

**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.