

**1. ESTABLISHMENT OF ZONES**

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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.

| <b><u>ZONE</u></b>                               | <b><u>SYMBOL</u></b> |
|--------------------------------------------------|----------------------|
| 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:

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- 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.

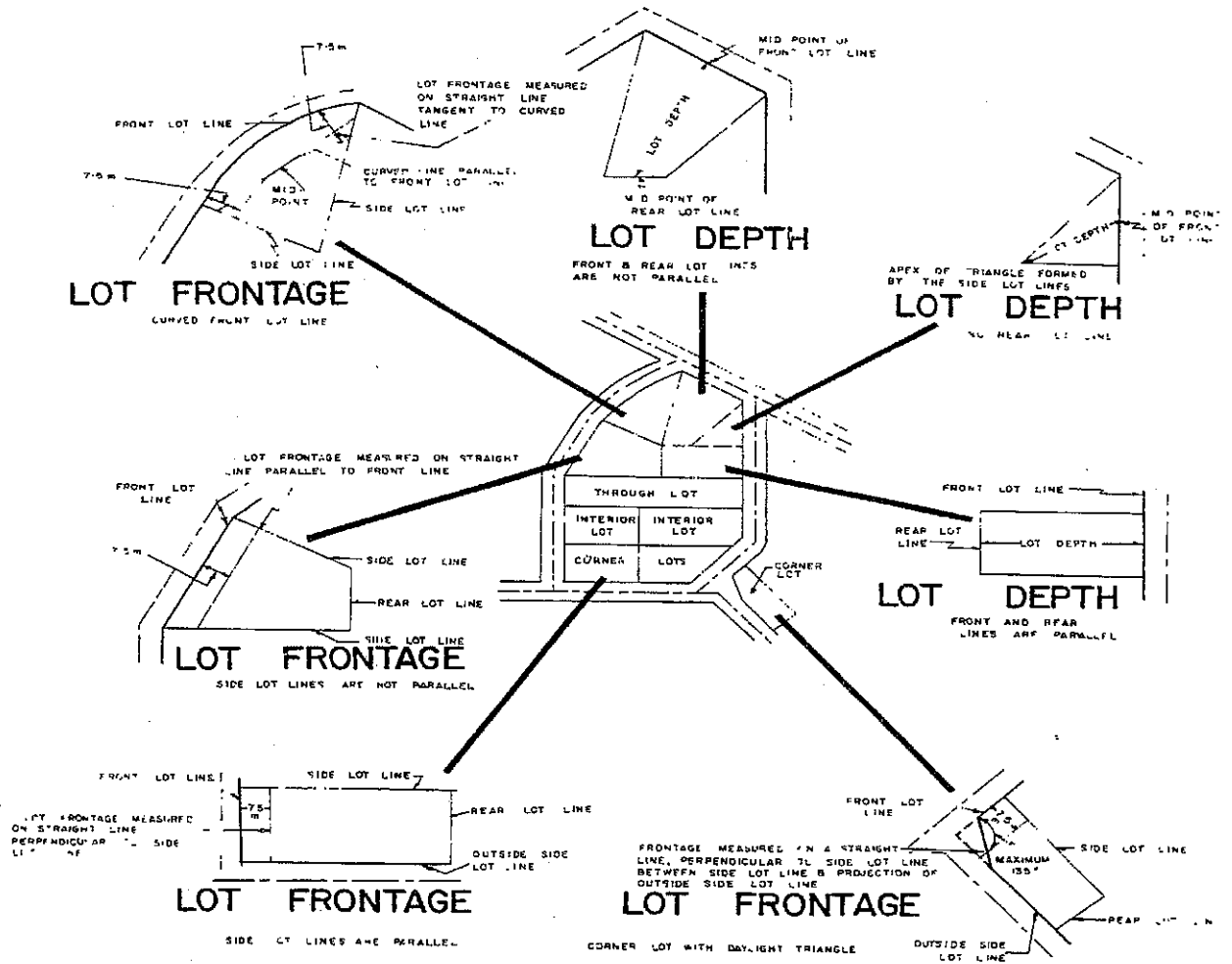
**14. OFF-STREET PARKING REQUIREMENTS**

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 |

**ILLUSTRATION OF LOT FRONTAGE AND DEPTH**

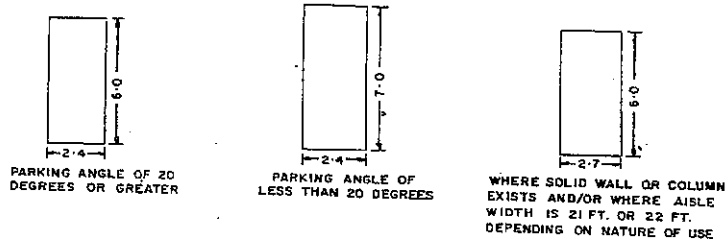


**NOTE**

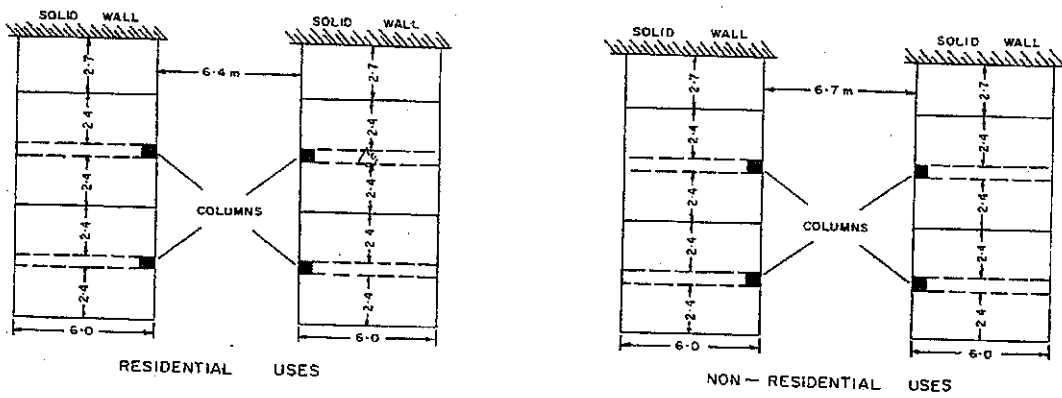
THE ABOVE ILLUSTRATIONS ARE FOR CLARIFICATION AND CONVENIENCE & DO NOT FORM PART OF THIS BY-LAW.



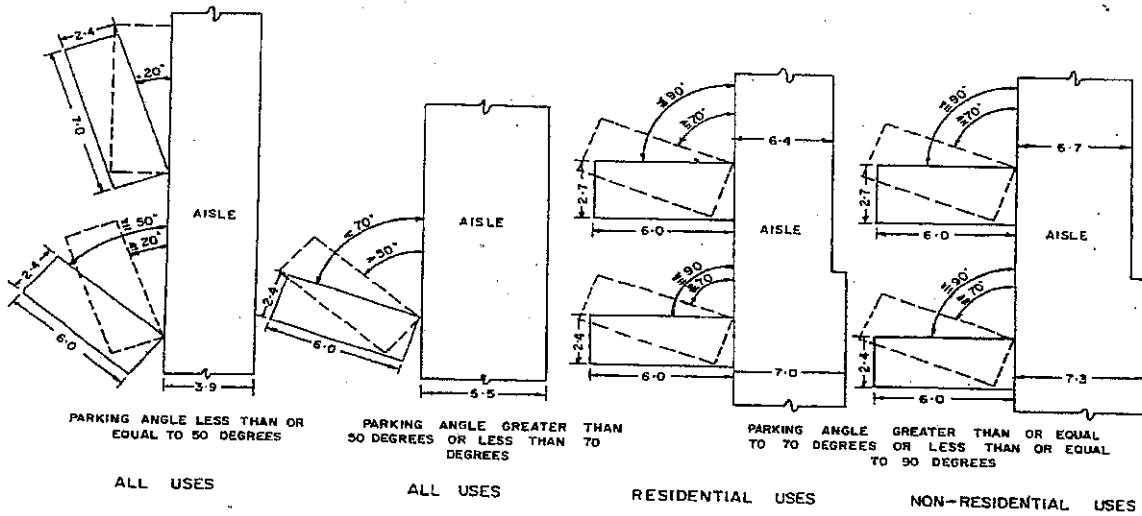
**ILLUSTRATION OF  
PARKING SPACES, STRUCTURES and AISLES  
IN METRIC**



