Building	NIL.

2013-93 (40) Notwithstanding the provisions of Subsections 2 (1) 2 (3), 2 (6) and 2 (8) of this Part H and Subsection 1 (16) of Part B, within the area zoned R5-40, the minimum lot frontage shall be 5.2 metres, the minimum lot area shall be 165 square metres, the minimum interior side yard width shall be 1.2 metres, the maximum lot coverage shall be 40% and the minimum outside side yard depth shall be 3.0 metres.

(41) Notwithstanding the provisions of Subsections 6 (5) b) and c) of this Part H and Subsection 1 (16) of Part B, within the area zoned R5-41, the provisions of Subsection 6 (5) shall apply, save and except that the minimum lot frontage shall be 6.0 metres, the minimum lot area shall be 212 square metres and the minimum outside side yard depth shall be 3.0 metres.

Notwithstanding the provisions of Subsection 1 (1) of this Part H, within the areas zoned R5-40-h and R5-41-h no person shall erect or occupy any building or structure or use any building or structure and land for any purposes, other than the use that existed on the date of the passing of this By-Law. The h – holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that a sanitary sewer outlet and a storm sewer outlet have been provided to the satisfaction of the City of Belleville.

2016-112 (42) Notwithstanding the provisions of Subsections 2(1), 2(2), 2(3), 2(5), 2(6), 2(8), 2(9) and 2(10) of this Part H, and Subsection 1(16) of Part B, within the area zoned R5-42 the following provisions apply:

(i)	Lot Frontage (minimum)	6.1 m
(ii)	Front Lot Line (minimum)	6.1 m
(iii)	Lot Area (minimum)	240.0 m ²
(iv)	Front Yard Depth (minimum)	7.5 m
(v)	Interior Side Yard Width (minimum)	1.2 m on end unit except where the interior side yard is adjacent to a common wall of a horizontal attached dwelling unit, the side yard shall be NIL
(vi)	Exterior Side Yard Width (minimum)	4.8 m
(vii)	Rear Yard Depth (minimum)	6.0 m
(viii)	Gross Floor Area (min. per unit)	83.5 m ²
(ix)	Lot Coverage (maximum)	62%
(x)	Landscaped Area (minimum)	18%
(xi)	Building Height (maximum)	10.6 m

2017-182 (43) Notwithstanding the provisions of Subsections 2 (5) and 2 (10) of this Part H, within the area zoned R5-43, the provisions of Subsection 6 (41) of this Part H shall apply, save and except that the minimum front yard depth to the front of an attached garage shall be 6.0 metres, and the maximum building height shall be restricted to one storey.

2017-230 (44) Notwithstanding the provisions of Subsection 15 (3) of Part C, and Subsections 5 (2) and (3) of this Part H, within the area zoned R5-44, the existing parking areas are permitted to cross property lines, relief is granted from the requirement for off-street parking areas being located in garages for the group housing, and Nil separation is allowed between parking spaces and the wall of the main building.

Notwithstanding the provisions of Section 1 of this Part H, within the area zoned R5-44-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this by-Law. The h holding symbol shall not be removed from the R5-44-h zone until site plan control approval has been obtained.

7. FOR DAY NURSERY PROVISIONS

10980

See Part C, Section 21.

The following provisions shall apply to the use of land and the construction of buildings in all R6 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Residential Building**

- a) a double duplex dwelling;
- b) one or more apartment dwellings;
- 11125 c) a boarding, rooming and/or lodging house.

10980 (2) **Accessory Uses, Buildings or Structures**

- a) Any use, building or structure, which is subordinate and customarily incidental to the main residential building.
- b) A day nursery located within an apartment building;
- 13027 c) A residential care facility.

2. ZONE REQUIREMENTS FOR A DOUBLE DUPLEX DWELLING

- (1) Lot Frontage 22.8 m.
- (2) Front Lot Line (minimum) 21.3 m.
- (3) Lot Area (minimum) 929 sq. m.
- (4) Front Yard Depth (minimum) 7.5 m.
- (5) Rear Yard Depth (minimum) 7.5 m.
- (6) Interior Side Yard Width (minimum each side) 2.4 m.
- (7) Gross Floor Area (minimum per dwelling unit) 74 sq. m.
- (8) Lot Coverage (maximum) 35%
- (9) Building Height (maximum) 10.6 m.

3. ZONE REQUIREMENTS FOR AN APARTMENT DWELLING

- (1) Lot Frontage (minimum) 24.0 m.
- (2) Lot Area per Dwelling Unit (minimum) 161.5 sq. m.
- (3) Front Yard Depth (minimum) 7.5 m.
- (4) Rear Yard Depth (minimum) 7.5 m.
- (5) Interior Side Yard Width (minimum) 3.0 m. or one-half the height of the main building, whichever is the greater

- (6) Gross Floor Area (minimum per dwelling unit)
 - a) Bachelor 28.0 sq. m.
 - b) 1 Bedroom 42.0 sq. m.
 - c) 2 Bedrooms 55.5 sq. m.
 - d) 3 Bedrooms 69.5 sq. m.
 - e) 4 Bedrooms 79.0 sq. m.
 - f) for each additional bedroom 9.3 sq. m.
- (7) Building Height (maximum) 10.6 m.
- (8) Landscaped Area (minimum) 40%
- (9) Where a lot contains two or more dwellings, the minimum distance on the lot between each of such dwellings shall be as follows:
 - a) Between two exterior walls which contain no windows to habitable rooms 3.0 m.
 - b) Between two exterior walls, one of which contains windows to habitable rooms 9.0 m.
 - c) Between two exterior walls, both of which contain windows to habitable rooms 15.0 m.

3a. ZONE REQUIREMENTS FOR A BOARDING, ROOMING AND/OR LODGING HOUSE

11125

The requirements of Section 3 of this Part I, with the exception of Subsection (2), shall apply.

3b. FOR RESIDENTIAL CARE FACILITIES

13027

The requirements of Section 3, of this Part I, with the exception of Subsection (2) shall apply, in addition to the requirements of Part C, Section 22.

4. FOR SENIOR CITIZENS' HOUSING PROVISIONS

See Part C, Section 20.

5. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

6. OFF-STREET PARKING

- (1) Off-street parking shall be provided according to Part C, Sections 14 and 15, and the following Subsections.
- (2) No off-street parking area or internal driveway shall be located closer than 6.0 m. to any street line nor 1.5 m. to any interior side or rear lot line, except that where the land abutting the interior side or rear lot line of an area zoned R6, is used, or zoned, for detached one family dwellings, or is in an RH Zone, any parking area or internal driveway shall be separated from such abutting lot line by a strip of land not less than 3.0 m. in width. Such strip of land shall be reserved for landscaping purposes and shall contain at least one row of hardy shrubs, not less than 1.5 m. in height, and shall be maintained in a healthy growing condition, except for points of ingress and egress.

- (3) The minimum distance between a driveway and/or parking area, and the exterior wall of the main building on the lot, shall be:
 - a) where there are windows to habitable rooms 7.5 m.
 - b) where there are no windows to habitable rooms 1.5 m.
- (4) Width of Driveway:
 - a) minimum width of a one-way driveway 3.0 m.
 - b) minimum width of a two-way driveway 5.5 m.

7. FOR DAY NURSERY PROVISIONS

10980

See Part C, Section 21.

8. SPECIAL PROVISIONS

- (1) Deleted by By-Law Number 11680 April 15, 1985 which amends By-Law Number 11321 passed June 20, 1983.
- 11352 (2) Notwithstanding the provisions of Subsection 3(2) of this Part I, within the area zoned R6-2 the maximum number of dwelling units permitted shall be limited to eighteen (18) units.
- 11505 (3) Within an area zoned R6-3 the maximum number of dwelling units shall be restricted to thirty (30) units.
- 11510 (4) Notwithstanding the provisions of Section 6(2), within the area zoned R6-4, the minimum distance between the off-street parking area and/or driveway and the side or rear lot line shall be 0 m.
- 11654 (5) Notwithstanding the provisions of Section 3(2) of this Part I, within the area zoned R6-5, the maximum number of dwelling units shall be restricted to eighteen (18) units.
- 11761 (6) Notwithstanding the provisions of Sections 1(1), 2 and 3 of this Part I, within the area zoned R6-6, the two buildings existing at the time of passing of this By-Law shall be permitted to be used for a maximum number of two (2) dwelling units each, provided that the front, rear and side yards existing at the time of passing of this By-Law are not reduced in depth or width.
- 13218 (7) Notwithstanding the provisions of Sections 3(2), 3(8), 6(2), 6(3)a) of this Part I, within the area zoned R6-7, the following provisions shall apply:
 - (i) maximum number of allowable units 5
 - (ii) minimum landscaped area 35%
 - (iii) minimum landscaped land between the driveway and/or parking area and interior lot line abutting a property zoned for single family dwellings 1.5 m.

- (iv) minimum distance between the driveway and/or parking area, and the exterior wall of the main building where there are windows to habitable rooms 2.0 m.

(8) Rescinded (By-Law Number 12222 passed June 29, 1987 rescinds By-Law Number 11867 passed on January 20, 1986).

11974 (9) Notwithstanding the provisions of Section 1(1) and Sections 2(1), 2(2), 2(3) and 2(6) of this Part I, within the area zoned R6-9, the permitted use shall be restricted to a double duplex dwelling, provided further that the yard depths and widths existing as of the date of the passing of this By-Law are maintained, or are not reduced to a depth lesser than required by this By-Law.

Furthermore, within the area zoned R6-9, and notwithstanding any provisions of Section 6 of this Part I, and of Sections 14 and 15 of Part C of this By-Law to the contrary, a minimum of four off-street parking spaces shall be provided and maintained in the rear yard only, and access to same shall be provided by way of the driveway existing at the time of passing of this By-Law.

12293 (10) DELETED BY BY-LAW NUMBER 2012-150 SEPTEMBER 10, 2012

2012-150 (10) Notwithstanding the provisions of Subsections 3 (3), 3 (4), 3 (5), 3 (7) and 6 (3) of this Part I, within the area zoned R6-10 the following provisions shall apply to the two (2) apartments:

Westerly Apartment

- (i) Maximum Number of Dwelling Units 18
- (ii) Front Yard Depth (minimum) 10.0 m.
- (iii) Rear Yard Depth (minimum) 50.0 m.
- (iv) Interior Side Yard Width (minimum) 8.6 m.
- (v) Distance between Parking Area and Windows to Habitable Rooms 1.5 m.

Easterly Apartment

- (i) Maximum Number of Dwelling Units 15
- (ii) Front Yard Depth (minimum) 11.0 m.
- (iii) Rear Yard Depth (minimum) 42.0 m.
- (iv) Interior Side Yard Width (minimum) 4.6 m.
- (v) Building Height (maximum) 11.0 m.
- (vi) Distance between Driveway and Windows to Habitable Rooms 6.8 m.

12250 (11) Notwithstanding any provisions of this By-Law to the contrary, within the area zoned R6-11 the permitted use shall be restricted to a senior citizens' boarding, rooming, and/or lodging house with occupancy by a maximum number of fifteen (15) persons in sleeping units, and an accessory dwelling unit for use by a resident owner or manager.

Furthermore, within the area zoned R6-11, and notwithstanding the provisions of Section 3(5) of this Part I, the minimum interior side yard width with respect to the south side of the main building shall be 2.7 m.

Furthermore, within the area zoned R6-11, and notwithstanding the provisions of Part C-14 and Part I-6 of this By-Law, the use of the existing associated off-street driveway and parking area on the site shall be permitted.

12296 (12) Notwithstanding the provisions of Section 1(1) of this Part I, within the area zoned R6-12, the permitted uses shall be restricted to a senior citizens' lodging house with occupancy by a maximum number of sixty-eight (68) persons in sleeping units. For the purposes of determining the lot area per dwelling unit within the R6-12 zone, four (4) sleeping units are hereby defined to be equivalent of one (1) dwelling unit.

Furthermore, notwithstanding any provisions of Sections 3 and 6 of this Part I, and Sections 14 and 15 of Part C of this By-Law, to the contrary, within the area zoned R6-12, the following provisions shall apply:

- a) Zone Requirements
 - i. Interior Side Yard Width with respect to the east side of the lot (minimum) 3.1 m.
 - ii. Building Height (maximum) 12.2 m.
- b) Off-Street Parking
 - i. No off-street parking area or internal driveway shall be located closer than 1.5 m. to any street line. The 1.5 metre minimum strip of land along the front lot line shall be reserved for landscaping purposes according to Part C, Section 19 of this By-Law.
 - ii. Separation between an off-street parking area or internal driveway and interior side lot line with respect to the west side of the lot (minimum) 0.9 m.
 - iii. Separation between an off-street parking area or internal driveway and a rear lot line (minimum) 0.7 m.
 - iv. Minimum distance between a driveway and/or parking area and the exterior north wall of the main building on the lot, where there are windows to habitable rooms 3.1 m.
 - v. Minimum distance between a driveway and/or parking area and the exterior south wall of the main building on the lot, where there are windows to habitable rooms 1.4 m.
 - vi. Minimum distance between a driveway and/or parking area and the exterior west wall of the main building on the lot, where there are no windows to habitable rooms 0.9 m.
 - vii. Required Parking Spaces (minimum) 17 spaces

- | | | |
|-------|--------------------------------|--------|
| viii. | Parking Space Length (minimum) | 5.7 m. |
| ix. | Access Aisle Width (minimum) | 6.1 m. |

12444 (13) Notwithstanding the provisions of Sections 1(1) and 3(2) of this Part I, within the area zoned R6-13, the permitted use shall be restricted to an apartment dwelling containing not more than four (4) dwelling units. Furthermore, and notwithstanding the provisions of Section 6(2) of this Part I, within the area zoned R6-13, the following provisions shall apply:

- | | | |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| (i) | Minimum distance between the off-street parking area and/or internal driveway and the street line | 2.7 m. |
| (ii) | Minimum distance between the off-street parking area and/or internal driveway and the interior side lot line | 1.5 m. |
| (iii) | The required 1.5 metre strip of land abutting the interior side lot line shall be reserved for landscaping purposes and shall contain at least one row of hardy shrubs, not less than 1.5 m. in height, which shall be maintained in a healthy growing condition. | |

13425 (14) Notwithstanding the provisions of Subsection 3(4), 6(2) and 6(3)a) of this Part I, within the area zoned R6-14, the following provisions shall apply:

- | | | |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| i) | Rear Yard Depth (minimum) | 2.8 m. |
| ii) | No off street parking area or internal driveway shall be located closer than 1.5 metres to any street line or any interior side or rear lot line, except that where the land abutting the interior side or rear lot line of an area zoned R6, is used, or zoned, for detached one family dwellings, or is in an RH zone, any parking area or internal driveway shall be separated from such abutting lot line by a strip of land not less than 3.0 metres in width. Such strip of land shall be reserved for landscaping purposes and shall be maintained in a healthy growing condition, except for points of ingress and egress. | |
| iii) | Distance between a parking area and the exterior wall of the main building containing an opening to a habitable room (minimum) | 1.5 m. |

13537 (15) Notwithstanding the provisions of Subsections 3(2), 3(3), 3(8), 6(1), 6(2) and 6(3) of this Part I, within the area zoned R6-15, the following provisions shall apply:

- | | | |
|----|-------------------------------------------------------|-------------|
| a) | Lot area per dwelling unit | 75.0 sq. m. |
| b) | Front yard depth (minimum) | 3.87 m. |
| c) | Landscaped area (minimum) | 27% |
| d) | Parking aisle width (minimum) | 6.0 m. |
| e) | Distance of parking area from street line (minimum) | Nil |
| f) | Distance of parking area from rear lot line (minimum) | Nil |
| g) | Distance of parking area from side lot line (minimum) | 0.6 m. |

- h) Distance from parking area to wall of main building with a window to a habitable room (minimum) Nil
- i) Length of angled parking stall (minimum) 4.7 m.

13539 (16) Notwithstanding the provisions of Subsections 3(2), 3(8), 6(1), 6(2) and 6(3) of the Part I, within the area zoned R6-16, the following provisions shall apply:

- a) Lot area per dwelling unit (minimum) 90.0 sq. m.
- b) Landscaped area (minimum) 37%
- c) Parking aisle width (minimum) 6.3 m.
- d) Distance from parking area to street line (minimum) 0.6 m.
- e) Distance from parking area to side lot line (minimum) Nil
- f) Distance of parking area from wall of main building with a window to a habitable room (minimum) Nil.

13541 (17) Notwithstanding the provisions of Subsections 3.(1), 3.(2), 3.(4), 3.(5), 6.(2), and 6.(3) of this Part I, within the area zoned R6-17, the following provisions shall apply:

- a) lot frontage (minimum) 23.0 m.
- b) number of dwelling units (maximum) 24
- c) rear yard depth (minimum) 2.4 m.
- d) side yard width (minimum) 1.8 m.
- e) distance of parking area from street line, rear lot line, or side lot line (minimum) 1.5 m.
- f) distance of parking area from wall of a main building (minimum) 1.8 m.

13771 (18) Notwithstanding the provisions of Subsection 3.(5) of this Part I, within the area zoned R6-18, the minimum required interior side yard width shall be 3 metres.

Furthermore, within the area zoned R6-18, the provisions of Subsection 15.(1)g) of Part C shall not apply.

13958 (19) Notwithstanding the provisions of Section 1. (1) of this Part 1, within the area zoned R6-19, the permitted uses shall be restricted to a senior citizens' lodging house with occupancy by a maximum number of sixty-two (62) persons in sleeping units. For the purposes of determining the lot area per dwelling unit within the R6-19 zone, four (4) sleeping units are hereby defined to be equivalent to one (1) dwelling unit.

Furthermore, notwithstanding the provisions of Section 3. (5), 6. (2), and 6. (3) of this Part 1, within the area zoned R6-19, the following provisions shall apply:

- i) Interior Side Yard Width (minimum) 3.6 m.
- ii) Distance from Street Line to Parking Area (minimum) 1.5 m.
- iii) Distance from Parking Area to Wall of Main Building with an Opening to a Habitable Room (minimum) 2.2 m.

2000-128 (20) Notwithstanding the provisions of Subsection 3.(1) of this Part I, within the area zoned R6 - 20, the minimum lot frontage shall be 18.0 metres.

2000-124 (21) Notwithstanding the provisions of Subsection 3.(2) of this Part I, within the area zoned R6 - 21, the minimum lot area per dwelling unit shall be 142 square metres.

2003-122 (22) Deleted by By-Law Number 2013-08

2013-08 (22) Notwithstanding the provisions of Subsection 1 (1) and 3 (2) of this Part I, within the area zoned R6-22, a student residence, a special care residential facility and a thirty (30) unit apartment building shall be the only permitted uses. For the purposes of the apartment building use the minimum lot area per dwelling unit shall be 102 square metres.

Notwithstanding the provisions of Subsection 1 (1) of this Part I, within the area zoned R6-22-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this By-Law. The h – holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, after site plan control approval has been given.

2013-147 (NOTE TO FILE: By-Law Number 2013-147, passed August 12, 2013, removed the 'h' holding symbol **only from the lands described as 431 Dundas Street West, City of Belleville, County of Hastings.**)

2003-224 (23) Notwithstanding the provisions of Section 3(1) of this Part I, within the area zoned R6-23, the minimum lot frontage shall be 22.8 metres.

2004-40 (24) Notwithstanding the provisions of Sections 1(1) of this Part I, within the area zoned R6-24, the maximum number of dwelling units permitted is eight (8) and the permitted uses shall be restricted to a double duplex dwelling and the two (2) semi-detached dwellings existing on the date of the passing of this By-Law. Moreover, the two (2) semi-detached dwellings existing on the date of the passing of this By-Law shall be restricted to minimum respective front depths of 1.9 and 1.5 metres, minimum 0.7 metre interior side yard widths and minimum 2.1 metre distances between a driveway and exterior walls with windows into habitable rooms.

2004-89 (25) Deleted by By-Law 2013-67 May 13, 2013 and replaced with following:

2006-169

2013-67

Notwithstanding the provisions of Subsections 1 (1) and 3 (3) of this Part I, Subsection 5 (72) of Part A, Subsection 1 (16) of Part B and Subsection 18 (3) of Part C, within the area zoned R6-25 the only permitted use shall be a special care residential building with a maximum occupancy of fifty (50) units, subject to a minimum front yard depth of 6.3 metres and a minimum outside side yard depth of 1.7 metres. For the purposes of this By-Law the landscaped area shall include the area of a rooftop terrace; and a structure not exceeding approximately 90 square metres and consisting of only stairwells, elevator and corridor to access the rooftop terrace shall not be included for the purpose of determining the height of the building.

2005-56 (26) Notwithstanding the provisions of Sections 3(2), 3(3), 3(8) and 6(2) of this Part I, within the area zoned R6-26, the following provisions shall apply:

- | | | |
|-------|--------------------------------------|--------------|
| (i) | Lot area per Dwelling Unit (minimum) | 130.0 sq. m. |
| (ii) | Front Yard Depth (minimum) | 4.6 m. |
| (iii) | Outside Yard Depth (minimum) | 4.9 m. |
| (iv) | Landscaped Area (minimum) | 30.5 % |
| (v) | Landscaped Strip (minimum) | 1.5 m. |

2009-110 (27) Notwithstanding the provisions of Subsections 3 (2) and 6 (2) of this Part I, within the area zoned R6-27, the minimum lot area per dwelling unit shall be 158.3 square metres and the minimum distance between the off-street parking area or internal driveway to the street line shall be 1.5 metres.

2009-193 (28) Deleted by By-Law Number 2017-229

2017-229 (28) Notwithstanding the provisions of Subsection 15 1 a) of Part C and Subsection 3 (2) of this Part I, within the area zoned R6-28, a maximum forty (40) unit apartment building shall be permitted subject to a minimum parking space length of 5.5 metres and a minimum lot area per dwelling unit of 159.9 square metres.

Notwithstanding the provisions of Subsection 1 (1) of this Part I within the area zoned R6-28-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this by-law. The 'h' holding symbol shall not be removed from the R6-28-h zone until storm water management has been addressed, a traffic impact study has been completed and a Record of Site Condition has been filed, all to the satisfaction of the City.