**PARKING SPACES**



**PARKING STRUCTURES**



**AISLES**

NOTE : THE ABOVE ILLUSTRATIONS ARE FOR CLARIFICATION AND CONVENIENCE AND DO NOT FORM PART OF THIS BY-LAW.

|                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>11125</u> a boarding, rooming and/or lodging house                           | 1 parking space per dwelling unit if family occupied; plus<br><br>1 parking space per boarder; plus<br>1 parking space per staff member involved who is on duty; plus<br><br>1 parking space per four boarders for visitor parking                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 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                                                                 | (i) <b><u>Offices</u></b><br><br>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;<br><br>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<br><br>(ii) <b><u>Any Other Permitted Use</u></b><br><br>5.5 parking spaces for each 93 sq. m. of gross leasable floor area |
| 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:<br><br>i. 1 parking space for each employee; plus<br><br>ii. 1 parking space for each company vehicle; plus<br><br>iii. 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:<br><br>i. 1 parking space for every 1.5 employees on combined employment of the two largest shifts; plus<br><br>ii. 1 parking space for each non-shift employee; plus<br><br>iii. 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:

| <b><u>GROSS FLOOR AREA</u></b>            | <b><u>NUMBER OF LOADING SPACES</u></b> |
|-------------------------------------------|----------------------------------------|
| 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 m<sup>2</sup> per resident

(2) **Minimum Yard Area**

7 m<sup>2</sup> 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:

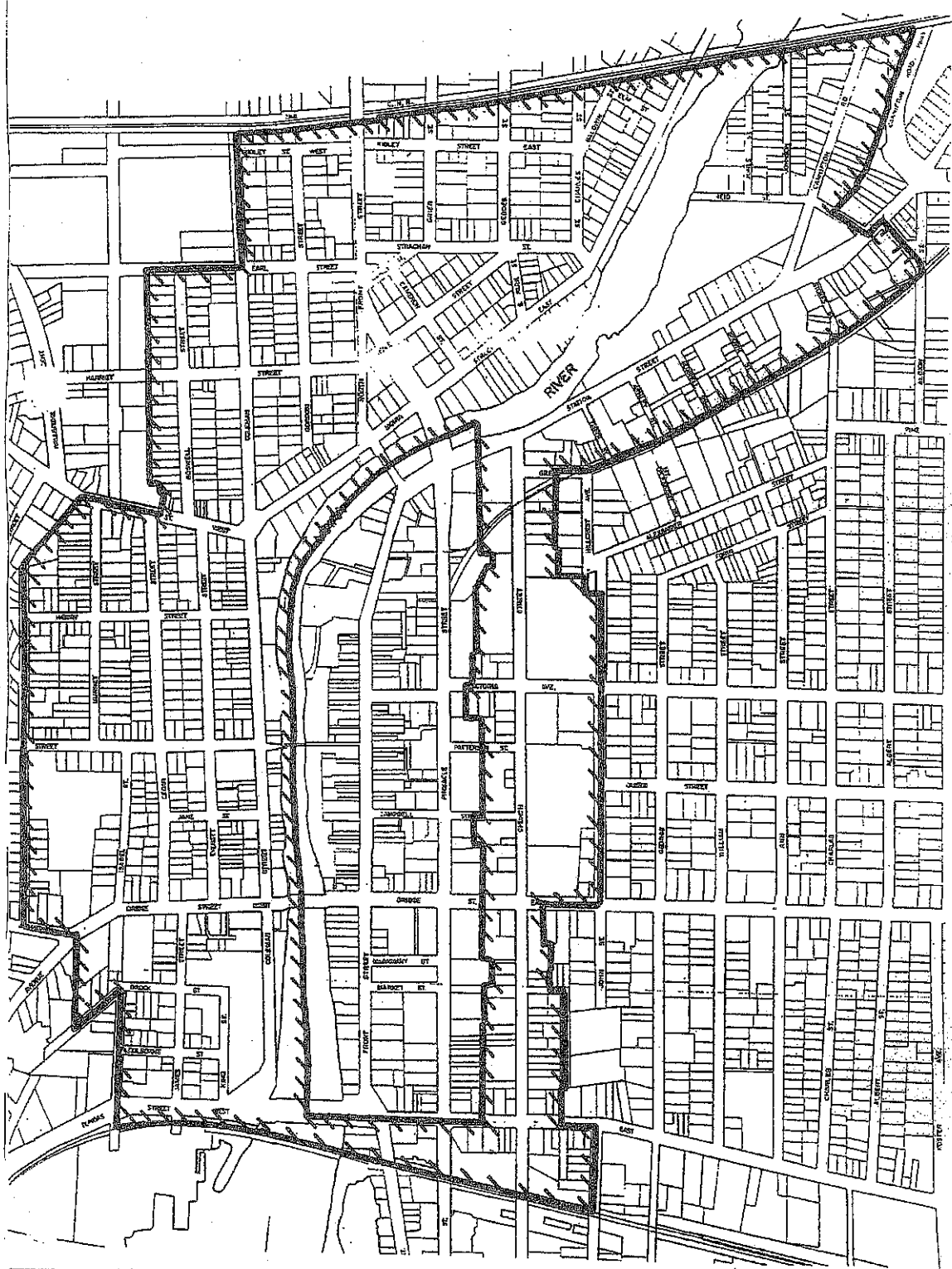
- 1) No person shall establish an outdoor patio within:
  - a) 25 metres of any lot that contains a dwelling and is located within a residential zone; or
  - b) 5 metres of any lot that contains a dwelling and is located within a non-residential zone.

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.



APPENDIX I  
TO BY-LAW 13027

APPENDIX IX  
TO BY-LAW 10245



TRANSITION HOMES PERMITTED IN ALL ZONES  
SUBJECT TO THE PROVISIONS OF PART C,  
SECTION 23



CITY OF BELLEVILLE  
Map No. \_\_\_\_\_  
DRAWN BY: J.M. [unclear] 2/1/50  
SCALE: 1" = 100' REVISION: \_\_\_\_\_

**25. SECOND UNIT DWELLINGS (Accessory Apartments)**

2018-185

Notwithstanding any other provisions of this By-law to the contrary, a maximum of one Second Unit Dwelling shall be permitted in any single-detached, semi-detached or townhouse dwelling, provided that:

- 1) The second unit dwelling use is entirely within the same building as the main use on the same lot;
- 2) The use is accessory to the main use on the same lot;
- 3) The maximum floor area used for an accessory dwelling on a lot is 100 m<sup>2</sup> and shall not exceed 45% of the total floor area of the building (including basement or cellar);
- 4) Subsection 3) does not apply where the second unit dwelling is located entirely within the basement save and except for its entrance located on the ground floor;
- 5) A maximum of 2 bedrooms are permitted in each second unit dwelling;
- 6) A second unit dwelling is not permitted on a property where there is a converted dwelling, duplex dwelling, triplex dwelling, double duplex dwelling, semi-detached duplex dwelling, horizontal multiple attached dwelling, apartment dwelling, group housing, 3-unit housing, or coach house also situated;
- 7) A minimum of 1 parking space is provided for the second unit dwelling, in addition to parking required for the single detached, semi-detached or townhouse dwelling;
- 8) The lot has frontage on an open public maintained road; and
- 9) Any lot with a second unit dwelling shall provide and maintain a minimum of 40% of the front yard as landscaped open space.
- 10) The creation of a second unit dwelling must not result in any new doorway entrance added to the front wall, whether before, during, or after the creation of the second unit dwelling
- 11) Subsection 10) does not:
  - i. prohibit an internal lobby or vestibule with a common doorway entrance in the front wall; nor
  - ii. prohibit the creation of a secondary dwelling unit within a dwelling unit that already contains more than one doorway entrance in the front wall; nor
  - iii. require the removal of a doorway entrance to a house that already contains more than one doorway entrance in the front wall; nor
  - iv. prohibit the addition of one doorway entrance along the front wall of a dwelling unit on a corner lot where there is no doorway entrance along that front wall, but where there is one along the corner side wall of the dwelling unit.