2011-164 (29) Notwithstanding the provisions of Subsections 3 (2), 3 (4), 6 (2), 6(3) a) of this Part I and Subsection 1 (16) of Part B, within the area zoned R6-29 a six (6) unit converted dwelling shall be a permitted use subject to the following provisions:

- | | |
|----------------------------------------------------------------|------------|
| (i) Lot Area per Dwelling Unit (minimum) | 150 sq. m. |
| (ii) Rear Yard Depth (minimum) | 5.0 m. |
| (iii) Exterior Yard Depth (minimum) | 5.8 m. |
| (iv) Off-street Parking Area Distance to Street Line (minimum) | 2.4 m. |
| (v) Landscaped Strip (minimum) | 1.5 m. |
| (vi) Distance between Parking Area and Main Building | 1.5 m. |

2013-07 (30) Notwithstanding the provisions of Subsections 3 (3), 3 (8), 6 (2) and 6 (3) of this Part I and Subsection 15 (1) of Part C, within the area zoned R6-30 a maximum of six (6) dwelling units shall be permitted subject to the following provisions:

- | | |
|----------------------------------------------------------------------------------------------|--------|
| (i) Front Yard Depth (minimum) | 4.2 m. |
| (ii) Landscaped Area (minimum) | 37.8 % |
| (iii) Distance between Parking Area or Driveway and Interior Side Yard (minimum) | 1.4 m. |
| (iv) Distance between Parking Area or Driveway and Rear Yard (minimum) | 0.7 m. |
| (v) Distance between Parking Area or Driveway and Windows to Habitable Rooms (minimum) | 1.1 m. |
| (vi) Distance between Parking Area or Driveway where no Windows to Habitable Rooms (minimum) | 0.9 m. |
| (vii) Width of Two-Way Driveway (minimum) | 3.0 m. |
| (viii) Parking Aisle Width (spaces 1-4) (minimum) | 4.6 m. |
| (ix) Parking Aisle Width (spaces 5-9) (minimum) | 6.2 m. |

2013-113 (31) Notwithstanding the provisions of Subsections 3 (1), 3 (5) and 6 (2) of this Part I, within the area zoned R6-31 the following provisions shall apply:

- (i) Lot Frontage (minimum) 15.2 m.
- (ii) Interior Side Yard Width (minimum) 3.0 m.
- (iii) Distance between Parking Area or Driveway and Northerly Interior Side Yard (minimum) 1.0 m.
- (iv) Distance between Parking Area or Driveway and Southerly Interior Side Yard (minimum) 1.5 m.

2013-203 (32) Notwithstanding the provisions of Subsection 3 (7), 6 (2) and 6 (3) a) of this Part I, within the area zoned R6-32, a total of 102 dwelling units shall be permitted subject to a maximum building height of 15.2 metres, a minimum distance of 3 metres between the off-street parking area and the street line, and, for the easterly apartment building, a minimum distance of 5 metres between the parking area and windows to habitable rooms.

2016-114

2016-57 (33) Deleted May 8, 2017 and replaced by following:

2017-100 (33) Notwithstanding the provisions of Subsections 1 (1) and, 3 (2) of this Part I, within the area zoned R6-33, a maximum of four (4) apartment buildings containing a total of 120 dwelling units shall be permitted subject to a minimum lot area per dwelling unit of 110 square metres.

Notwithstanding the provisions of Subsection 1 (1) of this Part I within the area zoned R6-33-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this by-law. The "h" holding symbol shall not be removed from the R6-33-h zone until a traffic impact study has been completed to the satisfaction of the City.

2017-230 (34) Notwithstanding the provisions of Subsections 15 1 a), b) and g) of Part C and Subsections 6 (2) and 6 (3) of this Part I, within the area zoned R6-34, parking spaces of 5.5 m. in length are recognized for the existing apartment building, the existing parking areas are permitted to cross property lines, the existing parking is recognized on adjacent land zoned R5-44, driveway accesses are permitted to cross zone boundaries, and Nil separation is allowed between parking spaces and the wall of the main building.

Notwithstanding the provisions of Section 1 of this Part I, within the area zoned R6-34-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this by-Law. The h holding symbol shall not be removed from the R6-34-h zone until site plan control approval has been obtained.

The following provisions shall apply to the use of land and the construction of buildings in all R7 Zones subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Residential Building**

One or more apartment dwellings.

10980 (2) **Accessory Uses, Buildings or Structures**

(a) Any use, building or structure, which is subordinate and customarily incidental to the main residential building.

(b) A day nursery located within an apartment building.

13027 (c) A residential care facility

2. ZONE REQUIREMENTS

- | | | |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| (1) | Lot Frontage (minimum) | 45.7 m. |
| (2) | Lot Area per Dwelling Unit (minimum) | 72.3 sq. m. |
| (3) | Front Yard Depth (minimum) | 10.6 m. |
| (4) | Interior Side Yard Width and Rear Yard Depth (minimum) | 7.5 m., or one-half the height of the main building, whichever is the greater |
| (5) | Gross Floor Area (minimum per dwelling unit) | |
| | a) Bachelor | 28.0 sq. m. |
| | b) One Bedroom | 42.0 sq. m. |
| | c) Two Bedrooms | 55.5 sq. m. |
| | d) Three Bedrooms | 69.5 sq. m. |
| | e) Four Bedrooms | 79.0 sq. m. |
| | f) For each additional bedroom | 9.3 sq. m. |
| (6) | Landscaped Area (minimum) | 40% |
| (7) | Where a lot contains two or more dwellings, the distance between each such dwelling shall be the average of the combined heights of such dwellings. | |
| (8) | Lot Coverage (maximum) | 20% |

3. FOR SENIOR CITIZENS' HOUSING PROVISIONS

See Part C, Section 20.

3a. FOR RESIDENTIAL CARE FACILITIES

13027

The requirements of Section 2, of this Part J, with the exception of Subsection 2(2) shall apply, in addition to the requirements of Part C, Section 22.

4. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

5. OFF-STREET PARKING

- (1) Off-street parking shall be provided in accordance with Part C, Sections 14 and 15, and the following Subsections.
- (2) No off-street parking area or internal driveway shall be located closer than 6.0 m. to any street line nor 1.5 m. to any interior side or rear lot line, except that where the land abutting the interior side or rear lot line of an area zoned R7, is used, or zoned, for detached one family dwellings, or is in a RH Zone, any parking area or internal driveway shall be separated from such abutting lot line by a strip of land not less than 3.0 m. in width. Such strip of land shall be reserved for landscaping purposes and shall contain at least one row of hardy shrubs, not less than 1.5 m. in height, and shall be maintained in a healthy growing condition, except for point of ingress and egress.
- (3) The minimum distance between a driveway and/or parking area, and the exterior wall of the main building on the lot, shall be:
- | | | |
|----|-----------------------------------------------|--------|
| a) | where there are windows to habitable rooms | 7.5 m. |
| b) | where there are no windows to habitable rooms | 1.5 m. |
- (4) Width of Driveways:
- | | | |
|----|-------------------------------------|--------|
| a) | minimum width of a one-way driveway | 3.0 m. |
| b) | minimum width of a two-way driveway | 5.5 m. |

6. SPECIAL PROVISIONS

- (1) Notwithstanding the provisions of Subsection 2(1) of this Part, within the area zoned R7-1, one apartment building may be erected on such lot which has a frontage of 40.6 m.

13905

Furthermore, notwithstanding the provisions of Section 1.(1), 2., and 5.(2), (3) and (4) of this Part J, within the area zoned R7-1, a maximum of six (6) horizontal multiple attached dwellings or semi-detached dwellings shall be permitted in accordance with the following provisions:

- | | | |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 1. | Lot Frontage Per Dwelling Unit (minimum) | 8.5 m. |
| 2. | Front Lot Line Per Dwelling Unit (minimum) | 8.5 m. |
| 3. | Lot Area Per Dwelling Unit (minimum) | 200 sq. m. |
| 4. | Front Yard Depth (minimum) | 3.6 m. |
| 5. | Rear Yard Depth (minimum) | 4.5 m. |
| 6. | Interior Side Yard Depth (minimum)
(Except, where the adjacent property is located within the R7-1 zone, the interior side yard depth may be reduced to NIL.) | 1.2 m. |
| 7. | Landscaped Area (minimum) | 33% |
| 8. | Parking Spaces Per Unit (minimum) | 1 space |

10926 (2) Notwithstanding the provisions of Subsection 2(3) and 5(2) of this Part J, within the area zoned R7-2, the uses permitted shall include two apartment buildings with a minimum front yard depth of 6.1 m., and the parking areas of which may abut the common interior side lot line.

11364 (3) Notwithstanding the provisions of Sections 2 and 5 of this Part J, and the provisions of Section 15 of Part C, within the area zoned R7-3 the following provisions shall apply:

(a) Zone Requirements

- | | | |
|-------|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| i. | Lot Frontage (minimum) | 31.3 m. |
| ii. | Lot Area per Dwelling Unit (minimum) | 101.0 sq. m. |
| iii. | Front Yard Depth (minimum) | 5.0 m. |
| iv. | Interior Side Yard Width (minimum) | 7.5 m. or one-half the height of the main building, whichever is the greater |
| v. | Rear Yard Depth (minimum) | 6.5 m. |
| vi. | Gross Floor Area (minimum per dwelling unit) | |
| | - Bachelor | 28.0 sq. m. |
| | - One Bedroom | 42.0 sq. m. |
| | - Two Bedrooms | 55.5 sq. m. |
| | - Three Bedrooms | 69.5 sq. m. |
| | - Four Bedrooms | 79.0 sq. m. |
| | - For each additional bedroom | 9.3 sq. m. |
| vii. | Landscaped Area (minimum) | 40% |
| viii. | Lot Coverage (maximum) | 25% |
| ix. | Building Height (maximum) | 10.6 m. |
| x. | Total Number of Dwelling Units per Lot (maximum) | 24 |
| xi. | Where a Lot contains two or more dwellings, the minimum distance between each such dwelling shall be | 6.5 m. |

(b) Off-Street Parking

- i. Off-street parking shall be provided in accordance with Part C, Section 14 and the following Subsections.
- ii. Every parking space shall have a minimum width of 2.7 m. and a minimum length of 6.0 m.
- iii. All off-street parking required for any main use shall be provided on the same lot on which the main use is located.

- iv. Ingress and egress directly to any off-street parking space shall be by means of a hard surfaced aisle having a width of a minimum of 4.9 m.
- v. The parking area shall be constructed of crushed stone, slag, gravel, having an asphalt or cement binder, or any type of permanent type surfacing with drainage facilities that comply with the requirements of the Corporation.
- vi. Every driveway to a parking area shall be surfaced in the same or better manner as the parking area. Such driveway or driveways shall have a minimum width of 5.0 m.
- vii. The lights used for illumination of the parking area shall be so arranged as to divert the light away from adjacent lots.
- viii. Driveways to a parking area shall not pass through zones other than the one containing such parking area.
- ix. When a building or structure accommodates more than one type of use, the off-street parking space requirement for the whole building shall be the sum of the requirements for the separate parts of the building or structure occupied by the separate types of use.
- x. No off-street parking area or internal driveway shall be located closer than 3.5 m. to any street line nor 1.5 m. to any interior side or rear lot line. The 1.5 metre minimum strip of land along the interior side or rear lot line shall be reserved for landscaping purposes and shall contain at least one row of hardy shrubs, not less than 1.5 m. in height at maturity, and shall be maintained in a healthy growing condition, except for points of ingress and egress.

11380 (4) Notwithstanding the provisions of Subsection 2.(2) and in addition to the provisions of Section 2 of this Part J, within the area zoned R7-4, the maximum number of dwelling units permitted shall be limited to sixty (60) units and the building height shall be restricted to a maximum of 10.6 m.

12514 (5) Notwithstanding the provisions of Subsections 2.(3), 2.(4), 2.(8) and 5.(2) of this Part J, within the area zoned R7-5 the following provisions respectively shall apply:

- a) Front Yard Depth (minimum) 7.5 m.
- b) Interior Side Yard Width (north side) (minimum) 4.5 m.
- c) Lot Coverage (maximum) 31.5 %
- d) No off-street parking area shall be located closer than 1.5 m. to any street line, nor 3.0 m. closer to any interior side or rear lot line which 3.0 m. separation strip shall be reserved for landscaping purposes and shall contain at least one row of hardy shrubs not less than 1.5 m. in height and shall be maintained in a healthy growing condition.

12862 (6) Notwithstanding but in addition to the uses permitted by the provisions of Subsection 1. of this Part J, within the area zoned R7-6, a public or private park, playground and/or athletic field shall be a permitted use.

13535 (7) Notwithstanding the provisions of Subsections 2.(1), 2.(3), 2.(4), 5.(1), 5.(2), and 5.(3) of this Part J, within the area zoned R7-7, the following provisions shall apply:

a)	lot frontage (minimum)	39.7 m
b)	outside side yard (minimum)	7.6 m
c)	interior side yard (minimum)	3.0 m
d)	distance from parking area to street line (minimum)	3.0 m
e)	distance from parking area to property in residential zone (minimum)	1.5 m
f)	distance from parking area or internal driveway to wall of main building with a window to a habitable room (minimum)	4.0 m
g)	number of parking spaces (minimum)	43
h)	number of dwelling units (maximum)	40

2005-82 (8) Deleted June 5, 2007 and replaced by following:
2007-83 Deleted May 6, 2009 and replaced by following:

2009-51 (8) Notwithstanding the provisions of Subsection 1(16) of Part B, Section 14 of Part C and Subsections 1(1), 2(2), 2(3), 2(4), 2(6), 2(8) and 5(2) and 5(3) a) of this Part J, within the area zoned R7-8, the following uses shall be permitted:

1. A special care residential building, comprising a maximum of 465 units, or;
2. A special care residential building, comprising a maximum of 240 units and an alternate level of care facility, comprising a maximum of 225 units; or
3. A special care residential building, comprising a maximum of 240 units and a senior's apartment building comprising a maximum of 112 units.

The following provisions also apply:

(i)	Front Yard Depth (minimum)	4.0 m
(ii)	Outside Side Yard Depth (minimum)	2.0 m
	- 2 storey	6.0 m
	- 3 storey	9.0 m
	- 5 storey	13.0 m
	- 6 storey	16.0 m
	- 8 storey	20.0 m
(iii)	Interior Side Yard Width (minimum)	3.0 m
	- Next to R2 Zone	15.0 m
(iv)	Rear Yard Depth (minimum)	10.0 m
	- 3 storey	20.0 m
	- 5 storey	28.0 m
	- 7 storey	34.0 m
(v)	Lot Coverage (maximum)	39%
(vi)	Landscaped Area (minimum)	38%
(vii)	Minimum Parking Space Requirements:	
	(a) Special care residential or alternate level of care facility: three (3) units equal one (1) dwelling unit for parking space calculation purposes.	
	(b) Seniors apartment units: (two) seniors apartment units equal one (1) dwelling unit for parking space calculation purposes.	
(viii)	Internal Driveway Distance from a Street Line (minimum)	Nil
(ix)	Distance between Off-Street Parking Area and Rear Lot Line (minimum)	1.5 m
(x)	Driveway Distance from an Exterior Wall of the Main Building containing Habitable Windows (minimum)	2.0 m
(xi)	None of these provisions are deemed to have been contravened by reason of the fact that part of the lot has been conveyed to the municipality.	

2005-82 (9) Notwithstanding the provisions of Sections 2(2), 2(3), 2(4), 2(8) and 5(3) of this Part J, within the area zoned R7-9, two (2) senior's housing units shall equal one (1) dwelling unit for lot area calculation purposes for a condominium apartment comprising a maximum of 125 units subject to the following provisions:

- | | | |
|-------|-----------------------------------------------------------------------------------------------------|-------|
| (i) | Front Yard Depth (minimum) | 7.5 m |
| (ii) | Interior Side Yard Width (minimum) | 6.0 m |
| (iii) | Lot Coverage (maximum) | 27% |
| (iv) | Driveway Distance from an Exterior Wall of the Main Building containing Habitable Windows (minimum) | 5.0 m |

2006-167 (10) Deleted July 14, 2008 and replaced by following:

2008-134 (10) Notwithstanding the provisions of Section 14 of Part C and Sections 2 (2), 2 (4), 2 (8) and 5 (3) a) of this Part J, within the area zoned R7-10 the only permitted use shall be a special care residential facility to comprise a maximum of 120 units with a maximum height of four (4) storeys, subject to four (4) seniors units equaling one (1) dwelling unit for parking purposes, a minimum lot area per dwelling unit of 60.0 square metres, an outside side yard depth to equal one-half the height of the building, a maximum lot coverage of 35.5 percent, and a minimum distance of 3.0 metres between a driveway and/or parking area and that portion of the building that has windows to habitable rooms.

2006-167 Notwithstanding the provisions of Section 1 of this Part J, within the area zoned R7-10-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of the R7-10-h zone. The "h" holding symbol shall not be removed from the R7-10-h zone until it has been demonstrated to the satisfaction of the municipality that the required environmental remediation has been completed for the site and a Record of Site Condition has been filed.

2007-191 (10) Notwithstanding the provisions of Section 2(3) of this Part J, within the area zoned R7-11, the only permitted use shall be a maximum eighteen (18) unit apartment building with a height of three (3) storeys and a minimum front yard depth of 7.5 metres .

Notwithstanding the provisions of Section 1 of this Part J, within the area zoned R7-11-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of the R7-11-h zone. The "h" holding symbol shall not be removed from the R7-11-h zone until it has been demonstrated to the satisfaction of the municipality that the required environmental remediation has been completed for the site and a Record of Site Condition has been filed.

2008-189 (NOTE TO FILE: By-Law Number 2008-189, passed October 14, 2008, removed the 'h' holding symbol **only from the lands described as 24 Starling Street, City of Belleville, County of Hastings.**)

7. FOR DAY NURSERY PROVISIONS

10980

See Part C, Section 21.

The following provisions shall apply to the use of land and the construction of buildings located in all R7C1 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Building**

An apartment dwelling.

(2) **Accessory Uses, Buildings or Structures**

a) Any use, building or structure, which is subordinate and customarily incidental to the main building.

b) A convenience store, dealing in groceries and sundries, located within apartment buildings.

10980 c) A day nursery located within an apartment building.

13027 d) A residential care facility.

2. ZONE REQUIREMENTS FOR AN APARTMENT DWELLING

Apartment dwelling to be constructed according to the requirements of an R7 Zone. (Part J of this By-Law)

3. ZONE REQUIREMENTS FOR A CONVENIENCE STORE

(1) Minimum Floor Area of an apartment building in which a convenience store may be located 12,077.0 sq. m.

(2) Maximum Floor Area of Convenience Store 69.5 sq. m.

(3) The store must be located entirely within the apartment building it is intended to serve.

(4) No direct access into the store shall be provided from the exterior of the apartment building.

(5) No signs or any other form of advertising are to be displayed in such a way as to be seen from the exterior of the apartment building.

(6) The store must be located in such a way so as not to alter the residential character of the apartment building when viewed from its exterior.

(7) A sign must be prominently located near the store's interior entrance indicating that it is intended strictly for the use of the apartment building residents, not the outside general public.

3a. ZONE REQUIREMENTS FOR RESIDENTIAL CARE FACILITIES

13027

The requirements of Section 2, of Part J, with the exception of Subsection 2(2) shall apply, in addition to the requirements of Part C, Section 22.

4. ZONE REQUIREMENTS FOR A DAY NURSERY

10980

See Part C, Section 21.

The following provisions shall apply to the use of land and the construction of buildings in all R8 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Residential Building**

One or more apartment dwellings.

10980 (2) **Accessory Uses, Buildings or Structures**

a) Any use, building or structure, which is subordinate and customarily incidental to the main residential building.

b) A day nursery located within an apartment building.

13027 c) A residential care facility.

2. ZONE REQUIREMENTS

(1) Lot Frontage (minimum) 61.0 m.

(2) Lot Area per Dwelling Unit (minimum) 40.5 sq. m.

(3) Front Yard Depth (minimum) 10.6 m.

(4) Interior Side Yard Width and Rear Yard Depth (minimum) 7.5 m. or one-half the height of the main building, whichever is the greater.

(5) Gross Floor Area (minimum per dwelling unit)

a) Bachelor 28.0 sq. m.

b) 1 Bedroom 42.0 sq. m.

c) 2 Bedrooms 55.5 sq. m.

d) 3 Bedrooms 69.5 sq. m.

e) 4 Bedrooms 79.0 sq. m.

f) for each additional Bedroom 9.3 sq. m.

(6) Where a lot contains two or more dwellings, the distance between each of such dwellings shall be the average of the combined heights of such dwellings.

3. FOR SENIOR CITIZEN'S HOUSING PROVISIONS

See Part C, Section 20.

3a. FOR RESIDENTIAL CARE FACILITIES

13027

The requirements of Section 2, of this Part K, with the exception of Subsection 2(2) shall apply, in addition to the requirements of Part C, Section 22.

4. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

5. OFF-STREET PARKING

- (1) Off-street parking shall be provided in accordance with Part C, Sections 14 and 15, and the following Subsections.
- (2) No off-street parking area or internal driveway shall be located closer than 6.0 m. to any street line nor 1.5 m. to any side or rear lot line, except that where the land abutting an area zoned R8, is used, or zoned, for detached one family dwellings, or is in an RH Zone, any parking area or internal driveway shall be separated from such abutting lot line by a strip of land not less than 3.0 m. in width. Such strip of land shall be reserved for landscaping purposes and shall contain at least one row of hardy shrubs, not less than 1.5 m. in height and shall be maintained in a healthy growing condition, except for points of ingress and egress.
- (3) The minimum distance between a driveway and/or parking area, and the exterior wall of the main building on the lot, shall be:
 - a) Where there are windows to habitable rooms 7.5 m.
 - b) Where there are no windows to habitable rooms 1.5 m.
- (4) Width of Driveways:
 - a) Minimum width of a one-way driveway 3.0 m.
 - b) Minimum width of a two-way driveway 5.5 m.

6. FOR DAY NURSERY PROVISIONS

10980

See Part C, Section 21.

7. SPECIAL PROVISIONS

O.M.B. ORDER DATED SEPTEMBER 19, 2014 - FIRST PARAGRAPH DELETED BY BY-LAW NUMBER 2014-25 & REPLACED AS FOLLOWS

2014-25 (1) Notwithstanding the provisions of Subsection 2 of this Part I, within the area zoned R8-1 a maximum of 97 dwelling units shall be permitted subject to the following provisions:

- (i) Lot Frontage (minimum) 30.0 m.
- (ii) Lot Area per Dwelling Unit (minimum) 50.0 sq. m.
- (iii) Front Yard Depth (minimum) NIL
- (iv) Rear Yard Depth (minimum) NIL
- (v) Interior Side Yard Width (minimum) NIL

2012-140

Notwithstanding the provisions of Subsection 1 (1) of this Part K, within the area zoned R8-1-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this by-law. The h – holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, when it has been demonstrated to the satisfaction of the municipality that the land has been environmentally remediated, a Record of Site Condition has been filed and that site plan control approval has been obtained.

The following provisions shall apply to the use of land and the construction and use of buildings in all RH Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain existing buildings and structures thereon for any of the following purposes:

(1) Main Uses, Buildings and Structures

Only residential uses, buildings or structures, which existed at the date of passing of this By-Law. Strengthening, restoration and replacement of such existing buildings or structures shall be permitted subject to the provisions of Part B, Subsection 2(2).

2. SPECIAL PROVISIONS

12328 (1) Notwithstanding, and in addition to the provisions of Subsection 1(1) of this Part L, within the area zoned RH-1, an existing main residential building may be extended or enlarged provided that such extension or enlargement complies with the provisions of Part E, Section 2 of this By-Law.

Notwithstanding the provisions of Subsection 1(1) of this Part L, within the area zoned RH-1, any accessory building or structure which is subordinate and customarily incidental to a main residential building may be erected, used and maintained provided that such building or structure complies with the provisions of Part C, Section 8 of this By-Law.

The following provisions shall apply to the use of land and the construction of buildings in the Residential Special Zone subject to the General Provisions under Part B and Part C of By-Law Number 10245.

98-78

1. PERMITTED USES

(1) **Main Building**

Detached single unit dwellings

(2) **Accessory Uses, Buildings or Structures**

- (a) Any use, building, or structure, which is subordinate and customarily incidental to the main building.
- (b) A home occupation.
- (c) An office for a professional person.

2. ZONE REQUIREMENTS FOR DETACHED ONE UNIT DWELLING

(1) **Servicing**

Notwithstanding Part B Section 1(17), General Provisions of Zoning By-Law Number 10245, the permitted uses may be serviced with private water supply and sewage disposal services.

(2) Existing single unit detached dwellings may be replaced, extended or enlarged in accordance with the following:

- (i) Lot Frontage (minimum) 23.0 m
- (ii) Lot Area (minimum) 1475 m²
- (iii) Front Yard Depth (minimum) 15.0 m
- (iv) Interior Side Yard Width (minimum) 1.4 m on one side for existing buildings and 3.0 metres for additions or enlargements, and 5.0 m on the other side
- (v) Rear Yard Depth (minimum) 15.0 m
- (vi) Lot Coverage (maximum) 20%
- (vii) Building Height (maximum) 10.6 m
- (viii) Minimum width of landscaped buffer adjacent to the side and rear lot line to be reserved for planting of trees, shrubs, grasses or other plants 3.0 m

(3) **For Accessory Buildings or Structures Provisions**

In addition to the requirements of Part C, Section 8, a minimum setback from the side or rear lot line of 3.0 m is required.

(4) **For Home Occupation Provisions**

See Part C, Section 9 of Zoning By-Law Number 10245

(5) **For Office of Professional Persons**

See Part C, Section 10 of Zoning By-Law Number 10245

The following provisions shall apply to the use of land and the construction of buildings in all C1 Zones subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes which provide for the day to day needs of the immediate surrounding residential area. The following uses shall be permitted in either a shopping centre or on an individual basis.

(1) **Main Commercial Uses**

- a) barber shop;
- b) beauty salon;
- c) business and/or professional office;
- d) convenience store;
- e) dry cleaning and/or laundry collecting agency.

10980 (2) **Other Uses**

- a) A day nursery

10980 (3) **Accessory Uses, Buildings or Structures**

Any use, building or structure, which is subordinate and customarily incidental to a main commercial use of the building.

2. ZONE REQUIREMENTS, EXCEPT FOR A DAY NURSERY

10980

- | | | |
|-----|----------------------------|----------------|
| (1) | Lot Area (maximum) | 8,093.5 sq. m. |
| (2) | Front Yard Depth (minimum) | 7.5 m. |
| (3) | Rear Yard Depth (minimum) | 7.5 m. |

Where the rear yard abuts a lot which is located in a Residential Zone or RH Zone, the 1.5 m. abutting the rear lot line shall be maintained as a landscaped area.

- | | | |
|-----|------------------------------------|--------|
| (4) | Interior Side Yard Width (minimum) | 7.5 m. |
|-----|------------------------------------|--------|

Where the side yard abuts a lot which is located in a Residential Zone or RH Zone, the 1.5 m. abutting the side lot line shall be maintained as a landscaped area.

Where the interior side yard abuts another lot in a C1 Zone, no side yard shall be required along such abutting lot line.

- | | | |
|-----|-------------------------------------|----------------|
| (5) | Gross Leasable Floor Area (maximum) | 3,251.5 sq. m. |
| (6) | Lot Coverage (maximum) | 40% |
| (7) | Building Height (maximum) | 10.6 m. |

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

4. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

5. FOR OFF-STREET LOADING PROVISIONS

See Part C, Sections 16 and 17.

6. SPECIAL PROVISIONS

12545 (1) Notwithstanding the provisions of Subsection 1.(1) of this Part M, in the area zoned C1-1 the permitted uses shall be limited to a business and/or professional office uses, not to exceed a maximum of three.

Notwithstanding the zone requirements of Sections 2.(2) and 2.(4) of this Part M, and the provisions of Part B, Section 1.(16) and Part C, Section 14., within the area zoned C1-1, the following zone requirements and provisions shall apply:

- (i) Front Yard Depth (minimum) 2.8 m.
- (ii) Interior Side Yard Width (minimum) 4.0 m.

Where the side yard abuts a lot which is located in a Residential Zone or RH Zone, the 1.5 m. abutting the side lot line shall be maintained as a landscaped area.

- (iii) Outside Side Yard Width (minimum) 6.0 m.
- (iv) Off-Street Parking Requirement

There shall be provided and maintained 1 parking space for every 32.5 sq. m. of gross floor area.

12489 (2) Notwithstanding the provisions of Section 1.(1) of this Part M, within the area zoned C1-3, the permitted uses shall include, in addition to those uses listed in Section 1. of this Part M, a drug store; a medical clinic and a medical supplies retail store.

2013-202

Furthermore, and notwithstanding the requirements of Sections 2.(2) and 2.(4) of this Part M, and the provisions of Part B, Section 1.(16) of this By-Law, within the area zoned C1-3, the following requirements shall apply:

- (i) Front Yard Depth (minimum) 3.0 m.
- (ii) Interior Side Yard Width (minimum) 15.0 m.
(south side)

Where the side yard abuts a lot which is located in a Residential Zone or RH Zone, a minimum 1.5 m. strip of land abutting the side lot line shall be maintained as a landscaped area.

Where the interior side yard abuts another lot in a C1 Zone, no side yard shall be required along such abutting lot line.

- (iii) outside side yard width (minimum) 4.5 m.

12922 (3) Notwithstanding the provisions of Section 1(1) of this Part M, within the area zoned C1-4, the permitted uses shall be limited to a beauty salon.

2015-23 2nd Paragraph deleted in its entirety & replaced as follows:

2015-116 Furthermore, and notwithstanding the provisions Subsection 12 (1) of Part C and Subsections 1 (1), 2 (4) and 2 (7) of this Part M, within the area zoned C1-4, the minimum north interior side yard width shall be 4 m. with allowance for a basement stairway access to project 1.3 metres, the maximum building height shall be 6.1 m. and the rear 33 m. of 14 Maple Drive shall be restricted to parking only.

98-57 (4) Notwithstanding and in addition to the provisions of Section 1(1) of this Part M, within the area zoned C1-5, a taxi business shall be a permitted use.

2000-03 (5) Notwithstanding and in addition to the provisions of Section 1(1) of this Part M, within the area zoned C1-6, a coin-operated laundry and eating establishment shall be permitted uses.

2000-86 (6) Notwithstanding and in addition to the provisions of Section 1. (1) of this Part M, within the area zoned C1 - 7, a take-out restaurant having a maximum of twenty (25) seats, shall be a permitted use, provided that no other use or uses occupies more than 130.0 square metre of gross floor area.

2004-162 (7) Notwithstanding the provisions of Section 1(1) of this Part M, within the area zoned C1-8, the only permitted uses shall be a beauty salon, a business and/or professional office and a dwelling unit."

7. FOR DAY NURSERY PROVISIONS

10980

See Part C, Section 21.

11801

The following provisions shall apply to the use of land and the construction of buildings in all CC Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the purposes listed below. These uses shall be permitted in the form of a shopping centre. The primary purpose of the zone is to allow neighbourhood stores to which the neighbourhood residents would have frequent occasions to resort, such as grocery and food stores, hardware stores, beauty and barber shops, banks, taxi establishments, bake shops, restaurants, take-out eating establishments, cleaning and laundry depots and laundromats, clothing stores, and professional and business offices, but not including department stores.

(1) **Main Commercial Uses**

- a) ambulance service;
- b) assembly hall;
- c) bake shop;
- d) bank and/or trust company;
- e) barber shop;
- f) beauty salon;
- g) business, professional and/or administrative office;
- h) coin-operated laundry;
- i) convenience store;
- j) drug store;
- k) dry cleaning and/or laundry establishment;
- l) eating establishment;
- m) laundry collecting agency;
- n) medical clinic;
- o) public parking area;
- p) retail store (excluding department store);
- q) service shop;
- r) take-out eating establishment;
- s) tavern;
- t) taxi stand.

(2) **Other Uses**

- a) A day nursery.

(3) **Accessory Uses, Buildings or Structures**

Any use, building or structure which is subordinate and customarily incidental to a main commercial use of the building.

2. ZONE REQUIREMENTS, EXCEPT FOR A DAY NURSERY

- | | | |
|-----|----------------------------|---------------|
| (1) | Lot Area (maximum) | 30,000 sq. m. |
| (2) | Front Yard Depth (minimum) | 7.5 m. |
| (3) | Rear Yard Depth (minimum) | 7.5 m. |

Where the rear yard abuts a lot which is located in a Residential Zone or RH Zone, the 1.5 m. abutting the rear lot line shall be maintained as a landscaped area.

- (4) Interior Side Yard Width (minimum) 7.5 m.

Interior Side yards are required only where the side yard abuts a lot which is located in a Residential Zone or RH Zone, and the 1.5 m. abutting the side lot line shall be maintained as a landscaped area.

- (5) Lot Coverage (maximum) 25%

- (6) Building Height (maximum) 10.6 m.

- (7) Gross Leasable Floor Area (maximum)

The maximum gross leasable floor area for the shopping centre shall be 6,330 sq. m., and the maximum gross leasable floor area for one or more retail stores permitted under Section 1(1p) (excluding retail stores in the form of a food supermarket or grocery store) of this Part M-1 shall not exceed 20% of the gross leasable floor area of the entire development.

O.M.B.
Decision
06/19/86

No retail store in the form of a food supermarket or grocery store shall contain a gross leasable floor exceeding 3250 sq. m.

- (8) Landscaped Area (minimum) 15%

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

4. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

5. FOR OFF-STREET LOADING PROVISIONS

See Part C, Sections 16 and 17.

6. FOR DAY NURSERY PROVISIONS

See Part C, Section 21.

7. OUTDOOR PATIO PROVISIONS

13390

Within this Part M-1, an outdoor patio shall be permitted when developed in association with a permitted eating establishment, subject to the requirements of Section 24 of Part C.

The following provisions shall apply to the use of land and the construction of buildings in all C2 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes. These uses shall be permitted in either a shopping centre or on an individual basis.

(1) Main Commercial Uses

- a) ambulance service;
- b) assembly hall;
- c) bake shop;
- d) bank and/or trust company;
- e) billiard parlour;
- f) bowling alley;
- g) business, professional and/or administrative office;
- h) coin-operated laundry;
- i) commercial school;
- j) dry cleaning establishment;
- k) eating establishment;
- l) hotel;
- m) labour union hall;
- n) medical clinic;
- o) monument shop;
- p) motel;
- q) motor vehicle body shop, only if wholly enclosed;
- r) motor vehicle rental agency;
- s) motor vehicle repair garage;
- t) motor vehicle sales room and lot;
- u) printing and/or publishing establishment;
- v) public parking area;
- w) retail store;
- x) service shop;
- y) tavern;
- z) taxi stand;
- aa) theatre;
- bb) undertaking establishment.

10413 (2) Main Community Facility Uses

All Community Facility Uses permitted in Part Y.

(3) Main Residential Uses

Dwelling units above the first floor of commercial uses other than motor vehicle body shops, motor vehicle sales rooms and lots and/or motor vehicle repair garages.

(4) Accessory Uses, Buildings or Structures

Any use, building or structure, which is subordinate and customarily incidental to a main use of the building.

2. ZONE REQUIREMENTS FOR COMMERCIAL USES

- (1) Front Yard Depth (minimum) Nil

- (2) Rear Yard Depth (minimum) Nil, except

Where the rear yard abuts a lot located in a Residential Zone or RH Zone, or where the rear yard abuts an existing residential dwelling, in which case, a minimum rear yard of 7.5 m. shall be provided, of which the 1.5 m. of land abutting the lot line shall be maintained as landscaped area. In the case of a through lot, no landscaped area shall be required.

- (3) Interior Side Yard Width (minimum) Nil, except

Where the side yard abuts a lot located in a Residential Zone or RH Zone, or where the side yard abuts an existing residential dwelling, in which case, a minimum side yard of 7.5 m. shall be provided, of which the 1.5 m. of land abutting the lot line shall be maintained as landscaped area.

- 10942 (4) Height (maximum) 10.6 m.

3. ZONE REQUIREMENTS FOR RESIDENTIAL USES

- (1) Gross Floor Area (minimum per dwelling unit)

a)	Bachelor	28.0 sq. m.
b)	1 Bedroom	42.0 sq. m.
c)	2 Bedrooms	55.5 sq. m.
d)	3 Bedrooms	69.5 sq. m.
e)	4 Bedrooms	79.0 sq. m.
f)	for each additional Bedroom	9.3 sq. m.

- 10413 (2) Notwithstanding the provisions of Part C, Section 15(1) parking shall be provided in accordance with the requirements of Part C, Section 14.

4. FOR CHURCH PROVISIONS

See Part Y, Section 2.

5. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

5a. OUTDOOR PATIO PROVISIONS

13390

Within this Part N, an outdoor patio shall be permitted when developed in association with a permitted eating establishment, subject to the requirements of Section 24 of Part C.

6. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

7. FOR OFF-STREET LOADING PROVISIONS

See Part C, Sections 16 and 17.

8. SPECIAL PROVISIONS

- (1) Notwithstanding the provisions of Subsection 1(1) of this Part, the existing private clubs, at the locations listed below, are permitted, in addition to those uses listed in Section 1 of this Part. These existing private clubs shall be subject to the zone regulations of Part Y, Section 2 of this By-Law.

Location of Private Club

- a) 187 Front Street
- b) 399 Front Street
- c) 132 Pinnacle Street

- 10746 (2) Notwithstanding the provisions of Subsection 1(1) of this Part N, in the area zoned C2-1, the uses permitted shall be limited to parking and/or a garden centre and/or open air retail sales area including the sale of garden products and supplies, nursery stock, Christmas trees, and small garden machinery, subject to the provisions of Part N, Sections 1(4), 2, 5, 6 and 7.
- 10851 (3) Notwithstanding the provisions of Section 1 of this Part N, in the area zoned C2-2 permitted uses will be restricted to a 68 unit motel.
- 10942 (4) Notwithstanding the provisions of Subsection 2(4) of this Part N, in the area zoned C2-3, the minimum height shall be 3 storeys or 10.6 m. whichever is the greater, and the maximum height shall be 4 storeys.
- (5) Notwithstanding the provisions of Subsection 2(4) of this Part N, in the area zoned C2-4 the maximum height shall be 6 storeys.
- (6) Notwithstanding the provisions of Subsection 1(1) of this Part N, in the area zoned C2-5, the uses permitted shall be limited to "**a public parking area.**"
- (7) Notwithstanding the provisions of Subsection 2(4) of this Part N, in the area zoned C2-6, no maximum height limitation shall apply.
- (8) Notwithstanding the provisions of Subsection 2(4) of this Part N, in the area zoned C2-7, the maximum height shall be five storeys.
- 10967 (9) Notwithstanding the provisions of Subsection 1(1) of this Part N, within the area zoned C2-8, the uses permitted shall be limited to business, professional and/or administrative offices.
- 11022 (10) Notwithstanding the provisions of Subsection 1(1) of this Part N, in the area zoned C2-9, the uses permitted shall be restricted to "**a new and used car sales lot**".
- 11358 (11) Within an area zoned C2-10 the uses as contained in this Part N, Section 1 are permitted subject to the provisions of this Part N, and in addition a motor vehicle gasoline bar is permitted subject to the provisions of Part S.
- 11574 (12) Notwithstanding the provisions of Section 1(1) of this Part N, within the area zoned C2-11, the uses permitted shall be restricted to "**an eating establishment**".
- 11799 (13) Notwithstanding the provisions of Section 1(1) of this Part N, within the area zoned C2-12 the uses permitted shall be limited to a business, professional and/or administrative office within the existing building. Furthermore, the use of the existing associated off-street parking area on the site shall be restricted to parking in conjunction with a business, professional and/or administrative office.
- 11814 (14) Notwithstanding the provisions of Section 1(1) of this Part N, within the area zoned C2-13, the uses permitted shall be restricted to a bake shop, bank and/or trust company, business, professional and/or administrative office, coin-operated laundry, commercial school, eating establishment, medical clinic, public parking area, retail store and service shop.
- 12054 (15) Notwithstanding the provisions of Section 2(3) of this Part N, in the area zoned C2-14, the minimum interior side yard width shall be 1.5 m.

12158 (16) Notwithstanding the provisions of Section 1(1) of this Part N, within the area zoned C2-15, the main commercial uses shall be limited to a bake shop, a bank and/or trust company, a business, professional, and/or administrative office, a coin-operated laundry, a commercial school, an eating establishment, a medical clinic, a public parking area, a retail store, a service shop, and a veterinary hospital.

Notwithstanding the zone requirements of Sections 2(2) and 2(3) of this Part N, and the provisions of Part C, Section 15(2)d), within the area zoned C2-15, the minimum rear yard depth shall be 25.0 m., the minimum interior side yard width shall be Nil, and minimum distance between the off-street parking area and the side or rear lot line shall be 0 m.

(17) Deleted by By-Law 2003-09 January 13, 2003

12462 (18) Notwithstanding the provisions of Section 1.1) of this Part N, within the area zoned C2-17, the main commercial uses permitted shall be limited to a bake shop, a bank and/or trust company, a business, professional and/or administrative office, a coin-operated laundry, an eating establishment, a motor vehicle rental agency and/or sales room and lot, a public parking area, a retail store, and a service shop.

Notwithstanding the zone requirements of Sections 2.(2), 2.(3) and 2.(4) of this Part N, and the provisions of Part C, Section 15.(1)c) of this By-Law, within the area zoned C2-17, the following provisions shall apply:

(i) Rear Yard Depth (minimum) 15.0 m.

and no landscaped area abutting the rear lot line shall be required

(ii) Interior Side Yard Width (minimum)

(a) on the north side Nil
(b) on the south side 5.8 m.

and no landscaped area abutting the side lot lines shall be required

(iii) Height (maximum) 1 storey

(iv) Width of access aisle to parking spaces (minimum) 3.3 m.

12547 (19) C2-18 amended November 15, 1988 and replaced by following:

13718 (19) Notwithstanding the provisions of Subsection 2.(4) of this Part N, within the area zoned C2-18, the maximum building height shall be six (6) storeys.

Furthermore, notwithstanding the provisions of Part C, Section 14. within the area zoned C2-18, the following shall be the off-street parking requirements:

- i) 1.25 parking spaces per residential unit;
- ii) 3.5 parking spaces per 93.0 sq. m. of gross leasable floor area. (Gross leasable floor area not to include pedestrian walkways or other common areas within the development.)

12603 (20) Notwithstanding the provisions of Section 1.(1) of this Part N, within the area zoned C2-19, the uses permitted shall be restricted to a motor vehicle body shop, motor vehicle rental agency, motor vehicle repair garage, motor vehicle sales room and lot, business, professional, and/or administrative office, medical clinic, printing and/or publishing establishment, retail store, and service shop.

12653 (21) Notwithstanding and in addition to the provisions of Section 14. of Part C, and notwithstanding the provisions of Section 7. of this Part N, within the area zoned C2-20, the following provisions shall apply to any permitted commercial school use, and/or business, professional and/or administrative office, which uses shall not exceed 929.0 sq. m. gross floor area:

- (i) the minimum number of required parking spaces shall be 30 spaces;
- (ii) no off-street loading facilities shall be required.

12759 (22) Notwithstanding the zone requirements of Section 2.(3) of this Part N, within the area zoned C2-21, the following provisions shall apply:

(i) Interior Side Yard Width (minimum):

(a) on the north side 0.4 m.

and no landscaped area abutting the north side lot line shall be required

(b) on the south side Nil

12948 (23) Notwithstanding the provisions of Section 1 of this Part N, within the area zoned C2-22, the permitted uses shall be restricted to business, professional, administrative and/or government offices and/or residential dwelling units above the first floor of permitted commercial uses.

Notwithstanding the zone requirements of Subsections 2(1), 2(2), 2(3) of this Part N, and the provisions of Part C, Subsection 15(2)d) of this By-Law, within the area zoned C2-22, the following provisions shall apply:

- i) Front Yard Depth (minimum) 7.5 m.
- ii) Rear Yard Depth (minimum) 7.5 m.
- iii) Interior Side Yard Depth (minimum) 7.5 m.
- iv) Outside Side Yard Depth (minimum) 7.5 m.
- v) Landscaped Strip Adjacent to Residential Zone (minimum width) 3.0 m.

12951 (24) Notwithstanding the zone requirements of Section 1 and Subsection 2(3), of this Part N within the area zoned C2-23, the uses permitted shall be limited to a private club, assembly hall, bake shop, bank and/or trust company, business, professional and/or administrative office, eating establishment, labour union hall, medical clinic, and service shop, and the minimum interior side yard width shall be 3.0 metres.

13040 (25) Notwithstanding the parking provisions of a retail store, but in addition to the provisions of Part C, Section 14, within the area zoned C2-24, the portion of the building used for storage area shall provide parking on the basis of one (1) parking space per 92.9 sq. m. of gross floor area used for storage.

13424 (26) Notwithstanding the provision of Subsection 1(1) of this Part N, within the area zoned C2-25, in addition to those uses already permitted, a Recreational Facility shall be a permitted use.

13431 (27) In addition to the provision of Section 2(4) of this Part N, within the area zoned C2-26, a minimum building height of two (2) storeys shall be required.

13541 (28) Notwithstanding the provisions of Subsections 1.(1), and 1.(3) of this Part N, within the area zoned C2-27, permitted uses shall be restricted to business, professional, and/or administrative offices, and/or residential apartments.

Furthermore, notwithstanding the provisions of Subsections 2.(2), 2.(3) and Section 6. of this Part N, within the area zoned C2-27, the following provisions shall apply:

- | | | |
|----|---------------------------------------------|-----|
| a) | rear yard depth (minimum) | Nil |
| b) | side yard width (minimum) | Nil |
| c) | distance of parking area from rear lot line | Nil |
| d) | number of parking spaces (minimum) | 2 |

13700 (29) Notwithstanding the provisions of Subsection 1.(1) of this Part N, within the area zoned C2-28, the following shall be permitted uses:

- a) ambulance service;
- b) bake shop;
- c) bank and/or trust company;
- d) business, professional and/or administrative office;
- e) commercial school;
- f) eating establishment;
- g) labour union hall;
- h) medical clinic;
- i) monument shop;
- j) printing and/or publishing establishment;
- k) public parking area;
- l) retail store;
- m) service shop;
- n) theatre;
- o) undertaking establishment.