**26. COACH HOUSES**

2018-185

Notwithstanding any other provisions of this By-law to the contrary a maximum of one

(1) coach house dwelling is permitted on a residential lot containing a single detached, semi-detached or townhouse dwelling, provided that:

- 1) The maximum floor area used for a coach house dwelling on a lot is 100 m<sup>2</sup> and shall not exceed 40% of the total floor area of the main building (including basement or cellar);
- 2) A maximum of 2 bedrooms are permitted in a coach house dwelling;
- 3) A coach house dwelling is not permitted on a property where there is a converted dwelling, duplex dwelling, triplex dwelling, double duplex dwelling, semi-detached duplex dwelling, horizontal multiple attached dwelling, apartment dwelling, group housing, 3-unit housing, or a second unit dwelling also situated;
- 4) A minimum of 1 parking space is provided for the coach house dwelling, in addition to parking required for the single detached, semi-detached or townhouse dwelling;
- 5) Any lot with a coach house dwelling shall provide and maintain a minimum of 40% of the front yard as landscaped open space;
- 6) The maximum lot coverage of the coach house dwelling shall not exceed 40% of the yard in which it is located;
- 7) The coach house dwelling is prohibited from future severance;
- 8) The minimum distance from side and rear lot lines shall be either the greater of 1.2 metres or the minimum distance from side and rear lot lines as established within the underlying zone;
- 9) A minimum 1.2 metre-wide access from the coach house dwelling to a public street is provided;
- 10) Other provisions for accessory buildings or structures as established within the underlying zone apply; and,
- 11) The lot has frontage on an open public maintained road.

**27. Public Uses**

2019-62

Notwithstanding any other provisions of this By-law, the City, any public authority, or any Department or Ministry of the Government of Canada or Ontario, and for the purposes of this Section shall include any school board, Hydro One Networks Inc., Ontario Power Generation, Veridian Connections Corp., any telecommunications company, and any natural gas distribution company, may for the purposes of the public service, use any land or erect or use any building in any zone subject to the following provisions:

- 1) Such public use shall comply with all applicable zone regulations, parking and loading requirements of the zone in which it is located.
- 2) Such use, building or structure shall be buffered from an adjacent residential use by 1.5 metres of landscaped area.
- 3) Notwithstanding any provision of this By-Law to the contrary, buildings and structures which are used for the storage of road maintenance materials within a public works yard owned by a public authority shall be exempt from the height requirements of this By-Law.

- 4) Outdoor storage of goods, materials or equipment is not permitted unless such outdoor storage is specifically permitted in the zone in which the public use is located and is not permitted in any required yard abutting a residential zone.
- 5) Any above-ground, utility or public use which is located in a residential zone, shall be located and maintained in general harmony with the residential buildings permitted in such zone.
- 6) Electricity generation facilities and transmission and distribution systems are permitted in all zones subject to any regulatory requirements for the utility involved.
- 7) Secondary uses, such as active and passive recreation, agriculture, community gardens, other utilities and uses such as parking lots and outdoor storage that are accessory land uses, are permitted on hydro corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of the primacy of the electricity transmission and distribution facilities and that secondary uses require technical approval from the electricity transmission and distribution utility company.