13770 (30) Notwithstanding the provisions of Subsection 2.(3) of this Part N, within the area zoned C2-29, a 1.5 metre wide landscaped strip shall not be required adjacent to the north and west property lines.

13844 (31) Notwithstanding the provisions of Section 1. of this Part N, within the area zoned C2-30, the area zoned C2-30, the following uses shall be permitted:

- business, professional and/or administrative office
- coin operated laundry
- service shop
- retail store (not to include the sale of any food or beverage products)
- residential dwelling units above first floor commercial uses.

Furthermore, notwithstanding the provisions of Subsection 2.(1) and 2.(4) of this Part N, within the area zoned C2-30, the minimum required front and outside side yard setbacks shall be 7.5 m. and the maximum height shall be two storeys.

14051 (32) Notwithstanding the provisions of Subsection 1.(1) of this Part N, within the area zoned C2-31, a home furnishings and accessories retail store and a business and/or professional office and the uses permitted in Subsection 1.(1) of Part Y - Community Facility zone shall be permitted uses within the existing building.

2006-168

Furthermore, notwithstanding the provisions of Section 2.(2) of this Part N and the provisions of Section 14, 15.(2)(a), (d) and 17(1) of Part C within the area

zoned C2-31 the following provisions shall apply to the existing building and parking area:

- | | | |
|-------|--------------------------------------------------------------------------------------------------------------|--------|
| (i) | Rear Yard Depth (minimum) | 1.5 m. |
| (ii) | Number of Parking Spaces (minimum) | 8 |
| (iii) | Landscaped area between the parking area and the adjacent street on the south side of the property (minimum) | Nil |
| (iv) | Landscaped area adjacent to residential zone (minimum) | 1.0 m |
| (v) | Loading Space Length (minimum) | 7.5 m |

14147 (33) Notwithstanding the provisions of Subsection 1(1) of this Part N, within the area zoned C2-32, the following main commercial uses shall be permitted:

- bake shop;
- bank and/or trust company;
- bowling alley;
- business, profession, and/or administrative office;
- coin-operated laundry;
- dry cleaning establishment;
- eating establishment;
- medical clinic;
- motor vehicle rental agency;
- motor vehicle sales room and lot;
- printing and/or publishing establishment;
- retail store;
- service shop;
- taxi stand.

Furthermore, notwithstanding the provisions of Subsection 2(1) of this Part N, within the area zoned C2-32, the minimum front yard depth shall be 7.5 m.

99-153 (34) Notwithstanding the provisions of Subsection 1(1) of this Part N, within the area zoned C2-33, the main permitted use shall be limited to a parking area.

99-120 (35) Notwithstanding the provisions of Subsection 1(1) and 2(3) of this Part N, within the area zoned C2-34, the following uses shall be permitted: retail store, offices, eating establishment and service shop. The minimum interior side yard width shall be nil and no side yard landscaped buffer shall be required.

Furthermore, the parking requirements of Part C, Sections 14 and 15 shall not apply to the lands zoned C2-34, provided that a minimum of four (4) parking spaces are permitted on site.

99-185 (36) Notwithstanding the provisions of Subsection 1(3), and 2(2) of this Part N, within the area zoned C2-35, the following shall apply: a 1.5 m landscaped buffer shall not be required within the minimum 7.5 m rear yard setback and a dwelling unit above or together with the main commercial use on the ground floor shall be permitted.

2000-41 (37) DELETED BY BY-LAW NUMBER 2004-162 NOVEMBER 8, 2004
2004-162

2001-47 (38) Notwithstanding but in addition to the requirements of Section 2 (3) of this Part N and the requirements of Section 15 (2) (d) of Part C, adjacent to a Residential zone, within the area zoned C2-37 the following special provisions shall apply:

- a 1.5 metre landscaped buffer shall not be required provided that a privacy fence is constructed adjacent to the Residential zone.

Furthermore, notwithstanding but in addition to the provisions of Subsection 1(1) of this Part N, the following uses shall be permitted:

- a rental and service business for commercial and industrial equipment
- light manufacturing, assembly, processing and fabricating of goods and materials
- warehousing and storage of goods
- wholesale business.

2002-05 (39) Notwithstanding the provisions of Part C, Section 14, within the area zoned C2 - 38, the minimum number of parking spaces shall be eleven (11).

2003-123 (40) Notwithstanding the provisions of Section 1(1) of this Part N, within the area zoned C2-39, a non personal service or repair operation shall be the only permitted use and that a retail outlet for the purpose of selling goods stored or assembled on the premises shall be a permitted accessory use provided such outlet is part of the main building and occupies not more than ten (10) per cent of the gross floor area of the main building.

For the purpose of the C2-39 zone a "non personal service or repair operation" shall be defined to mean a use other than a motor vehicle related use, associated with the provision of a non personal service or trade, including a plumbers shop, a painter's shop, a carpenter's shop, an electrician's shop, a building heating and cooling systems shop, or other similar and like uses which provide installation, maintenance and/or repair services.

2004-29 (41) DELETED BY BY-LAW NUMBER 2008-202 NOVEMBER 10, 2008

2008-202 (41) Notwithstanding the provisions of Section 1(1) of this Part N, within the area zoned C2-40 a retail store, business, professional and/or administrative office, storage/warehouse use, non personal service or repair operation, coin-operated laundry, amusement facility, eating establishment, bake shop, bank and/or trust company, medical clinic, catering business, take-out restaurant, and printing and/or publishing establishment shall be the only permitted uses.

For the purpose of the C2-40 zone an eating establishment use shall be limited to a maximum of 307 square metres of gross floor area and shall not be permitted to have a drive-through facility. For the purpose of the C2-40 zone a 'non personal service or repair operation' shall be defined to mean a use other than a motor vehicle related use, associated with the provision of a non personal service or trade, including a plumbers shop, a painter's shop, a carpenter's shop, an electrician's shop, a building heating and cooling systems shop, or other similar and like uses which provide installation, maintenance and/or repair services.

2004-122 (42) Notwithstanding the provisions of Sections 1(1) and 2(3) of this Part N, and Sections 15 (1) c), (2) a) and (2) d) of Part C, within the area zoned C2-41 a business, professional and/or administrative office shall be the only permitted use, subject to a minimum interior (north) yard width of 1.5 metres, a minimum interior parking aisle width of 6.0 metres and a Nil separation distance between the parking area and the interior (north) side lot line and the south street line, respectively.

- 2004-194 (43) Notwithstanding the provisions of Subsections 1(1) and 2(3) of this Part N, within the area zoned C2-42, the uses shall be limited to a maintenance and storage facility for a shuttle bus and limousine service, a car wash and laundromat, subject to a minimum interior (north) side yard width of 0.4 metres.
- 2005-159 (44) Notwithstanding the provisions of Subsection 1(1) of this Part N, within the area zoned C2-43, the uses shall be limited to a mini storage facility, a business, administrative and/or professional office, public parking area, retail store, the sale of new and used motor vehicles including motor vehicle detailing and maintenance, and service shop.
- 2005-217
- 2006-166 (45) Notwithstanding the provisions of Subsection 1(1) of this Part N, within the area zoned C2-44, the commercial use of the property shall be limited to a service shop to be located on the first floor.
- 2006-184 (46) Notwithstanding the provisions of Subsection 1(1), 2(2) and 2 (3) of this Part N, within the area zoned C2-45, the commercial uses of the property shall be limited to, on the main floor of the existing building only, a bank and/or trust company, professional and/or administrative office, eating establishment with a maximum of 36 seats, medical clinic, not including a drug rehabilitation centre, retail store and a service shop, as well as on-site public parking. In addition, no landscaped areas abutting a lot line shall be required.
- 2012-119 (47) Notwithstanding the provisions of Subsection 1(1) of this Part N, within the area zoned C2-46, a veterinary hospital shall be a permitted use in addition to the uses permitted by Subsection 1(1).
- 2013-25 (48) Notwithstanding the provisions of Subsections 1(1) of this Part N, within the area zoned C2-47 the permitted use shall be restricted to an off-street parking area.
- 2017-03 (49) Notwithstanding the provisions of Subsection 1(1) of this Part N, within the area zoned C2-48 an after school centre shall be a permitted use in addition to the uses permitted by Section 1.

9. In preparing amending By-Law Number 10980, Subsection 9 was inadvertently missed.

10. FOR DAY NURSERY PROVISIONS

10980

See Part Y, Section 7.

The following provisions shall apply to the use of land and the construction of buildings in all C3 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Commercial Uses**

- a) assembly hall;
- b) bank and/or trust company;
- c) billiard parlour;
- d) bowling alley;
- e) coin-operated laundry;
- f) dog kennel;
- g) drive-in restaurant;
- h) dry-cleaning establishment;
- i) eating establishment;
- j) hotel;
- k) motel;
- l) motor vehicle body shop, only if wholly enclosed;
- m) motor vehicle rental agency;
- n) motor vehicle repair garage;
- o) motor vehicle sales room and lot;
- p) recreational vehicle sales and/or service outlet;
- q) retail store, which primarily serves vehicular traffic and the travelling public and which stores may be in the form of individual stores or small shopping centres;
- r) service shop;
- s) tavern;
- t) theatre;
- 10586 u) business, professional, administrative and/or government offices.

(2) **Accessory Uses, Buildings or Structures**

Any use, building or structure which is subordinate and customarily incidental to a main commercial use in the building.

2. ZONE PROVISIONS

- (1) Lot Frontage (minimum) 30.0 m.
- (2) Front Yard Depth (minimum) 12.0 m.
- (3) Rear Yard Depth (minimum) 7.5 m.

Where the rear yard abuts a lot which is located in a Residential Zone or RH Zone, the 1.5 m. abutting the rear lot line shall be maintained as a landscaped area.

- (4) Interior Side Yard Width (minimum) 4.5 m., except

Where the side yard abuts a lot which is located in a Residential Zone or RH Zone, a minimum side yard of 7.5 m. shall be provided, of which the 1.5 m. abutting the lot line shall be maintained as a landscaped area.

- (5) Lot Coverage (maximum) 50%
- (6) Building Height (maximum) 10.6 m.

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

3a. OUTDOOR PATIO PROVISIONS

13390

Within this Part O, an outdoor patio shall be permitted when developed in association with a permitted eating establishment subject to the requirements of Section 24 of Part C.

4. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

5. FOR OFF-STREET LOADING PROVISIONS

See Part C, Sections 16 and 17.

6. SPECIAL PROVISIONS

(1) Notwithstanding the provisions of Section 1 of this Part, within the area zoned C3-1, Non-Retail Commercial uses, as contained in Part Q, Section 1 are permitted, in addition to those uses listed in Section 1 of this Part. Such Non-Retail Commercial uses shall be subject to the zone regulations of Part Q, Section 2.

10413 (2) Notwithstanding but in addition to the provisions of Section 1 of this Part O, within the area zoned C3-2 the wholesale store existing at the time of the passing of this By-Law shall be a permitted use.

13580 Notwithstanding, but in addition to the provisions of Section 1 of this Part O, within the area zoned C3-2, a recreational facility shall be a permitted use.

2003-44 Notwithstanding, but in addition to the provisions of Section 1 of this Part O, within the area zoned C3-2, a day nursery shall be a permitted use.

13580 Furthermore, notwithstanding the provisions of Subsections 2.(1), 2.(2), and 2.(4) of this Part O, within an area zoned C3-2, the minimum lot frontage shall be 29.4 m., the minimum front yard depth shall be 4.5 m., and the minimum east side yard depth shall be 1.4 m.

Furthermore, notwithstanding the provisions of Subsection 15.d) of Part C, within the area zoned C3-2, the parking area shall be constructed of crushed stone, slag or gravel with stormwater drainage facilities that comply with the requirements of the City.

(3) Notwithstanding the provisions of Section 2 of this Part, where a building or structure existed on a lot, in an area zoned C3, such building or structure may be extended, enlarged and/or improved, provided the yards existing at the date of passing of this By-Law are not reduced in depth; but where any such yards are larger in depth than required by this By-Law, such yards may be reduced to the minimum required by this By-Law, provided that maximum lot coverage required by Subsection 2(6) of this Part is not exceeded. Such existing building or structure may be changed to a use permitted in Section 1 of this By-Law, provided all other requirements of this By-Law are complied with.

(4) Notwithstanding the provisions of Subsection 1(1) of this Part, the existing private clubs, at the locations listed below, are permitted, in addition to those uses listed in Section 1 of this Part. These existing private clubs shall be subject to the zone regulations of Part Y, Section 2 of this By-Law.

Location of Private Club

- a) 100 Station Street
- b) Dundas Street East

NOTE: Section 5 of By-Law Number 12977 has been amended by By-Law Number 13684 as follows:

- 13684 (5) Notwithstanding, but in addition to the uses permitted in this Part O, within the area zoned C3-3, a convenience store and, subject to the provisions contained in Part S, Section 2. of this By-Law, a motor vehicle gasoline bar and motor vehicle washing establishment, shall be permitted uses.
- 10413 (6) Notwithstanding but in addition to the provisions of this Part O, within the area zoned C3-4, the Brewers Retail Store, Wholesale Premises, Home Delivery Service and Area Administrative Office existing at the time of the passing of this By-Law, shall be permitted uses.
- 10413 (7) Notwithstanding the provisions of Subsection 2(3) and 2(4) within the area zoned C3-5 the minimum rear yard requirement shall not apply, and the minimum interior side yard width shall be 3.0 m.
- 10413 (8) Notwithstanding, but in addition to the uses permitted in this Part O, within the area zoned C3-6 the motor vehicle gasoline bar existing at the time of the passing of this By-Law shall be a permitted use.
- 10586 (9) Notwithstanding the provisions of Section 2(1) of this Part O, the minimum lot frontage for the lot zoned C3-7 shall be 27.5 m.
- 10586 (10) Notwithstanding the provisions of Section 2(1) of this Part O, the minimum lot frontage for the lot zoned C3-8 shall be 22.5 m.

NOTE: Section 11 of By-Law Number 12779 has been amended by By-Law Number 12906 as follows:

- 12906 (11) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-9, the following uses shall be permitted:
 - a bank and/or trust company;
 - business, professional, administrative and/or government office;
 - a coin-operated laundry;
 - a convenience store;
 - a drive-in restaurant;
 - a dry-cleaning establishment and/or distribution centre;
 - an eating establishment;
 - a motor vehicle rental agency;
 - a motor vehicle repair garage;
 - a motor vehicle sales room and lot;
 - a recreational vehicles sales and/or service outlet;
 - a self-serve motor vehicle washing establishment;
 - a service shop;
 - a bake shop;
 - a drug store;
 - a retail store; and
 - 13732 - a veterinary hospital.

Furthermore, notwithstanding but in addition to the uses permitted within the area zoned C3-9, a motor vehicle gasoline bar shall be a permitted use, subject to the zone requirements of Part S, Section 2 of this By-Law.

11303 (12) Within an area zoned C3-10, in addition to the uses permitted in Section 1 of this Part O, the following uses are permitted:

- a) wholesale business;
- b) warehouse;
- c) repair shop;

provided that all such operations are conducted within a building and there is no outside storage of goods and materials, and that such uses shall not be characterized by emissions of dust, smoke, odours, noise or vibration. Furthermore, within an area zoned C3-10, and notwithstanding the provisions of Subsection 2(3) of this Part O, the minimum rear yard depth shall be 5.5 m. and the 1.5 m. abutting the rear lot line shall be maintained as a landscaped area.

13334 (13) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-11, the permitted uses shall be restricted to the following:

- a convenience store;
- a motor vehicle gas bar, subject to the provisions of Part S; and,
- an eating establishment;

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- a retail store for the purpose of the sale or rental of home health care products, apparatuses and convalescent products;

2013-158

- a medical clinic; and
- a business, professional and/or administrative office.

13334 Notwithstanding the provisions of Subsection 2(4) of Part O, and of Subsection 2(4) of Part S, the minimum interior side yard width shall be 5.3 metres.

11517 (14) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-12 the permitted use shall be restricted to off-street parking in accordance with the provisions of Part C, Sections 14 and 15.

11602 (15) Deleted in its entirety and replaced with the following:

2004-57 (15) Notwithstanding the provisions of Sections 1(1) and 2 (4) of this Part O, within the area zoned C3-13 an ambulance service, an assembly hall, a bake shop, a bank and/or trust company, a dry cleaning establishment, an eating establishment, a business, professional and/or administrative office and/or government office, a commercial school, a medical clinic, a printing or publishing establishment, a motor vehicle body shop, a motor vehicle rental agency, a motor vehicle repair garage, a recreational vehicle sales and/or service outlet, a motor vehicle sales room and lot, a retail store which may be in the form of an individual store or multiple stores, a wholesale and/or retail sales and distribution centre, a service shop, a monument shop, and a taxi stand and dispatch centre shall be the only permitted uses, subject to a minimum 1.8 metre westerly interior side yard width.

11717 (16) Notwithstanding the provisions of Sections 2(2) and 2(4) of this Part O, within the area zoned C3-14, the minimum front yard depth shall be 1.9 m., the minimum interior side yard width (east side) shall be .381 m. Furthermore, within the area zoned C3-14, and notwithstanding the provisions of Part C, Section 14, the minimum number of required parking spaces shall be twenty six (26).

11925 (17) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-15, the permitted uses shall be restricted to the following: coin-operated laundry, dry cleaning establishment, motor vehicle body shop, only if

wholly enclosed, motor vehicle rental agency, motor vehicle repair garage, motor vehicle sales room and lot, recreational vehicle sales and/or service outlet, and service shop.

11956 (18) Notwithstanding the provisions of Sections 2(3) and 2(4) of this Part O, within the area zoned C3-16, the minimum rear yard depth shall be 5.4 m., and the minimum interior side yard width shall be 5.4 m.

12331 (19) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-17, the permitted use shall be restricted to off-street parking in accordance with the provisions of Part C, Sections 14 and 15, and notwithstanding any provisions of this By-Law to the contrary, and pursuant to Section 38 of the Planning Act, S.O. 1983, such off-street parking use shall be permitted for a period of time not to exceed six months from the date of passing of By-Law Number 12331, at the expiry of which period of time the subject area shall be zoned RH- Residential Holding, and the use of the subject area shall be in accordance with the provisions of Part L of this By-Law.

12411 (20) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-18, the permitted uses shall be restricted to the following: assembly hall, bank and/or trust company, billiard parlour, bowling alley, coin-operated laundry, drive-in restaurant, dry cleaning establishment, eating establishment, motor vehicle rental agency, recreational vehicle sales and/or service outlet, retail store, which primarily serves vehicular traffic and the travelling public and which store may be in the form of individual stores or small shopping centres, service shop, tavern, theatre, business, professional, administrative and/or government offices, amusement arcade.

Furthermore, within an area zoned C3-18, and notwithstanding the provisions of Subsection 2(2) of this Part O, and Subsection 1(16) of Part B of this By-Law, the minimum front yard depth shall be 7.5 m., and the minimum outside side yard width shall be 9.0 m.

12491 (21) Notwithstanding the provisions of Section 1 of this Part O, within the area zoned C3-19, Motor Vehicle Commercial uses, as contained in Part S, Section 1 are permitted, in addition to those uses listed in Section 1 of this Part O. Such Motor Vehicle Commercial uses shall be subject to the zone requirements of Part S, Section 2.

NOTE: Section 22 of By-Law Number 12870 has been amended by By-Law Number 14222 as follows:

14222 (22) Notwithstanding and in addition to the provisions of Section 1(1) of this Part O, within the area zoned C3-20, a retail and wholesale building supplies and a garden supplies store, and a church shall also be permitted.

Furthermore, notwithstanding but in addition to the uses permitted within the area zoned C3-20, outside storage as part of retail and wholesale building supplies and garden supplies store shall be permitted provided that such storage area is not located closer to the street than the main building on the lot and is screened with landscaping and fencing from the street.

2001-141 (23) Notwithstanding and in addition to the provisions of Section 1 (1) of this Part O, within the area zoned C3 - 21, C7 - Motor Vehicle Commercial uses and self storage units shall be permitted.

Furthermore, notwithstanding the provisions of Section 2 (1) of this Part O within the area zoned C3 - 21, the minimum lot frontage shall be 17 m.

12661 (24) Notwithstanding the provisions of Sections 2(2), 2(3) and 2(4) of this Part O, and of Section 1(16) of Part B of this By-Law, within the area zoned C3-22, the following provisions shall apply to all permitted Highway Commercial uses:

- | | | |
|-------|------------------------------------|---------|
| (i) | Front Yard Depth (minimum) | 7.5 m. |
| (ii) | Outside Side Yard Width (minimum) | 12.0 m. |
| (iii) | Rear Yard Depth (minimum) | 3.5 m. |
| (iv) | Interior Side Yard Width (minimum) | 3.0 m. |

2009-48 Notwithstanding but in addition to the provisions of Section 1 of this Part O, within the area zoned C3-22, a motor vehicle gasoline bar and a medical clinic, not including a drug rehabilitation centre, shall be a permitted use. Such motor vehicle gasoline bar use shall be subject to the zone requirements of Part S, Section 2 of this By-Law.

12673 (25) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-23, the permitted uses shall be restricted to the following: assembly hall; bake shop; bank and/or trust company; bowling alley; business, professional, administrative and/or government offices; commercial school; day-care centre; dry-cleaning and/or laundry establishment; eating establishment; medical clinic; public and private recreational facilities; retail store; service shop; theatre; veterinary hospital (but not including a dog kennel).

Notwithstanding the provisions of Subsection 2(6) of this Part O, within the area zoned C3-23, the maximum building height shall be 15 m.

Furthermore, within the area zoned C3-23, all development shall be in accordance with the site plan which forms part of this By-Law and is attached hereto as Appendix VIII.

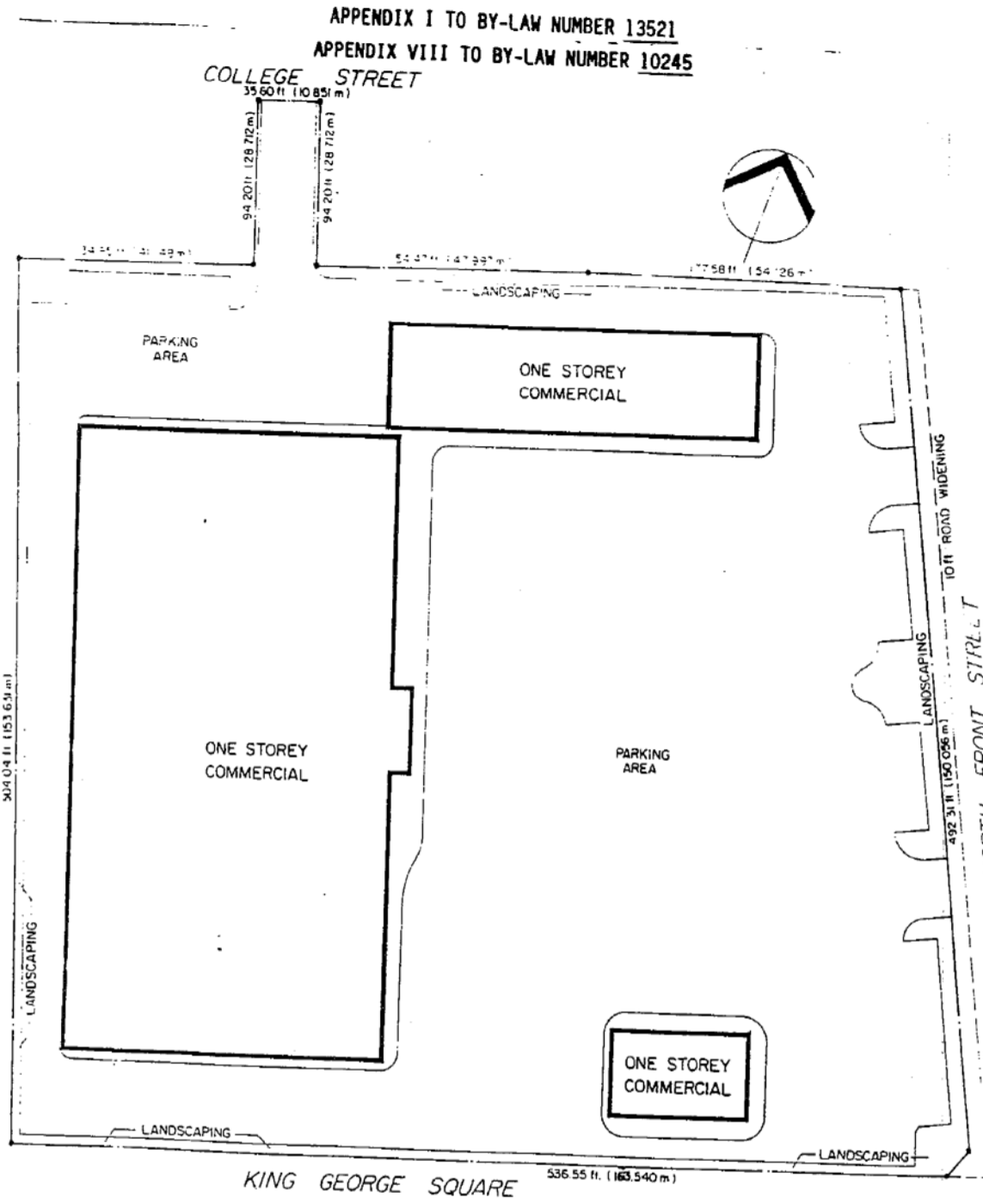
13521 Notwithstanding the requirements of Subsection 2(2) of this Part O, within the area zoned C3-23, the minimum outside side yard along the south side of the property only, shall be 8 m.

13764 (26) Notwithstanding the provisions of Section 1 of this Part O, within the area zoned C3-24, the permitted uses shall be restricted to the following: bank and/or trust company, eating establishment, tavern, business, professional, administrative and/or government offices, retail store which primarily services vehicular traffic and the travelling public and which stores may be in the form of individual stores or small shopping centre, and service shop.

12788 Furthermore, notwithstanding the provisions of Part C, Section 14 of this By-Law, within the area zoned C3-24, the minimum required number of parking spaces with respect to retail furniture, appliances, and/or interior decorating supplies and accessories stores shall be one (1) parking space for every 72.0 sq. m. of gross floor area.

12844 (27) Notwithstanding the provisions of Section 1 of this Part O, within the area zoned C3-25, permitted uses shall be restricted to an enclosed motor vehicle body shop, a motor vehicle rental agency, a motor vehicle repair garage, a motor vehicle sales room and lot, a recreational vehicle sales and/or service outlet and business, professional, administrative and/or government office.

12846 (28) Notwithstanding the provisions of Section 1 of this Part O, within the area zoned C3-26, the range of permitted uses shall be limited to a bank and/or trust company, a business, professional, administrative and/or government office, an eating establishment, and a retail and/or wholesale furniture, appliances and/or interior decorating supplies and accessories store.



Furthermore, notwithstanding the provisions of Section 14 of Part C, within the area zoned C3-26, a minimum of sixty five (65) parking spaces shall be required in conjunction with the building existing at the date of passing of this By-Law.

NOTE: Section 29 of By-Law Number 13766 has been amended by By-Law Number 13793 as follows:

O.M.B. ORDER DATED SEPTEMBER 6, 1995

13793 (29) Notwithstanding the provisions of Section 1.(1) of this Part O, within the area zoned C3-27, the permitted uses shall be restricted to:

- an assembly hall;
- bank and/or trust company;
- bowling alley;
- business, professional, administrative and/or government office;
- department store;
- drive-in restaurant;
- eating establishments;
- hotel;
- motel;
- motor vehicle rental agency, accessory to a hotel, motel, and/or assembly hall use;
- motor vehicle sales room and lot;
- recreational vehicle sales and/or service outlet;
- public and private recreational facilities;
- retail stores;
- service shops;
- tavern;
- theatre.

Furthermore, and notwithstanding the provisions of Subsection 2(6) of this Part O, within the area zoned C3-27, the maximum building height for a hotel shall be 15.0 metres. In addition, the gross floor area for business, professional, administrative and/or government offices shall be restricted to a maximum of 2787.0 sq. m.

13432 (30) Notwithstanding the provisions of Subsections 1(1), 2(1), 2(2), 2(3) and 2(4) of this Part O, and the provisions of Part C, Section 14, 15(1)a) and 15(1)c) within the area zoned C3-28, the following provisions shall apply:

13624 i) The permitted uses on the property shall be limited to the following:

- fabric and interior decorating supplies and accessories shop;
- service shop;
- business, administrative, and/or government office;
- two (2) professional offices.

13432 ii) Lot Frontage (minimum) 20.0 m.
iii) Outside Side Yard Width (minimum) 2.0 m.
iv) Rear Yard Depth (minimum) 1.4 m.
v) Interior Side Yard Width (minimum) 4.0 m.
vi) Required Parking Spaces (minimum) 11 spaces
vii) Every parking space shall have a minimum width of 2.4 m. and a minimum length of 5.5 m. No obstruction of a required parking space shall be permitted.

- viii) Ingress and egress directly to and from any off-street parking spaces shall be by means of a hard surfaced aisle having minimum width of 6.4 m.
- ix) In addition to the preceding a maximum gross floor area of 280.0 sq. m. shall be permitted.

13509 (31) Notwithstanding the requirements of Subsection 1(1) of this Part O, within the area zoned C3-29, the range of permitted uses shall be limited to a retail store, service shop, motor vehicle repair garage, motor vehicle sales room and lot, and motor vehicle rental agency.

13553 (32) Notwithstanding the requirements of Subsections 2.(1), and 2.(2) and 2.(4) of this Part O, within the area zoned C3-30, the following provisions shall apply:

- i) lot frontage (minimum) 26.6 m.
- ii) front yard depth (minimum) 3.25 m.
- iii) side yard width (minimum) 1.65 m.

13594 (33) Notwithstanding the provisions of Section 1. of this Part O, within the area zoned C3-31, the permitted uses shall be limited to a Motor Vehicle Sales Room and Lot.

13644 (34) Notwithstanding the provisions of Section 1 of this Part O within the area zoned C3-32, the permitted uses shall be limited to a parking area and/or driveways associated with the commercial use located on the same property and immediately to the east of the subject lands. Such parking shall be surplus to the required parking which shall be provided on the lands zoned C3 fronting on North Front Street, and known municipally as 336 North Front Street.

Furthermore, notwithstanding the provisions of Subsection 2(3) and 2(4) of this Part O, within the area zoned C3-32, the area adjacent to and across the full width of the rear lot line shall be maintained as a landscaped area to a minimum depth of 37 m. Such landscaped area shall consist of grass, trees, shrubs, and privacy fencing.

13832 (35) Notwithstanding the provisions of Section 1. (1) of this Part O, within the area 2011-152 zoned C3-33, a dairy processing facility and a veterinary hospital shall be permitted uses, in addition to those uses listed in Section 1. of this Part O.

13866 (36) Notwithstanding, and in addition to the permitted uses contained in Section 1. of this Part O, within the area zoned C3-34, a car washing establishment shall also be a permitted use.

Furthermore, the development of a car washing establishment shall be subject to the provisions of Section 2, Part S.

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13763 (37) Notwithstanding, but in addition to the provisions of Section 1. of this Part O, within the area zoned C3-35, a retail gardening supply store shall be a permitted use.

14043 (38) Notwithstanding, but in addition to the provisions of Section 1. of this Part O, within the area zoned C3-36, Recreational Facilities shall be a permitted use.

99-47 (39) Notwithstanding the provisions of Section 1(1) and 2(3) of this Part O, within the area zoned C3-37, the following provisions shall apply:

- (i) the permitted uses on the property shall be limited to the following:

- bank and/or trust company
- coin-operated laundry
- dry cleaning establishment
- eating establishment
- motor vehicle rental agency
- motor vehicles sales room and lot
- retail store
- service shop
- business, professional, administrative and/or government office;

(ii) rear yard depth (minimum) 16 m on one side and 30 m on the other side.

98-86 (40) Notwithstanding the provisions of Part B, Section 1(17) and Section 1(1) of this Part O, within the area zoned C3-38, the permitted uses shall be limited to: a motor vehicle repair garage, repair and assembly shop, warehouse and wholesale business.

Furthermore, a 3.0 m building and parking area setback from the wetland as identified by the E - Environmental Control zone shall be required.

Furthermore, development shall be permitted on private services and shall require the provision of municipal services at such time as services are available.

98-116 (41) Notwithstanding the provisions of Section 1 (1) of this Part O within the area zoned C3-39, the following uses shall be permitted: assembly hall, bank and/or trust company, bowling alley, coin-operated laundry, dog kennel, drive-in restaurant, dry cleaning establishment, eating establishment, hotel, motel, motor vehicle body shop, only if wholly enclosed, motor vehicle rental agency, motor vehicle repair garage, motor vehicle sales room and lot, recreational vehicle sales and/or service outlet, retail store, service shop, theatre, business, professional, administrative and/or government offices.

98-117 (42) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-40 the following uses shall be permitted:

- (i) assembly hall, bank and/or trust company, billiard parlour, bowling alley, coin-operated laundry, drive-in restaurant, dry-cleaning establishment, eating establishment, hotel, motel, motor vehicle rental agency, motor vehicle sales room and lot, recreational vehicles sales and/or service outlet, retail store, service shop, theatre, business professional, administrative and/or government offices.

FURTHERMORE, notwithstanding, but in addition to provisions of Section 24 of Part C, within the lands zoned C3-40, an outdoor patio associated with an eating establishment shall not be permitted in the rear or side yards adjacent to the north and west property lines.

FURTHERMORE, within the lands zoned C3-40, a 3.0 m landscaped buffer shall be provided along the lot line adjacent to the escarpment and the toe of the slope. This buffer area may include drainage facilities below the toe of the slope and shall include landscaping and buffering.

2000-94 (42) Notwithstanding and addition to the provisions of Section 1(1), within the area zoned C3-41, a veterinary hospital shall be a permitted use.

2002-29 (43) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-42, the following uses shall be permitted: business, professional and/or administrative offices; service shops; banks and/or trust companies; rental and service business and mini-storage warehousing.

Further, notwithstanding the provisions of Section 2 of this Part O, within the area zoned C3-42, the yards that existed at the time of passing of the By-Law shall be deemed to comply with the provisions of the By-Law.

2002-30 (44) Notwithstanding the provisions of Subsections 2 (1) and 2 (4) of this Part O, within the area zoned C3-43, the minimum lot frontage shall be 29.2 m and the minimum west interior side yard width shall be 1.5 m.

2002-64 (45) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-44-h, the following uses shall be permitted: ambulance service, bank and/or trust company, bowling alley, coin-operated laundry, dry cleaning establishment, eating establishment, motor vehicle rental agency, motor vehicle repair garage, motor vehicle sales room and lot, recreational vehicle sales and/or service outlet, retail store, service shop, business, professional, administrative and/or government offices, motor vehicle gasoline bar, motor vehicle service station, and motor vehicle washing establishment.

Such C7 - Motor Vehicle Commercial uses shall be subject to the zone requirements of Part S, Section 2.

The 'h' holding symbol shall be removed at such time as an Environmental Assessment has been completed and mitigation measures have been implemented, if necessary, to the satisfaction of the municipality.

(NOTE TO FILE: By-Law Number 2002-123, passed August 12, 2002, removed the 'h' holding symbol **only from the lands described as** Parts 1, 2, 3 and 4, Plan 21R-19880, City of Belleville, County of Hastings.)

2002-60 (46) Notwithstanding the provisions of Subsection 1 (1) of this Part O, within the area zoned C3-45, the following uses shall be permitted: a motor vehicle gasoline bar, motor vehicle washing establishment, and convenience store in addition to the currently permitted commercial uses which include: bank and/or trust company; eating establishment; tavern; business, professional, administrative and/or government offices, retail store which primarily services vehicular traffic and the traveling public and which stores may be in the form of individual stores or small shopping center, and service shop. Such C7 - Motor Vehicle Commercial uses shall be subject to the zone requirements of Part S, Section 2.

2002-108 (47) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-46, an ambulance service shall be a permitted use in addition to those uses permitted by Section 1(1) of this Part O.

2003-07 (48) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-47, a motor vehicle gasoline bar, motor vehicle washing establishment and a convenience store shall be permitted uses in addition to those uses permitted by Section 6, Subsection (41) of this Part O.

2004-59 (49) Notwithstanding the provisions of Section 1(1) of this Part O, within the area zoned C3-48, a retail/wholesale fuel distribution business and the associated on-site storage of tank trucks shall be a permitted use in addition to those uses permitted by Section 1, Subsection (1) of this Part O.

2004-164 (50) Notwithstanding the provisions of Subsections 1(1), 2(3), 2(4) of this Part O, and Section 14 of Part C, within the area zoned C3-49, retail stores, which may be in the form of individual stores or a small shopping centre, an eating establishment, service shop, bank and/or trust company, business, professional and/or

2011-4 administrative offices, a medical clinic, not including a drug rehabilitation centre and recreational facilities shall be the only permitted uses subject to a minimum interior (south) side yard width of 6.0 metres, a minimum rear (west) yard depth

of 6.0 metres and the following permitted floor areas for the building existing on the date of the passage of this By-Law:

- gross leaseable floor area for a shopping centre (maximum) 5,100 square metres (based on 5.5 parking spaces per 93 sq. m.);
- gross floor area for a retail store (maximum) 5,569 square metres (based on 1 parking space per 18.5 sq. m.); and gross floor area for all other permitted uses, save and except for an eating establishment (maximum) 8,428 square metres (based on 1 parking space per 28 sq. m.).

Notwithstanding the provisions of Subsection 6(50) of this Part O, within the area zoned C3-49-h, no person shall erect any building or structure or use any building, structure or land for any purpose, other than the uses that existed on the day of the passage of this By-Law. The "h" holding symbol shall be removed in accordance with Section 36 of the Planning Act, R.S.O., 1990, as amended, provided that the following have been addressed:

- for the 'Stage I' lands (i.e. west side of the subject lands) the satisfactory completion of a peer review of the Phase I/Phase II and Phase III Environmental Site Assessments prepared by Quinte-Eco Consultants Inc. for the purpose of providing oversight regarding the process and to ensure that the methodology utilized meets current standards and protocols;
- for the 'Stage II' lands (i.e. the building existing on the date of the passage of this By-Law) the satisfactory completion of the said peer review and the completion of the environmental remediation required for the site;
- that Quinte-Eco Consultants Inc. provide a warranty to the City, to the satisfaction of the City Solicitor, that the Phase I/II Reports prepared for the 'Stage I' and 'Stage II' lands and the Phase III workplan were conducted in accordance with industry standards, represent sound engineering practice and accurately reflect the current conditions on the site and that the City may rely on such findings and Reports as if such Reports were produced for the City by Quinte-Eco Consultants Inc; and the resubmission and acceptance by the City of a revised Transportation Impact Study.

2005-45 (NOTE TO FILE: By-Law Number 2005-45, passed March 14, 2005, removed the "h" holding symbol **from a portion of the lands described as** Part of Lots 1, 16, 17, 25, 26, 27 and 28 and all of Lots 2, 3, 4, 5, 6, 15 and 18, Plan Q-558, designated as Plan No. 21R-3648, City of Belleville, County of Hastings.)

2007-47 (NOTE TO FILE: By-Law Number 2007-47, passed March 26, 2007, removed the "h" holding symbol **from a portion of the lands described as** Part of Lots 1, 16, 17, 25, 26, 27 and 28 and all of Lots 2, 3, 4, 5, 6, 15 and 18, Plan Q-558, designated as Plan No. 21R-3648, City of Belleville, County of Hastings.)

2011-4 Notwithstanding the provisions of Section 1 of this Part O, within the area zoned C3-49-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this by-law. The "h" holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that the following site plan deficiencies has been addressed:

- the postponement of interest charge via the signing of Instrument No. HT90883;
- a widening of the road allowance along the entire Sidney Street frontage and a daylight triangle at the southeast corner of Sidney Street and Bridge Street West shown as Part 1 on Plan 21R-21498 and its dedication to the City; and
- a widening of the road allowance along a portion of the Wellington Street frontage and a daylight triangle at the southwest corner of Wellington Street and Bridge Street West shown as Part 2 and 3 on Plan 21R-21498 and its dedication to the City.

2011-36 (NOTE TO FILE: By-Law Number 2011-36, passed March 14, 2011, removed the "h" holding symbol **from the lands described as 161 Bridge Street West, City of Belleville, County of Hastings.**)

2007-149 (51) Notwithstanding the provisions of Section 1 of this Part O, within the area zoned C3-h, no person shall erect any building or structure or use the land for any purpose other than the uses existing on the day of the passing of the C3-h zone. The 'h' holding symbol shall not be removed from the C3-h zone until it has been demonstrated to the satisfaction of the municipality that adequate sanitary sewer capacity and minimum municipal water is available and that stormwater has been properly managed."

2010-32 (52) Notwithstanding the provisions of Subsection 2 (6) of this Part O, within the area zoned C3-50, the maximum permitted height shall be 15.25 metres.

2010-201 (53) Notwithstanding the provisions of Subsection 1 (1) of this Part O, within the area zoned C3-51, a medical clinic, not including a drug rehabilitation centre, shall be a permitted use in addition to the other uses permitted by Subsection 1 (1).

2012-49 (54) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-52, a medical clinic, not including a drug rehabilitation centre, and a mini storage facility, with no outside storage, shall be permitted uses in addition to the uses permitted by Subsection 1(1).

2012-188 (55) Notwithstanding the provisions of Subsections 1(1), 2(2) and 2(3) of this Part O and Subsection 1(16) of Part B, within the area zoned C3-53, eight (8) residential dwelling units shall be permitted, in addition to the uses permitted by Subsection 1(1), subject to minimum front and outside side yards of 7.5 metres, respectively, and a minimum 30 metre setback between the railway property limit and the closest wall of a residential building.

2013-66 (56) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-54, a church shall be a permitted use in addition to the uses permitted by Subsection 1(1).

2015-20 (57) Notwithstanding the provisions of Subsections 1 (1), 2 (2), and 4 of this Part O, within the area zoned C3-55, a medical clinic and a veterinary hospital shall be permitted uses in addition to the permitted uses of Subsection 1 (1). A minimum front yard depth of 2.5 m shall apply to a second main building, generally located to the south of the property's east entrance, and a retail store shall require a minimum of one (1) parking space per 24 sq. m. of gross floor area.

2015-35 (58) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-56, inside storage shall be a permitted use in addition to the uses permitted by Subsection 1(1).

2016-83 (59) Notwithstanding the provisions of Subsection 1(1) of this Part O, within the area zoned C3-57, the only permitted use shall be a commercial parking lot subject to no open storage occurring.

The following provisions shall apply to the use of land and the construction of buildings in all C4 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes. Such buildings and/or structures must be in the form of a shopping centre.

(1) **Main Commercial Uses**

- a) assembly hall;
- b) bank and/or trust company;
- c) bowling alley;
- d) business, professional and/or administrative office;
- e) coin-operated laundry;
- f) department store;
- g) dry cleaning distribution station;
- h) eating establishment;
- i) retail store;
- j) service shop;
- k) tavern;
- l) theatre;
- m) amusement arcade.

10882

(2) **Accessory Uses, Buildings or Structures**

Any use, building or structure which is subordinate and customarily incidental to a main commercial use of the building.

2. ZONE REQUIREMENTS

- (1) Lot Frontage (minimum) 152.0 m.
- (2) Lot Area (minimum) 4.0 hectares
- (3) Front Yard Depth (minimum) 15.0 m.
- (4) Rear Yard Depth (minimum) 15.0 m.

Where the rear yard abuts a lot which is located in a Residential Zone or RH Zone, the 1.5 m. of such rear yard abutting the lot line shall be maintained as a landscaped area.

- (5) Interior Side Yard Width (minimum) 15.0 m.

Where the rear yard abuts a lot which is located in a Residential Zone or RH Zone, the 1.5 m. of such side yard abutting the lot line shall be maintained as a landscaped area.

- (6) Building Height (maximum) 10.6 m.
- (7) Lot Coverage (maximum) 30%
- (8) Landscaped Area (minimum) 10%

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

3a. OUTDOOR PATIO PROVISIONS

13390

Within this Part P, an outdoor patio shall be permitted when developed in association with a permitted eating establishment, subject to the requirements of Section 24. of Part C.

4. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

5. FOR OFF-STREET LOADING PROVISIONS

See Part C, Sections 16 and 17.

6. SPECIAL PROVISIONS

10303 (1) a) Notwithstanding the provisions of Section 1(1) of this Part P, within the area zoned C4-1 a "**motor vehicle gasoline bar**" is permitted in addition to the uses listed in Section 1(1) of this Part P, subject to the provisions of Part S, Sections 2(2), 2(4), 2(9) and 2(10).

b) Notwithstanding the provisions of Section 1(1) of this Part P, within the area zoned C4-1, a "**dry cleaning establishment**" is permitted in addition to the uses listed in Section 1(1) of this Part P.

c) Notwithstanding the provisions of Section 2 of this Part P, within the area zoned C4-1 the following provisions shall apply in addition to the other provisions of this Part P:

- i. Lot Frontage (minimum) 125.8 m.
- ii. Lot Area (minimum) 2.31 hectares
- iii. Front Yard Depth (minimum) 15.0 m.
- iv. Rear Yard Depth (minimum) 13.4 m.
- v. Interior Side Yard Width (minimum)
 - aa) abutting the north limit of the parcel 5.5 m.
 - bb) abutting the south limit of the parcel 7.5 m.
- vi. Building Height (maximum) 10.6 m.
- vii. Lot Coverage (maximum) 26%

d) Notwithstanding the requirements of Section 4 of this Part P, within the area zoned C4-1 the minimum number of parking spaces required shall be three hundred thirty five (335).

e) Notwithstanding the requirements of Section 5 of this Part P, within the area zoned C4-1, only one loading space shall be required.

11248 (2) Notwithstanding the provisions of Section 1(1) of this Part P, within an area zoned C4-2, the Use permitted shall be limited to off-street parking.

11812 (3) a) Notwithstanding the provisions of Section 2(1) of this Part P, within the area zoned C4-3 the minimum lot frontage shall be 115.8 m.

b) Notwithstanding the provisions of Section 2(2) of this Part P, within the area zoned C4-3 the minimum lot area shall be 3.74 hectares.

c) Within the area zoned C4-3 the maximum gross leasable floor area for retail stores which sell department store type merchandise, other than a department store, food store or service shop, shall not exceed 2,322.0 sq. m.

d) Within the area zoned C4-3 the provisions of Part C, Section 15(1)g) shall not apply.

13470 e) Notwithstanding the provisions of Subsection 1(1) of this Part P, within the area zoned C4-3, "Recreational Facilities" shall be permitted in addition to the uses listed in Subsection 1(1) of this Part P.

13789 (4) Notwithstanding and in addition to the provisions of Section 1. of this Part P, within the area zoned C4-4, main commercial uses permitted in Section 1.(1) of this Part P, may be accommodated in buildings and/or structures which shall not necessarily be required to be in the form of a shopping centre. Notwithstanding the provisions of Section 2.(2) of this Part P, within the area zoned C4-4, the minimum lot area shall be 3.0 ha.

14030 (5) Notwithstanding and in addition to the provisions of Section 1. of this Part P, within the area zoned C4-5, main commercial uses permitted in Section 1.(1) of this Part P, may be accommodated in buildings and/or structures which shall not necessarily be required to be in the form of a shopping centre.

Furthermore, notwithstanding the provisions of Section 14, Part C, within the area zoned C4-5, a minimum of five (5) parking spaces per 93 sq. m. of gross floor area shall be required. For the purposes of calculating gross floor area on the subject property, storage areas totalling 12% of gross floor area shall not be included.

Furthermore, notwithstanding the provision of Section 2.(6) of this Part P, within the area zoned C4-5, the main building height shall be 25.6 m.

14103 Furthermore, in addition to the provisions of Section 1.(1) of this Part P, within the area zoned C4-5, a "commercial school" shall be a permitted use.

Furthermore, notwithstanding, and in addition to, the provisions of Section 14, Part C, within the area zoned C4-5, a "commercial school" use shall be considered a business, professional, or administrative office, for the purpose of calculating the parking requirements for the subject property.

98-81 (6) Notwithstanding the provisions of Section 2(3) and 2(5) of this Part P, within the area zoned C4-6, the following provisions shall apply to the detached building located on Part 6, Plan 21R-7246:

- (i) Front Yard Depth (minimum) 12.5 m
- (ii) Interior Side Yard Width (minimum) 5.0 m

The following provisions shall apply to the use of land and the construction of buildings in all C5 Zones subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) Main Non-Retail Commercial Uses

10413

- a) bank and/or trust company;
- b) bus terminal;
- c) business, professional, administrative and/or government offices;
- d) medical clinic;
- e) veterinary hospital;
- f) transition home.

(2) Accessory Uses, Buildings or Structures

Any use, building or structure which is subordinate and customarily incidental to a main non-retail commercial use of the building.

2. ZONE REQUIREMENTS

- (1) Front Yard Depth (minimum) 7.5 m.
- (2) Rear Yard Depth (minimum) 7.5 m.

Where the rear yard abuts a lot which is located in a Residential Zone or RH Zone, the 1.5 m. abutting the rear lot line shall be maintained as a landscaped area.

- (3) Interior Side Yard Width (minimum) 4.5 m., except

Where the side yard abuts a lot which is located in a Residential Zone or RH Zone, a minimum side yard of 7.5 m. shall be provided, of which the 1.5 m. abutting the lot line shall be maintained as a landscaped area.

- (4) Lot Coverage (maximum) 50%
- (5) Building Height (maximum) 10.6 m.

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

3a. FOR TRANSITION HOMES

13027

See Part C, Section 23.

4. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

5. SPECIAL PROVISIONS

- 11174 (1) Notwithstanding the provisions of Section 1(1) of this Part, within the area zoned C5-1, the main Non-Retail Commercial uses shall be limited to business, professional and administrative offices for the use of one professional person plus staff. Notwithstanding the Zone Requirements of Section 2, the minimum front

yard depth and the minimum easterly interior side width shall be as they existed on the date the By-Law was passed.

11609 (2) Notwithstanding the provisions of Section 1(1) of this Part Q, within the area zoned C5-2, the permitted use shall be restricted to off-street parking associated with the medical office building at 210 Dundas Street East.

NOTE: Section 3 of By-Law Number 11609 has been amended by By-Law 12294 as follows.

12294 (3) Notwithstanding the provisions of Section 1(1) of this Part Q, within the area zoned C5-3, permitted uses shall be restricted to the medical office building at 210 Dundas Street East as well as a pharmacy, optical retail store and medical supply store, and notwithstanding the Zone Requirement of Section 2(3) of this Part Q, within the area zoned C5-3, the minimum interior side yard width with respect to the west side yard of the lot shall be 3.8 m.

11992 (4) Notwithstanding the provisions of Sections 2(2) and 2(3) of this Part Q, and of Section 1(16) of Part B of this By-Law, within the area zoned C5-4, the following provisions shall apply:

- i) Rear Yard Depth (minimum) 2.7 m.
- ii) Interior Side Yard Width (minimum) 3.66 m.
- iii) Outside Side Yard Width (minimum) 6.4 m.

12050 (5) Notwithstanding the provisions of Section 1(1) of this Part Q, within the area zoned C5-5, the main Non-Retail Commercial uses shall be limited to business, professional, administrative and/or government offices, and a medical clinic. Notwithstanding the Zone Requirements of Sections 2(2) and 2(3) of this Part Q, within the area zoned C5-5, the minimum rear yard depth shall be 6.3 m., provided that the 1.5 m. abutting the rear lot line shall be maintained as a landscaped area, and the minimum interior side yard width shall be 0.5 m.

12771 (6) Notwithstanding the provisions of Section 1(1) of this Part Q, within the area zoned C5-6, the permitted uses shall be restricted to off-street parking.

Notwithstanding the provisions of Part C, Section 15(2)d) of this By-Law, within the area zoned C5-6, the parking area shall be separated from the abutting east side lot line by a strip of land at least 0.9 m. in width, and no landscaping shall be required within such strip of land.

Notwithstanding the provisions of Part C, Section 15(1)b) of this By-Law, any off-street parking provided within the area zoned C5-6 may be used to satisfy parking requirements established by Part C, Section 14 of this By-Law for permitted uses located at 15 Victoria Avenue and 280 Pinnacle Street.

12800 (7) Notwithstanding the provisions of Section 1 of this Part Q, within the area zoned C5-7, the following uses shall be allowed in addition to those permitted in the C5 Zone: an eating establishment; an electrical and electronic equipment retail and wholesale establishment; an office supplies and equipment retail store; and a service shop.

Furthermore, notwithstanding the provisions of Subsection 2(5) of this Part Q, within the area zoned C5-7, the maximum building height will be 24.2 m.

Furthermore, notwithstanding but in addition to the provisions of Subsection 15(1)a) of Part C of this By-Law, within the area zoned C5-7, not more than thirty two (32) parking spaces shall have minimum dimensions of 2.4 m. in width by 4.7 m. in length.

- 12920 (8) Notwithstanding and in addition to the provisions of Section 1(1) of this Part Q, within the area zoned C5-8, an optical, retail store, medical supply retail store, and/or a hearing aid retail store shall be permitted provided that such use does not exceed 319.0 sq. m. gross floor area.

Notwithstanding the zone requirements of Sections 2(1), 2(2), 2(3), 2(4) and 2(5) of this Part Q, within the area zoned C5-8, the minimum front yard depth shall be 7.2 m., the minimum rear yard depth shall be 10.2 m., the minimum interior side yard depth shall be 2.05 m., the maximum lot coverage shall be 21%, and the maximum gross floor area shall be 1,886 sq. m.

Notwithstanding the provisions of Part B, Section 1(16) of this By-Law, within the area zoned C5-8, the minimum outside side yard width shall be 16.8 m..

- 13870 (9) Notwithstanding and in addition to the provisions of Section 1. of this Part Q, within the area zoned C5-9, a public parking lot shall be permitted.

- 13952 (10) Notwithstanding and in addition to the provisions of Section 1. (1) of this Part Q, within the area zoned C5-10, a parking area shall be a main permitted use.

Furthermore, within the area zoned C5-10, the provisions of Part C, Section 15. (1)g) shall not apply.

- 2003-28 (11) Notwithstanding the provisions of Sections 1(1) and 2(3) of this Part Q, within the area zoned C5-11, the only permitted use shall be a business, professional and/or administrative office subject to a minimum interior side yard width of 4.5 metres.

- 2014-04 (12) Notwithstanding the provisions of Subsection 15 (1) g) of Part C and Subsection 1 (1) of this Part Q, within the area zoned C5-12 the permitted use shall be restricted to an off-street parking area.

The following provisions shall apply to the use of land and the construction of buildings in all C6 Zones subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) Main Commercial Uses

- a) eating establishment;
- b) hotel;
- c) marina;
- d) motel which may or may not have commercial school facilities as an integral part thereof;
- e) tavern;
- f) water-oriented retail sales and services establishments;
- g) private boat house;
- 11005 h) public and private recreational facilities;
- 11005 i) tourist-oriented retail uses.

(2) Accessory Uses, Buildings or Structures

Any use, building or structure which is subordinate and customarily incidental to a main commercial use of the building.

2. ZONE REQUIREMENTS FOR COMMERCIAL USES EXCEPT PRIVATE BOAT HOUSES

- (1) Lot Frontage (minimum) 15.0 m.
- (2) Front Yard Depth (minimum) 7.5 m.
- (3) Rear Yard Depth (minimum) 7.5 m. except

Where the rear lot line abuts a navigable waterway, no rear yard shall be required along such abutting lot line.

- (4) Interior Side Yard Width (minimum) 7.5 m.

Where the yard abuts a lot which is located in a Residential Zone or RH Zone, the 1.5 m. abutting the lot line shall be maintained as a landscaped area. Where the side lot line abuts a navigable waterway no side yard shall be required along such abutting lot line.

- 11005 (5) Tourist-Oriented Retail Floor Space (maximum) 8,000 sq. ft. or 5% of total floor space (whichever is less)

3. ZONE REQUIREMENTS FOR PRIVATE BOAT HOUSES

- (1) Front Yard Depth (minimum) 7.5 m.
- (2) Interior Side Yard Width (minimum) Nil
- (3) Rear Yard Depth (minimum) Nil

4. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

4a. OUTDOOR PATIO PROVISIONS

13390

Within this Part R, an outdoor patio shall be permitted when developed in association with a permitted eating establishment, subject to the requirements of Section 24. of Part C.

5. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

6. FOR OFF-STREET LOADING PROVISIONS

See Part C, Sections 16 and 17.

7. SPECIAL PROVISIONS

(1) Notwithstanding the provisions of Section 1 of this Part, within the area zoned C6-1, Highway Commercial uses, as contained in Part O, Section 1 and Non-Retail Commercial uses, as contained in Part Q, Section 1 are permitted, in addition to those uses listed in Section 1 of this Part. Such Highway Commercial uses shall be subject to the zone regulations of Part O, Section 2, and the Non-Retail Commercial uses shall be subject to the provisions of Part Q, Section 2.

(2) Notwithstanding the provisions of Subsection 1(1) of this Part, the existing private club, at the location listed below, is permitted, in addition to those uses listed in Section 1 and Subsection 7(1) of this Part. This existing private club shall be subject to the zone regulations of Part Y, Section 2 of this By-Law.

Location of Private Club

a) Front Street South opposite St. Paul Street

11005 (3) Deleted by By-Law 2014-159 November 10, 2014 and replaced with following:
12640
2003-146

2014-159 Notwithstanding the provisions of Section 1 of this Part R and Subsection 1 (14) of Part B, within the area zoned C6-2, the permitted uses shall be the uses of Section 1, subject to the zone requirements of Subsection 2 (5) being deleted, a business, professional, administrative and/or government office, a day nursery and three (3) fifteen (15) storey apartment buildings totaling 302 dwelling units with the lots permitted to front on a common elements condominium private road.

Notwithstanding the provisions of Subsection 7 (3) of this Part R, within the area zoned C6-2-h no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of the C6-2-h zone. The 'h' holding symbol shall be removed after an appropriate Subdivision Agreement is entered into with the City of Belleville that addresses, to the satisfaction of the City, all the pertinent technical requirements for development.

11594 (4) Notwithstanding the provisions of Section 1(1) of this Part R, within the area zoned C6-3 the permitted uses shall include a specialty retail clothing boutique and one (1) dwelling unit above the first floor of commercial use, in addition to the uses permitted in Section 1(1).

- 99-12 Furthermore, notwithstanding but in addition to the provisions of this Section 7. (4) of Part R, within the lands zoned C6-3, a business, administrative or professional office also shall be permitted.
- 2013-223 (5) Notwithstanding the provisions of Subsections 7 (1), 2 (2) and 2 (4) of this Part R, within the area zoned C6-4, a 4-unit dwelling shall be a permitted use in addition to the permitted uses of Subsection 7 (1) subject to a minimum front depth and interior side yard width of 1.2 m and a minimum rear yard depth of nil as existing on the date of passing of this By-Law.
- 2014-159 (6) Notwithstanding the provisions of Subsections 1(1) and 2 (1) of this Part R, within the area zoned C6-5, the only permitted uses shall be a marina and water-oriented retail sales and service establishments subject to a minimum lot frontage of 13.4 metres.
- 2016-33 (7) Notwithstanding the provisions of Subsection 7 (1) of this Part R, within the area zoned C6-6, a single detached dwelling shall be a permitted use in addition to the permitted uses of Subsection 7 (1). Such single detached dwelling shall be subject to a maximum height of 2 storeys, minimum front yard depth and interior side yard width of 1.2 m, and a minimum rear yard depth of nil as existing on the date of passing of this by-law.

The following provisions shall apply to the use of land and the construction of buildings in all C7 Zones subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Commercial Uses**

- a) motor vehicle gasoline bar;
- b) motor vehicle service station;
- c) motor vehicle washing establishment.

(2) **Accessory Uses, Buildings or Structures**

Any use, building or structure which is subordinate and customarily incidental to a main commercial use of the building.

2. ZONE REQUIREMENTS

- (1) Minimum frontage on any street shall be 38.0 m.
- (2) No gasoline pump shall be located closer to any lot line than 4.5 m.
- (3) Notwithstanding the requirements of this By-Law, canopies over gas pumps are permitted, provided:
 - a) the minimum distance between ground at the base of the gas pumps and the lowest point of the canopy is 3.0 m.; and
 - b) the nearest part of the canopy is not closer than 1.5 m. to any lot line.
- (4) No buildings shall be erected closer to a street line than 9.0 m., nor closer to any other lot line than 3.0 m. However, where an interior side or rear lot line abuts a lot in a Residential Zone or RH Zone, no building shall be located within 7.5 m. of such abutting lot line. The 1.5 m. abutting the lot line shall be maintained as a landscaped area.
- (5) The width of any entrance or exit, or combined entrance or exit, measured at the street line shall not be greater than 9.0 m.
- (6) The distance between the point of intersection of the front lot line and either side lot line and the nearest entrance or exit shall be at least 3.0 m.
- (7) On a corner lot, no entrance or exit shall be permitted within 7.5 m. of the intersection of the two (2) street lines.
- (8) A strip of land not less than 1.5 m. in width shall be provided for landscaping purposes between the working area and any adjacent lot line other than those sections used for ingress and egress.
- (9) No open storage of unserviceable cars and waste materials shall be permitted.
- (10) Underground fuel storage tanks shall be installed in accordance with The Gasoline Handling Act, R.S.O., 1970, Chapter 189, as amended.

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

4. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

5. FOR OFF-STREET LOADING PROVISIONS

See Part C, Sections 16 and 17.

6. SPECIAL PROVISIONS

- 10586 (1) Notwithstanding the provisions of Section 1 of this Part S, within the area zoned C7-1, General Commercial uses, as contained in Part N, Section 1 are permitted, subject to the provisions of Part N.
- (2) Notwithstanding the provisions of Subsection 1(1) of this Part, within the area zoned C7, on the northwest corner of the intersection of Dundas Street East and Farley Avenue, the existing dry cleaners establishment and coin-operated laundry are permitted uses, in addition to those uses listed in Section 1 of this Part.
- 10586 (3) Notwithstanding the provisions of Section 1 of this Part S, within the area zoned C7-2, Highway Commercial uses, as contained in Part O, Section 1 are permitted, subject to the provisions of Part O.
- (4) Notwithstanding the provisions of Subsection 1(1) of this Part, within the area zoned C7, on the south side of Bridge Street East, at Plaza Square, the existing retail store is a permitted use, in addition to those uses listed in Section 1 of this Part.
- 10586 (5) Notwithstanding the provisions of Section 1 of this Part S, within the area zoned C7-3, Non-Retail Commercial uses, as contained in Part Q, Section 1 are permitted, subject to the provisions of Part Q.
- 10586 (6) Notwithstanding the provisions of Section 1 of this Part S, within the area zoned 2003-151 C7-4 Local Commercial uses, as contained in Part M, Section 1 are permitted, subject to the provisions of Part M in addition to motor vehicle sales.
- 11205 (7) Within an area zoned C7-5 the uses as contained in Part O, Section 1, are permitted subject to the provisions of Part O, and the uses as contained in Part S, Section 1, are permitted subject to the provisions of Part S, with the exception that motor vehicle washing establishments shall not be permitted.
- 12460 (8) Notwithstanding the provisions of Subsection 1(1) of this Part S, within the area zoned C7-6, the permitted uses shall include a motor vehicle gasoline bar, a motor vehicle service station, a motor vehicle washing establishment, and warehousing units in the form of self-storage units, provided that such uses shall be developed in accordance with the site plan attached hereto and forming part of this By-Law as Appendix V.
- 2009-16 (9) Notwithstanding the provisions of Subsections 1 (1), and 2 (4) of this Part S, within the area zoned C7-7 a motor vehicle repair garage shall be a permitted use, in addition to the permitted uses of Subsection 1 (1), subject to a minimum easterly yard of 4.87 metres and a minimum southerly yard of 4.97 metres.

- 2010-178 (10) Notwithstanding the provisions of Section 1 of this Part S, within the area zoned C7-2-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this by-law. The 'h' holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that the existing approved site plan for the property located at 397 North Front Street has been amended to account for the development of the lands located within the 'h' zoned area subject to this By-Law.

The following provisions shall apply to the use of land and the construction of buildings in all CR Zones subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) Main Commercial Recreational Uses

- a) arena;
- b) athletic field;
- c) children's playground;
- d) convention rooms;
- e) gymnasium;
- f) similar indoor and outdoor recreational and/or educational uses;
- g) swimming pool;
- h) teaching room;
- i) tennis court.

(2) Accessory Uses, Buildings or Structures

- a) eating establishments, snack bars and/or sporting goods shops provided such are located within a main building permitted under Subsection 1(1) above;
- b) any use, building or structure, which is subordinate to a main commercial use of the building.

2. ZONE REQUIREMENTS

- | | | |
|-----|------------------------------------|--------------|
| (1) | Lot Frontage (minimum) | 76.0 m. |
| (2) | Lot Area (minimum) | 8.0 hectares |
| (3) | Front Yard Depth (minimum) | 45.7 m. |
| (4) | Rear Yard Depth (minimum) | 15.0 m. |
| (5) | Interior Side Yard Depth (minimum) | 15.0 m. |

3. OFF-STREET PARKING

Notwithstanding the provisions of Part C, Sections 14 and 15, the following off-street parking provisions shall apply to all areas within the CR Zone:

- (1) One parking space shall be provided for every six (6) indoor spectators' seats provided in the facilities.
- (2) Where land abutting a rear or interior side lot line is used, or zoned, for detached one family dwellings, or is in an RH Zone, no parking area shall be closer to that lot line than a distance of 3.0 m.
- (3) Every parking space shall have access to a driveway not less than 6.0 m. wide provided for the purpose of giving access to a public street.
- (4) Parking areas referred to in Subsection 3(1) shall be constructed of crushed stone, slag, gravel or cinders having an asphaltic or cement binder or any permanent type of surfacing with drainage facilities that comply with the requirements of The Corporation of the City of Belleville.

- (5) Every entrance and exit shall be surfaced in the same manner as the parking area.
- (6) Every parking space provided under Subsection 3(1) shall be clearly marked and such markings shall be maintained and periodically renewed.
- (7) Where a parking area is adjacent to a Residential Zone or an RH Zone, any lighting facilities shall be so arranged as to deflect the light away from the Residential Zone.
- (8) Where a parking area is adjacent to a Residential Zone or an RH Zone, a barrier of at least 1.5 m. in height shall be erected, and such barrier shall be constructed of material and in a manner to effect complete visual screening of the parking area.

10958

The following provisions shall apply to the use of the land and the construction of buildings located in the CM Zone subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Uses**

- a) business, professional and/or administrative offices;
- b) eating establishments, but not including drive-in restaurants;
- c) service shops;
- d) banks, trust companies and other similar financial establishments;
- e) rental and service businesses for commercial and industrial equipment;
- f) a butcher shop, a jewellery repair shop, a clock repair shop, and other similar speciality businesses;
- g) automotive supply and service businesses.

(2) **Accessory Uses, Buildings or Structures**

Any use, building or structure which is subordinate and customarily incidental to a main use.

2. ZONE REQUIREMENTS

- (1) All permitted uses shall be accessory commercial uses primarily serving the industrial area in which they are located and shall be situated within an Industrial Mall. For the purpose of this Part T-1 an Industrial Mall shall mean a building or group of buildings constructed for multiple tenant occupancy having a minimum gross floor area of 7,432 sq. m. and containing industrial and commercial establishments constructed in accordance with the provisions of Section 2, Zone Requirements of Part V-M1 Industrial Restricted Zone.
- (2) Where permitted uses are established, such uses shall be limited to a maximum of 20% of the total gross floor area of the Industrial Mall. In addition the maximum gross floor area of any single permitted use shall be 557 sq. m.
- (3) Notwithstanding the provisions of Part C, Sections 14 and 15, the following off street parking provisions shall apply to all uses within the CM Zone.
 - a) One parking space shall be provided for every 50 sq. m. of gross floor area devoted to the permitted uses.
 - b) Driveways to parking areas serving the Industrial Mall may pass through the CM Zone.

The following provisions shall apply to the use of land and the construction and use of buildings in all CH Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain existing buildings and structures thereon for any of the following purposes:

(1) Main Uses, Buildings or Structures

Only commercial uses, buildings or structures which existed at the date of passing of this By-Law. Strengthening, restoration and replacement of such existing buildings or structures shall be permitted subject to the provisions of Part B, Subsection 2(2).

The following provisions shall apply to the use of land and the construction of buildings in all M1 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes, if conducted wholly within enclosed buildings:

(1) Main Industrial Uses

2002-165

- a) light manufacturing, assembling, processing and for fabricating of goods and materials;
- b) warehousing and storage of goods, but not including salvage yards;
- c) wholesale business;
- d) research and development facility;
- e) training facility and/or commercial school;
- f) business, professional and/or administrative office;
- g) printing and/or publishing establishment;
- h) commercial and/or industrial rental/service business;
- i) industrial and office equipment sales, rental, supply and service; and
- j) business and industrial incubator.

(2) Accessory Uses, Buildings or Structures

Any use, building or structure which is subordinate and customarily incidental to a main industrial use of the building. These uses would include a retail outlet for the purpose of selling goods manufactured, stored and/or assembled on the premises, provided such outlet is part of the main building, and occupies not more than five (5) percent of the gross floor area of the main building or 93.0 sq. m., whichever is the lesser.

2. ZONE REQUIREMENTS

- | | | |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| (1) | Front Yard Depth (minimum) | 15.0 m., except |
| | Where the opposite side of the street is in a Residential Zone or RH Zone | 22.8 m. |
| (2) | Rear Yard Depth (minimum) | 7.5 m., except |
| | a) Where the rear yard abuts a railway Residential Zone or RH Zone, 12.0 m., of which the 1.5 m. abutting the lot line shall be maintained as landscaped area. | |
| | b) Where the rear yard abuts a railway right-of-way which will provide loading facilities. | Nil |
| (3) | Interior Side Yard Width (minimum) | 7.5 m., except |
| | a) Where the side yard abuts a lot in a Residential Zone or RH Zone, 12.0 m., of which the 1.5 m. abutting the lot line shall be maintained as landscaped area; or | |
| | b) Where the side yard abuts a railway right-of-way which will provide loading facilities | Nil |
| (4) | Lot Coverage (maximum) | 65% |
| (5) | Building Height (maximum) | 15.0 m. |

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

4. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

5. FOR OFF-STREET LOADING PROVISIONS

See Part C, Sections 16 and 17.

6. SPECIAL PROVISIONS

10413 (1) Notwithstanding the provisions of Subsection 2(1) and 2(3) of this Part V, within the areas zoned M1-1 the minimum front yard shall be 13.7 m. and the minimum side yards shall be 3.0 m. on one side and 7.5 m. on the other side.

(2) Notwithstanding the provisions of Section 2 of this Part V, within the areas zoned M1-1 the yards existing at the time of the passing of the By-Law shall be deemed to comply with the provisions of this By-Law.

(3) Notwithstanding the provisions of Subsection 2(5) of this Part V, within the areas zoned M1-2 the maximum height requirement shall not apply.

11600 (4) Notwithstanding the provisions of Section 1(1) of this Part V, within the area zoned M1-3, in addition to those uses already permitted, a retail furniture store having a maximum gross floor area of 1,680 sq. m. shall be a permitted use. Furthermore, within the area zoned M1-3, and notwithstanding the provisions of Section 14, the minimum number of required parking spaces shall be seventy four (74). Within the area zoned M1-3 and notwithstanding the provisions of Part C, Section 15(1)c) the minimum required width of a parking aisle shall be 6.4 m.

12357 (5) Notwithstanding the provisions of Subsection 1(1) of this Part V, within the area zoned M1-4, in addition to those uses already permitted, a building supplies retail facility and associated outside storage area shall be developed in accordance with the site plan attached hereto and forming part of this By-Law as Appendix IV.

In addition to the provisions of this Part V, within the area zoned M1-4 the following provisions shall apply:

Where open storage is visible from the street, such storage shall be enclosed by adequate screening including a solid privacy fence not less than 1.8 m. in height and by landscaping sufficient to provide a visual screen; and no open storage shall be permitted to be located in a front yard, or closer than 15.0 m. (minimum) to any side lot line (including outside side lot line) or closer than 9.0 m. (minimum) to any rear lot line.

13174 (6) Notwithstanding the provisions of Subsection 2(1) of this Part V, within the area zoned M1-5, the minimum outside side yard shall be 7.0 metres.

13251 (7) Notwithstanding the provisions of Subsection 1(2) of this Part V, within the area zoned M1-6, in addition to those uses already permitted, a Bus Service Garage shall be a permitted use.

- 13753 (8) Notwithstanding the provisions of Subsection 2(5) of this Part V, within the area zoned M1-7, the maximum height requirement shall not apply. Furthermore, within the area zoned M1-7, open storage shall be permitted as an accessory use to a main industrial use provided that such storage is located in a rear yard and is enclosed by adequate screening, including a solid privacy fence not less than 1.8 m. in height.
- 13791 (9) Notwithstanding the provisions of Subsection 2. (5) of this Part V, within the area zoned M1-8 the maximum height requirement shall not apply. Furthermore, within the area zoned M1-8, in addition to those main industrial uses permitted under Section 1.(1) of this Part V, a commercial school and eating establishment accessory to a commercial school shall be permitted.
- 2002-152(10) Notwithstanding the provisions of Section 1(1) of this Part V, within the area zoned M1-9, a business, professional and/or administrative office, motorcycle repair and rental shop, and ancillary retail of motorcycle accessories shall be permitted uses in addition to those uses permitted by Section 1(1) of this Part V.
- 2003-89 (11) Notwithstanding the provisions of Section 1(1) of this Part V, within the area zoned M1-10, a landscape supply business, bulk storage yard and construction yard shall be permitted uses in addition to those uses permitted by Section 1(1) of this Part V.
- 2006-8 (12) Notwithstanding the provisions of Section 1(1) of this Part V, within the area zoned M1-11, a medical sports injury clinic and a personal fitness training facility shall be a permitted use in addition to those uses permitted by Section 1(1) of this Part V.
- 2007-24 (13) Notwithstanding the provisions of this Part V, within the area zoned M1-12, open storage as an accessory use shall be permitted provided such storage is fenced and located in a rear yard no closer than 50 metres to the rear lot line.
- 2012-103 (14) Notwithstanding the provisions of Section 1 (1) of this Part V, within the area zoned M1-13, the only permitted uses shall be a doctor's clinic, including an associated pharmacy, a day care centre, bank, restaurant, fitness centre, laboratory, x-ray clinic, wellness centre, business, professional and/or administrative office, research and development facility, training facility and/or commercial school, a business incubator (non-manufacturing), artist studio and communications and broadcasting. For the purposes of this By-Law a doctor's clinic shall not include a drug rehabilitation centre.

Furthermore, notwithstanding the provisions of Subsection 2(5) of this Part V, within the area zoned M1-13, the maximum building height shall be one-storey within a 50 metre setback from any lot line that abuts a lot which is located in a residential zone and a 15 metre wide landscaping strip (vegetative buffer and setback) shall be provided in accordance with Part C, Section 19 of this By-Law in perpetuity along any lot line which abuts a lot which is located in a residential zone.

2008-50 Notwithstanding the provisions of Section 1 (1) of this Part V, within the area zoned M1-13-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of the M1-13-h zone. The 'h' holding symbol shall not be removed from the M1-13-h zone until:

- payment is made to F & S Land Developments Ltd. for the proportionate share of the costs of services for the subject development, or;
- a cost sharing agreement has been entered into with F & S Land Developments Ltd. regarding the provision of the said services.

The following provisions shall apply to the use of land and the construction of buildings in all M2 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) Main Industrial Uses

- a) all uses permitted in the M1 Zone;
- b) bulk storage yard;
- c) construction yard;
- d) heavy manufacturing, assembling, processing and/or fabricating of goods and/or materials;
- e) motor vehicle body shop;
- f) municipal yard and/or public utilities yard;
- g) railway uses;
- h) truck and/or transport terminal.

(2) Accessory Uses, Buildings or Structures

Any use, building or structure which is subordinate and customarily incidental to a main industrial use of the building. These uses would include a retail outlet for the purpose of selling goods manufactured, stored and/or assembled on the premises, provided such outlet is part of the main building, and occupies not more than five (5) percent of the gross floor area of the main building or 93.0 sq. m., whichever is the lesser.

2. ZONE REQUIREMENTS

- | | | |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| (1) | Front Yard Depth (minimum) | 15.0 m., except |
| | Where the opposite side of a street is in a Residential Zone or RH Zone | 22.8 m. |
| (2) | Rear Yard Depth (minimum) | 7.5 m., except |
| (a) | Where the yard abuts a lot in a Residential Zone or RH Zone, 22.8 m., of which the 1.5 m. abutting the lot line shall be maintained as landscaped area; or | |
| (b) | Where the yard abuts a right-of-way which will provide loading facilities for the main use of the lot | Nil |
| (3) | Interior Side Yard Width (minimum) | 7.5 m., except |
| (a) | Where the yard abuts a lot in a Residential Zone or RH Zone, 22.8 m., of which the 1.5 m. abutting the lot line shall be maintained as landscaped area; or | |
| (b) | Where the yard abuts a railway right-of-way which will provide loading facilities for the main use of the lot | Nil |
| (4) | Lot Coverage (maximum) | 65% |
| (5) | Building Height (maximum) | 15.0 m. |

3. OPEN STORAGE

- (1) Where open storage is carried on in conjunction with any use permitted under Subsection 1(1) of this Part, such open storage shall not be located in any required front yard or required outside side yard.
- (2) Where open storage is located in a yard which abuts a Residential Zone or RH Zone, or is visible from the street, such open storage shall be enclosed by adequate screening in the form of landscaping or fencing to a height of not less than 1.8 m.
- 11596 (3) Notwithstanding the provisions of Subsection 3(1) of this Part, within the area zoned M2-2, the uses permitted shall include the outside storage of industrial gases in the front yard, provided that the outside storage is located no closer than 4.5 m. to any lot line.

4. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

5. FOR OFF-STREET PARKING PROVISIONS

See Part C, Section 14 and 15.

6. FOR OFF-STREET LOADING PROVISION

See Part C, Sections 16 and 17.

7. SPECIAL PROVISIONS

- (1) Notwithstanding the provisions of Subsection 1(1) of this Part, the existing bulk storage yards, together with the existing retail outlet facilities, at the locations listed below, are permitted, in addition to those uses listed in Section 1 of this Part.

Location of Bulk Storage Yard

- a) 101 Church Street
- b) 24 Newberry Street
- 13509 c) 445 Dundas Street East

- 10413 (2) Notwithstanding the provisions of Subsection 2(5) of this Part W, within the areas zoned M2-1, the maximum height requirement shall not apply.

- 2002-78
2014-102 (a) NOTE TO FILE: By-Law 2014-102, passed June 23rd, 2014 and removed the 'h' holding symbol.

- 11596 (3) Notwithstanding the provisions of Subsection 1(1) of this Part, within the area zoned M2-2 retail propane sales shall be a permitted use in addition to the uses permitted in Subsection 1(1), provided that no fuel tank and refuelling station shall be located closer than 4.5 m. to any lot line, and the 1.5 m. abutting the lot line shall be maintained as landscaped area.

- 12369 (4) Notwithstanding the provisions of Section 1 of this Part W, within the area zoned M2-3, the permitted uses shall be restricted to Restricted Industrial uses as contained in Part V, Section 1 of this By-Law, and, in addition, a casting foundry.
- 12371 (5) Notwithstanding the provisions of Section 1 of this Part W, within the area zoned M2-4, the permitted uses shall be restricted to Restricted Industrial uses as contained in Part V, Section 1 of this By-Law, and, in addition, a plumbing supplies wholesale facility with accessory bulk storage yard for the open storage of plumbing materials.
- 13320 (6) Notwithstanding the requirements of Section 1 of this Part W, within the area zoned M2-5, a Helicopter Landing Pad shall be a permitted use, in addition to the uses permitted in Section 1 of this Part.
- 14078 (7) Notwithstanding the provisions of Section 1. of this Part W, within the area zoned M2-6, a Waste Transfer Station shall be a permitted use, in addition to the uses permitted in Section 1 of this Part W.
- 14153 Furthermore, within the area zoned M2-6, a Waste Transfer Station shall be located only within an enclosed building, and/or the designated outdoor yard area, as shown on the site plan which forms part of this By-Law and is attached hereto as Appendix X.
- 2003-88 (8) Notwithstanding the provisions of Section 1(1) of this Part W, within the area zoned M2-7, a motor vehicle repair garage shall be a permitted use in addition to those uses permitted by Section 1(1) of this Part W, subject to a minimum front yard depth of 13.7 metres, a minimum rear yard depth of 2.8 metres and a minimum easterly interior side yard width of 4.5 metres.
- 2016-82 (9) Notwithstanding the provisions of Section 1(1) of this Part W, within the area zoned M2-8, permitted uses shall be a municipal yard and/or public utilities yard and permitted uses in the M1-Restricted Industrial Zone.

The following provisions shall apply to the use of the land and the construction of buildings located in the M2C Zone subject to the general provisions under Part B and Part C of this By-Law.

10784

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Industrial Uses**

- a) All uses permitted in Section 1(1) of PART W - M2 General Industrial Zone.

(2) **Accessory Uses, Buildings or Structures**

- a) All uses permitted in Section 1(2) of PART W - M2 General Industrial Zone.
- b) A bank and a restaurant.

2. ZONE REQUIREMENTS

The provisions of the M2 Zone (PART W) shall apply.

3. SPECIAL PROVISIONS

- 14190 (1) Notwithstanding the provisions of Section 1 of this Part W-1, within the area zoned M2C-1, the following accessory commercial uses shall be permitted in addition to the uses permitted in Section 1. of this part: convenience store; drug store; dry cleaning and/or laundry establishment; printing and/or publishing establishment; retail office supplies store; service shop; business, professional or administrative office; retail store; ambulance service; bake shop; commercial school; day nursery; medical clinic; recreational facilities; and private school.

- 12979 (2) Notwithstanding the provisions of Subsection 1(1) of this Part W-1, within the area zoned M2C-2, the Main Industrial Uses shall be limited to those permitted in Subsection 1(1)a) of Part W of this By-Law.

Furthermore, notwithstanding the provisions of Subsection 1(2) of this part W-1, within the area zoned M2C-2 the permitted Accessory Uses shall be limited to those permitted in Subsection 1(2)a) of this Part W-1 as well as a business, professional or administrative office.

The following provisions shall apply to the use of land and the construction of buildings in all M3 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) Main Industrial Uses

The following main uses shall be permitted only within enclosed buildings or structures:

- a) a fish processing or wholesaling plant;
- b) a warehousing or storage building, but not including a truck and/or transport terminal;
- c) a wholesaling establishment.

(2) Main Commercial Uses

- a) a boat rental establishment;
- b) a boating supply establishment;
- c) a confectionery store;
- d) a fruit and vegetable retail stand;
- e) a marina and boat house;
- f) a sporting goods rental establishment;
- g) a sporting goods store;
- h) a tent-trailer rental and retail establishment.

(3) Accessory Uses, Buildings or Structures

Any use, building or structure which is subordinate and customarily incidental to a main commercial or industrial use of the building.

2. ZONE REQUIREMENTS

- | | | |
|-----|------------------------------------|--------------|
| (1) | Lot Area (minimum) | 232.0 sq. m. |
| (2) | Lot Frontage (minimum) | 21.3 m. |
| (3) | Front Yard Depth (minimum) | 6.0 m. |
| (4) | Interior Side Yard Width (minimum) | 3.0 m. |

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

4. OFF-STREET PARKING REQUIREMENTS

Notwithstanding the provisions of Part C, Section 14, the following parking provisions shall apply to all areas within the M3 Zone:

Off-Street parking requirement for all permitted uses (minimum)	One (1) space for each five (5) employees or part thereof.
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Such parking areas shall comply with the requirements of Part C, Section 15.

5. FOR OFF-STREET LOADING PROVISIONS

See Part C, Sections 16 and 17.

The following provisions shall apply to the use of land and the construction of buildings in all M4 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

11133

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes. Such buildings and/or structures must be in the form of an Industrial Mall. All permitted commercial uses shall be accessory commercial uses primarily serving the industrial area in which they are located.

(1) **Main Industrial Uses**

- a) all uses permitted in the M1 (Restricted Industrial) zone.

(2) **Main Commercial Uses**

- a) business, professional and/or administrative offices;
- b) eating establishments;
- c) service shops;
- d) banks, trust companies and other similar financial establishments;
- e) industrial equipment rental, maintenance, sales and service outlets;
- f) automotive supply and service business;
- g) industrial supply outlet.

(3) **Accessory Uses, Buildings or Structures**

- a) Any use, building or structure which is subordinate and customarily incidental to a main use or other use.

2. ZONE REQUIREMENTS

- (1) The requirements of Part V - M1 Restricted General Zone, Section 2, shall apply; except Subsection 4 where Lot coverage (maximum) shall be 45%, and Subsection 5 shall not apply.
- (2) Those uses permitted under Section 1, Subsection (2) of this Part shall be limited to 20% of the gross floor area of the Industrial Mall.
- (3) The maximum gross floor area for any one use permitted under Section 1, Subsection (2) of this Part, shall be 557.0 sq. m.

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

4. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

5. FOR OFF-STREET LOADING PROVISIONS

See Part C, Sections 16 and 17.

6. SPECIAL PROVISIONS

98-114 (1) Notwithstanding the preamble to Section 1. Permitted Uses, and notwithstanding the provisions of Section 2. of this Part X-1, within the area zoned M4-1, buildings do not have to be in the form of an industrial mall and may be constructed for single or multiple occupancy in accordance with the provisions of Section 2. of Part V - M1 - Restricted Industrial Zone.

12761 (2) Notwithstanding the provisions of Sections 1. and 2. of this Part X-1, and the definition of an Industrial Mall contained in Part A, Section 5.(68)a) of this By-Law, within the area zoned M4-2, the following provisions shall apply:

1. **Permitted Uses**

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes. Such buildings or structures may be in the form of an Industrial Mall which is defined, for the purposes of this Section, as being a building or group of buildings constructed for multiple tenant occupancy containing industrial uses and which may also contain one or more commercial uses. It is the intent of this Section that within the area zoned M4-2, the Main Commercial uses specifically shall not include retail shopping centres, food supermarkets, or department stores as permitted uses.

(1) **Main Industrial Uses**

a) all uses permitted in the M1-Restricted Industrial Zone.

(2) **Main Commercial Uses**

- a) automotive supply and service establishment;
- b) banks, trust companies, and other similar financial establishment;
- c) business, professional and/or administrative office;
- d) commercial and/or industrial equipment rental, maintenance, sales and service establishment;
- e) convenience store;
- f) eating establishment;
- g) industrial supply outlet;
- h) retail factory sales outlet;
- i) service shop.

(3) **Accessory Uses, Buildings or Structures**

- a) Any use, building or structure which is subordinate and customarily incidental to a main use or other use.
- b) A retail outlet which is subordinate and incidental to a main industrial use for the purpose of selling goods manufactured, stored and/or assembled on the premises, provided such outlet is part of the main building, and

occupies not more than twenty (20) percent of the gross floor area of the main building or 279.0 sq. m., whichever is the lesser.

2. **Zone Requirements**

- (1) Within the area zoned M4-2, the zone requirements of Part V, Section 2. of this By-Law shall apply, except that the maximum Lot Coverage shall be forty five (45) percent; the maximum height requirement shall not apply; and the minimum front yard requirement shall be 10.0 m.
- (2) Within the area zoned M4-2, the maximum gross floor area for any permitted main commercial use, except for retail factory sales outlets, shall be 560.0 sq. m. and the minimum gross floor area for any retail factory sales outlet shall be 600.0 sq. m.
- (3) Within the area zoned M4-2, where permitted main commercial uses are located in an Industrial Mall, such uses shall be limited to a maximum of forty (40) percent of the gross floor area of the Industrial Mall.

2006-198

3. Notwithstanding the provisions of Subsections 6 (2) 1 (2) and 6 (2) 2 (2) of this Part X-1, within the area zoned M4-3, a netted indoor paintball field and a radio control racecar track shall be a permitted uses with a gross floor area of greater than 560 square metres, in addition to the other permitted uses and provisions of Section 6 (2) of this Part X-1.

12679

The following provisions shall apply to the use of land and the construction of buildings located in the MCP Zone subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the purposes listed below. It is the intent of this Part X-2 that within the area zoned MCP, the Accessory Commercial Uses and Space Extensive Commercial uses specifically shall not include retail shopping centres, food supermarkets, or department stores as permitted uses.

(1) **Main Industrial Uses**

- a) light manufacturing, assembling, processing and/or fabricating of goods and materials;
- b) warehousing and storage of goods, but not including salvage yards;
- c) craftshop;
- d) workshop;
- e) research laboratory;
- f) wholesale business.

(2) **Main Accessory Commercial Uses**

- a) business, professional and/or administrative office;
- b) eating establishment and tavern;
- c) service shop;
- d) bank and/or trust company;
- e) industrial and office equipment rental, maintenance, sales and service outlet;
- f) automotive parts wholesale and retail outlet;
- g) industrial supply outlet;
- h) hotel and/or motel;
- i) printing establishment;
- j) day nursery;
- k) motor vehicle rental agency.

(3) **Main Space Extensive Commercial Uses**

- a) retail furniture, appliances and interior decorating supplies and accessories store;
- b) motor vehicle sales room and lot;
- c) motor vehicle repair garage;
- d) recreational vehicle sales and/or service outlet, including open storage in accordance with Section 2, Subsection (3) of this Part;

- e) garden centre, nursery and/or fruit market, including open storage in accordance with Section 2, Subsection (3) of this Part;
- f) private club;
- g) commercial club;
- h) public or private recreational facility;
- i) assembly hall;
- j) commercial school;
- k) building supply outlet including open storage in accordance with Section 2, Subsection (3) of this Part;
- l) convention centre;
- m) recreational vehicle sales and/or service establishment.

(4) **Other Permitted Uses**

- a) parks and playgrounds

(5) **Accessory Uses, Buildings or Structures**

Any use, building or structure which is subordinate and customarily incidental to a permitted use. In the case of industrial uses specified in Section 1, Subsection (1) above, an accessory use would include a retail outlet for the purpose of selling goods manufactured, stored and/or assembled on the premises, providing such outlet is located within the same building as the main industrial use and occupies not more than ten (10) percent of the gross floor area of the main industrial building or 186.0 sq. m., whichever is the lesser.

2. ZONE REQUIREMENTS

(1) **For All Permitted Uses**

- | | | |
|----|------------------------------------|--------------|
| a) | Lot Area (minimum) | 4,000 sq. m. |
| b) | Lot Frontage (minimum) | 30.0 m. |
| c) | Front Yard (minimum) | 10.0 m. |
| d) | Rear Yard (minimum) | 7.5 m. |
| e) | Interior Side Yard (minimum) | 7.5 m. |
| f) | Outside Side Yard (minimum) | 10.0 m. |
| g) | Building Height (maximum) | 15.0 m. |
| h) | Lot Coverage (maximum) | 40% |
| i) | Landscaped Area (minimum) | 20% |
| j) | Setback from Highway 401 (minimum) | 14.0 m. |
| k) | Frontage on Highway 401 (minimum) | 45.0 m. |

- 1) Prestige industrial commercial uses may be located in a building or in a group of buildings designed for either individual or multiple tenant occupancy.

(2) **For Accessory Commercial Uses**

The zone requirements described in Section 2, Subsection (1) of this Part shall apply except that the maximum building height requirement for a hotel shall be 30 m.

(3) **For Space Extensive Commercial Uses**

The zone requirements described in Section 2, Subsection (1) of this Part shall apply in addition to the following special provisions.

Gross Floor Area (minimum)	600.0 sq. m.
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For the purpose of determining the gross floor area of motor vehicle and/or recreational vehicle sales and service establishments, garden centres, nurseries, fruit markets and building supply outlets, covered open storage areas may be included in the calculation.

Gross Floor Area (maximum)	7,500 sq. m.
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The open storage of goods and materials shall be permitted as an accessory use to a garden centre, a motor vehicle and/or a recreational vehicle sales and/or service establishment, a nursery, a fruit market, a building supply outlet providing all goods and materials stored in the open area screened from adjacent roads and/or properties by a berm or a fence.

Notwithstanding the above, where motor vehicles, recreational vehicles, fruits, vegetables, plants, trees, or any other form of vegetation are being displayed for immediate sale by a nursery, garden centre and/or fruit market, or motor vehicle or recreational vehicle sales outlet, then such goods and materials may be stored in such a way so as to be visible from an adjacent road or property.

No open storage of goods or materials associated with a building supply outlet shall be permitted in a front yard, an outside side yard or in any yard immediately adjacent to Highway No. 401.

Notwithstanding Part A, Section 5, Subsection (92) of this By-Law to the contrary on lands zoned MCP a "**Motor Vehicle**" shall mean any vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric, diesel or steam railways or other vehicles running upon rails.

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

4. FOR OFF-STREET PARKING AND LOADING PROVISIONS

See Part C, Sections 14, 15, 16 and 17.

5. SPECIAL PROVISIONS

- (1) Notwithstanding the provisions of Section 1, Subsection (2) of this Part X-2, within the areas zoned MCP-1, "Accessory Commercial Uses" shall not be permitted. All other provisions of the "MCP Zone" shall apply in their entirety.

- (2) Notwithstanding the provisions of Section 1, Subsections (2) and (3) of this Part X-2, within the areas zoned MCP-2, "Accessory Commercial Uses" and "Space Extensive Commercial Uses" shall not be permitted. All other provisions of the MCP Zone shall apply in their entirety.
- 2010-168 (3) Notwithstanding the provisions of Sections 1(2) and 2(1) e) of this Part X-2, within the area zoned MCP-3, an undertaking establishment shall be a permitted use in addition to the other uses permitted by Section 1 and the minimum interior side yard shall be 2.3 metres.
- 2011-66 (4) Notwithstanding the permitted uses of Section 5(2) of this Part X-2, within the area zoned MCP-4, a fire hall and associated administration and training facilities shall be a permitted use in addition to the uses permitted by Section 5(2). All other provisions of the MCP Zone shall apply in their entirety."

The following provisions shall apply to the use of land and the construction of buildings in all CF Zones, subject to the general provisions under Part B and Part C of this By-law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Community Facility Uses**

- a) arena;
- b) armoury;
- c) art gallery;
- d) board of education administration building;
- e) church and/or religious institution;
- f) community centre;
- g) day nursery;
- h) fire hall;
- i) government administration building;
- j) library;
- k) museum;
- l) police station;
- m) public hospital;
- n) public, separate or private school, or college.

(2) **Main Residential Uses**

- a) Student housing in the form of an apartment dwelling or as dwelling units which are an integral part of the community facility building;
- b) A detached one family dwelling which is associated with a church or religious institution.

13027 c) Transition Home.

(3) **Accessory Uses, Buildings or Structures**

Any use, building or structure, which is subordinate and customarily incidental to a main use of the building.

2. ZONE REQUIREMENTS FOR COMMUNITY FACILITY USES EXCEPT FOR A DAY NURSERY

10980

- (1) Front Yard Depth (minimum)) 7.5 m. or one-half the
- (2) Rear Yard Depth (minimum)) height of the building,
- (3) Interior Side Yard Width (minimum)) whichever is the greater
- (4) Lot Coverage (maximum) 33%

3. ZONE REQUIREMENTS FOR RESIDENTIAL USES

- (1) Where student housing is in the form of an apartment dwelling, such dwelling shall comply with the provisions of Part J.

(2) Where the dwelling units are an integral part of the community facility building, each dwelling unit shall comply with the following minimum gross floor area requirements:

a)	bachelor	28.0 sq. m.
b)	1 bedroom	42.0 sq. m.
c)	2 bedrooms	55.5 sq. m.
d)	3 bedrooms	69.5 sq. m.
e)	4 bedrooms	79.0 sq. m.
f)	for each additional bedroom	9.3 sq. m.

(3) Where a detached one family dwelling is associated with a church or religious institution, such dwelling shall comply with the following provisions:

a)	Front Yard Depth (minimum)	7.5 m.
b)	Rear Yard Depth (minimum)	7.5 m.
c)	Interior Side Yard Width	1.2 m. on each side plus 0.6 m. for each additional partial storey above one storey
d)	Gross Floor Area	93.0 sq. m.

3. a) FOR TRANSITION HOMES

13027 See Part C, Section 23.

4. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

5. FOR OFF-STREET PARKING PROVISIONS

(1) See Part C, Sections 14 and 15.

10413 (2) Notwithstanding the provisions of Part C, Sections 14 and 15, within the lot known as Parts 1 and 2, Plan 21R-3668 and zoned CF-1, fifteen (15) parking spaces shall be provided for the Government Administration Building to be located on the lot.

6. SPECIAL PROVISIONS

(1) This section deleted by By-Law Number 13842.

13698 (2) Notwithstanding the provisions of Subsection 1.(1) and 1.(2), and Section 2, of this Part, within the area zoned CF on the south side of the Canadian Pacific Railway line at Sidney Street, the Belleville Utilities Commission Water Treatment Plant and associated works shall be permitted.

10413 (3) Notwithstanding the provisions of Section 2 of this Part Y, those provisions shall not apply to the areas zoned CF-1.

10413 (4) Notwithstanding the provisions of Section 1 of this Part Y, within the lot zoned CF-2 only a "day nursery" shall be allowed as a permitted use.

12384 (5) Notwithstanding the provisions of Subsection 5.(1) of this Part Y, within the area zoned CF-3, the minimum required number of parking spaces shall be fifty (50) spaces, and the following supplementary requirements shall apply to the required parking area:

- a) the minimum length of eighteen (18) parking spaces facing Bridge Street East shall be 5.85 m.; and
- b) the minimum width of a traffic aisle giving access to such eighteen (18) parking spaces shall be 6.4 m.

12862 (6) Notwithstanding but in addition to the uses permitted by the provisions of Subsection 1. of this Part Y, within the area zoned CF-4, one or more dwelling units for resident staff at a public, separate or private school or college shall be permitted as a main residential use. As well, a public or private park, playground and/or athletic field shall be a permitted use.

12908 (7) Notwithstanding but in addition to the provisions of Section 1 of this Part Y, within the area zoned CF-5, the permitted uses shall include a transition home for a maximum of ten (10) children between thirteen (13) and eighteen (18) years of age.

Furthermore, notwithstanding the provisions of Section 3 of this Part Y, within the area zoned CF-5, the following provisions shall apply:

Lot Frontage (minimum)	18.0 m.
Front Lot Line (minimum)	16.5 m.
Lot Area (minimum)	696.5 sq. m.
Front Yard Depth (minimum)	7.5 m.
Rear Yard Depth (minimum)	7.5 m.

Interior Side Yard Width (minimum)

- a) Where no garage or carport is attached to, or is built as an integral part of the main building, on one side 2.4 m. on the other side 1.2 m. plus 0.6 m. for each additional or partial storey above one storey.
- b) Where a garage or carport is attached to, or is built as an integral part of the main building,
 - i. on the side where the garage or carport is attached or built
 - (aa) where there is no living accommodation above the garage or carport, 1.2 m.
 - (bb) where there is living accommodation above such garage or carport, 1.2 m. plus 0.6 m. for each additional or partial storey above the garage or carport.
 - ii. on the other side 1.2 m. plus 0.6 m. for each additional or partial storey above one storey.

Lot Coverage (maximum)	35%
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Building Height (maximum)	10.6 m.
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(7) Floor Area (minimum) 18.5 sq. m. per resident, including staff member(s)

Yard Area (minimum) 7 sq. m. per resident, which shall be maintained as accessible landscaped open space.

- 13842 (8) Notwithstanding the provisions of Section 1. Subsections (1) and (2) of this Part Y, within the area zoned CF-6, the Belleville Water Pollution Control Plant and its associated works shall be a permitted main Community Facility use.

Furthermore, notwithstanding and in addition to the provisions of Section 2. of this Part Y, within the area zoned CF-6, no building or structure shall be permitted within 30 m. of the Bay of Quinte 1:100 year flood line. As well, a vegetated buffer having a minimum depth of 30 m., consisting of a continuous strip of land with trees, grasses, and shrubs, and including a waterfront trail, shall be maintained adjacent to the Bay of Quinte.

- 14105 (9) Notwithstanding the provisions of Section 14. of Part C, within the area zoned CF-7, the minimum number of parking spaces required for a public, separate or private school or college shall be one hundred forty (140).

- 99-121 (10) Notwithstanding and in addition to the provisions Section 1. of this Part Y, within the area zoned CF-8, an assembly hall, commercial school, conference facilities, exhibition area, institution, park, accessory gift shop, and accessory food service, shall be permitted. Furthermore, within the area zoned CF-8, the minimum number of parking spaces to be provided shall be 85 spaces, notwithstanding the provisions of Part C, Section 14. Furthermore, notwithstanding the provisions of Part C, Section 15, with respect to the requirements for ingress and egress to off-street parking spaces, the minimum aisle width for such ingress/egress to parking spaces at 90° shall be 6.0 m. Notwithstanding and in addition to the requirements of Section 12 of Part C of this by-law, attachments to a building such as stairs, ramps or similar features shall be located no closer than 1.5 m to any lot line.

- 2000-06 (11) Notwithstanding but in addition to the provisions of Section 1(1) of this Part Y, within the area zoned CF-9, a commercial dance school shall be a permitted use.

Furthermore, notwithstanding the provisions of Section 2(3) of this Part Y, within the area zoned CF-9, the minimum side yard depth shall be 6.7 m or one half the height of the building, whichever is the greater.

- 2003-27 (12) Notwithstanding the provisions of Section 2 of this Part Y, within the area zoned CF-10, the minimum easterly yard shall be 6.0 metres.

- 2003-27 (13) Notwithstanding the provisions of Section 1 (1) of this Part Y, within the area zoned CF-11, a parking area used in association with a public hospital shall be the only permitted use.

- 2006-128 (14) Notwithstanding the provisions of Subsections 1 (1) and 2 (1) of this Part Y and the provisions of Section 14, Part C, within the area zoned CF-12, a business, professional and/or administrative office and a medical clinic, shall be permitted uses in addition to the permitted uses of Section 1 of Part Y, subject to a minimum front yard depth of 5.0 metres, a maximum height of 17 metres for an approximate 3.1 metre by 3.1 metre children's play area tower and the provision of a minimum of 148 parking spaces.

Notwithstanding the provisions of Section 1 of this Part Y, within the area zoned CF-12-h, no person shall erect any building or structure or use the land for any purpose other than the uses existing on the day of the passing of the CF-12-h zone. The "h" holding symbol shall not be removed from the CF-12-h zone until it has been demonstrated to the satisfaction of the municipality that adequate sanitary sewer capacity is available.

- 2007-132 (NOTE TO FILE: By-Law Number 2007-132, passed July 16, 2007, removed the "h" holding symbol **from the lands described as** 363, 371, 375 and 377 Dundas Street West, City of Belleville, County of Hastings.)

2013-93 (15) Notwithstanding the provisions of Subsection 1 (1) of this Part Y, within the area zoned CF-13 a storm water management pond shall be a permitted use.

7. FOR DAY NURSERY PROVISIONS

See Part C, Section 21.

The following provisions shall apply to the use of land and the construction of buildings in all NH Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Uses**

- a) a nursing home

(2) **Accessory Uses, Buildings or Structures**

Any use, building or structure, which is subordinate and customarily incidental to a main use of the building.

2. ZONE REQUIREMENTS

- | | | |
|-----|------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| (1) | Lot Frontage (minimum) | 30.0 m. |
| (2) | Lot Area (minimum) | 3,251.5 sq. m. |
| (3) | Front Yard Depth (minimum) | 7.5 m. |
| (4) | Rear Yard Depth (minimum) | 7.5 m. |
| (5) | Interior Side Yard Width (minimum) | 4.5 m. on one side; and on the other side, 1.5 m. plus 0.6 m. for each additional or partial storey above one storey. |
| (6) | Lot Coverage (maximum) | 40% |
| (7) | Floor Space Index (maximum) | 1.00 |

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

4. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

5. FOR OFF-STREET LOADING PROVISIONS

See Part C, Sections 16 and 17.

6. SPECIAL PROVISIONS

- (1) Notwithstanding the provisions of Subsection 1(1) of this Part, within the area zoned NH-1, the existing one (1) family dwelling may remain on the premises provided the holding is used in conjunction with the existing nursing home as an office and/or unit for caretaking personnel engaged on the premises.

11305 (2) Notwithstanding the provisions of Section 1 of this Part Z, within the area zoned NH-2 a special care residential building shall be a permitted use; and in addition to the provisions of Section 2 of this Part Z, the following provisions shall apply to a special care residential building: the Outside Side Yard (minimum) shall be 4.5 m., the Building Height (maximum) shall be 10.6 m., and the Maximum Resident Population shall be one hundred (100) persons.

12439 (3) In addition to the provisions of Section 2, of this Part Z, within the area zoned NH-3, the maximum building height shall be one (1) storey.

2002-182 (4) a) Notwithstanding and in addition to the provisions of Section 1(1) of this Part Z, within the area zoned NH-4, a special care residential building shall be a permitted use with the maximum number of units limited to sixty-seven (67).

c) Notwithstanding the provisions of Section 1(1) of this Part Z, within the area zoned NH-4-H, the building existing on the date of the passage of this By-Law shall not be used in accordance with the provisions of this Part Z until it has been demonstrated to the satisfaction of the City of Belleville that sufficient sanitary sewer capacity exists to service a sixty seven (67) unit special care residential building.

(NOTE TO FILE: By-Law Number 2003-147, passed August 11, 2003, removed the "h" holding symbol **only from the lands described as Lot 33E and Part of Lots 31E and 32E, Registered Plan No. 166, City of Belleville, County of Hastings.**)

2004-10 (5) Notwithstanding and in addition to the provisions of Sections 1(1), 2 and 4 of this Part Z, within the area zoned NH-5 a special care residential building shall be a permitted use; the maximum number of units shall be limited to sixty-one (61); the maximum building height shall be limited to two (2) storeys; the maximum lot coverage shall be 32 percent; and the minimum number of parking spaces shall be 21.

2009-1 (6) Notwithstanding the provisions of Section 1 of this Part Z, within the area zoned NH-6 the only permitted use shall be the parking of vehicles that service the adjacent nursing home located at 37 Wilkie Street.

2015-207 (7) Notwithstanding the provisions of Subsection 1(1) of this Part Z, within the area zoned NH-7, a personal fitness training facility and massage therapy clinic with a maximum of 186 square metres (2,002 square feet) gross floor area shall be a permitted use in addition to the uses permitted by Subsection 1(1). Moreover, the hours of operation for this use shall be Monday to Friday, 6 AM to 8 PM and Saturdays, 8 AM to 1 PM."

The following provisions shall apply to the use of land and the construction of buildings in all 01 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Open Spaces Uses**

park and playground

(2) **Accessory Uses, Buildings or Structures**

Any use, building or structure which is subordinate and customarily incidental to a recreational activity carried out on or in any of the main open space uses permitted.

2. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

3. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

99-122

4. SPECIAL PROVISIONS

- (1) Notwithstanding the provisions of Section 1 of this Part AA, within the area zoned 01-1, the uses permitted shall be restricted to park, playground and athletic field with no buildings or structures other than goal posts, benches or similar accessory structures.

The following provisions shall apply to the use of land and the construction of buildings in all 02 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Open Space Uses**

- a) athletic field;
- b) botanical and/or zoological garden;
- c) golf course;
- d) park and/or playground.

(2) **Accessory Uses, Buildings or Structures**

- a) Any use, building or structure which is subordinate and customarily incidental to a recreational activity carried out on or in any of the main open space uses permitted.
- b) Commercial uses which exclusively cater to and service only the 02 Zone in which they are located.

2. ZONE REQUIREMENTS

- (1) Front Yard Depth (minimum) 15.0 m.
- (2) Rear Yard Depth (minimum) 15.0 m.
- (3) Interior Side Yard Width (minimum) 15.0 m.

3. FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS

See Part C, Section 8.

4. FOR OFF-STREET PARKING PROVISIONS

See Part C, Sections 14 and 15.

5. SPECIAL PROVISIONS

12442 (1) Notwithstanding the provisions of Subsection 1(1) of this Part, within the area zoned 02, on the northwest corner of the intersection of Bridge Street West and Sidney Street, an exhibition grounds, in addition to those uses listed in Section 1 of this Part, is a permitted use.

(2) Notwithstanding the provisions of Subsection 1(1) of this Part, within the area zoned 02-1, the following uses, in addition to those listed in Section 1 of this Part, are permitted:

- a) public and/or private boat docking;
- b) yacht club;
- c) marina;

11279 d) a detached one family dwelling which existed at the date of passing of this By-Law. Strengthening, restoration and replacement of such existing dwellings shall be permitted provided that there is no increase in the height or size of the dwelling and that there is no change in the location or use of the dwelling, unless such change in use is in conformity with the provisions of this Part BB.

11976 (3) Notwithstanding the provisions of Subsection (1) of this Part, within the area zoned 02-2, the following uses, in addition to those listed in Section 1, of this Part, are permitted:

- (a) public and/or private boat docking;
- (b) yacht club;
- (c) marina;
- (d) tourist-oriented retail uses provided that such uses shall be located wholly within the building existing on Meyers Pier as of the date of passing of this By-Law;

12116 (e) an eating establishment, provided that such use is located wholly within the building existing on Meyers Pier as of the date of passing of this By-Law.

13542 (4) Notwithstanding and in addition to the provisions of Section 1 of Part BB, within the area zoned 02-3, a private rowing club shall be a permitted use.

Furthermore, and notwithstanding the provisions of Subsection 2(3) of this Part BB, within the area zoned 02-3, the minimum required side yards shall be ten (10) m. on one side and fifteen (15) m. on the other.

Furthermore, and notwithstanding the provisions of Section 14 of Part C, within the area zoned 02-3, the minimum number of parking spaces required by a private rowing club shall be twenty three (23).

The following provisions shall apply to the use of land and the construction of buildings in all 03 Zones, subject to the general provisions under Part B and Part C of this By-Law. The lands in the 03 Zone represent the Ontario Hydro right-of-way.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes:

(1) **Main Open Space Uses**

Rights-of-way including structures and works of Ontario Hydro.

2. SPECIAL PROVISIONS

14105 (1) Notwithstanding and in addition to the provisions of Section 1. of this Part CC, within the area zoned O3-1, a park, playground, and/or athletic field associated with a public, separate or private school or college located on adjacent lands shall be permitted uses.

The following provisions shall apply to the use of land and the construction of buildings in all E Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain buildings and structures thereon, subject to the provisions of Section 2 of this Part, for any of the following purposes:

(1) **Main Environmental Control Uses**

- a) agriculture;
- b) golf course;
- c) market garden and/or nursery;
- d) preservation and conservation uses of the natural land and environment;
- e) public and/or private park;
- f) boat docking facilities and marinas.

(2) **Accessory Uses or Structures**

Any use or structure which is subordinate and customarily incidental to a main use.

2. REGULATIONS FOR BUILDINGS OR STRUCTURES

Only buildings and structures which are necessary for preservation and conservation of the natural amenities shall be permitted, provided those buildings and structures are erected by, or on behalf of, the appropriate public authority.

3. SPECIAL PROVISIONS

13520 (1) Notwithstanding and in addition to the provisions of Sections 1. and 2. of this Part DD, within the area zoned E-1, an administrative, business, and/or government office shall be permitted within the heritage building, existing as of the date of passing of By-Law Number 13520, located on Part of Lots A & B, Northwest of Station Street, Haslett's Plan, being Part 1, Reference Plan 21R-13182, City of Belleville, County of Hastings.

13698 (2) Notwithstanding and in addition to the provisions of Sections 1. and 2. of this Part DD, within the area zoned E-2, The Belleville Utilities Commission Water Treatment Plant and associated works shall be a permitted use.

The following provisions shall apply to the use of land and the construction and use of buildings in all H Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. PERMITTED USES

Any person may use land and erect, occupy and maintain existing buildings and structures thereon for any of the following purposes:

(1) Main Uses, Buildings and Structures

Only uses, buildings or structures which existed at the date of passing of this By-Law. Strengthening, restoration and replacement of such existing buildings or structures shall be permitted subject to the provisions of Part B, Subsection 2(2).

Read a first time this 4th day of April, 1977.

Read a second time this 4th day of April, 1977.

Read a third time and finally passed this 4th day of April, 1977.

(Sgd.) J.B. Corke
J.B. CORKE, MAYOR

(Sgd.) Earl M. Dafoe
EARL M. DAFOE, CITY CLERK

