

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;
- 2019-62 c) public use.

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.

SCHEDULE "B" (Cont'd)

Approved and sealed by
Gregg Gordon
 Architect

DESIGNED BY: G. GORDON
 CHECKED BY: G. GORDON
 DATE: 11/12/12
 PROJECT NO.: 12-011

SEAL NO. 12345
 CITY OF ILLINOIS
 ENGINEERING DEPARTMENT
 APPROVED

SITE PLAN SERVICES

LEGEND

- ST. SYMBOL
- SPACING
- UNIT
- REMARKS
- DATE

AVENUE
 HERKIMER

SECTION AT SERVICES (TYPICAL)

APPENDIX II TO BY-LAW 11749

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.
- 98-159 (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:

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|-------|--|-------|
| (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:

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|-----------------|--|--------|
| (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.

2018-145 (43) For the property at 7 Cameron Street the following applies:
Notwithstanding the provisions of Subsections 2(1), 2(5), 2(6), 2(8), and 2(9) of this Part H, within the area zoned R5-43, a 5-unit horizontal multiple attached dwelling shall be permitted subject to frontage of 23.6 meters, landscaped area of 8%, front yard depth of .13 meters, rear yard setback of .5 meters, side yard setback of .44 meters, and lot coverage of 47%.”

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.

2018-146 (44) For the property at 240 Yeomans Street the following applies:
Notwithstanding the provisions of Subsections 2(1), 2(3)b)iii, 2(5), 2(6), 2 (10), 2(11), and 5(3) of this Part H, within the area zoned R5-44, a 5-unit horizontal multiple attached dwelling shall be permitted subject to front yard depth of 1.5 meters, interior side width and rear yard depth of 3.0 m., building height of 3 storeys or 14.0 m., minimum distance between dwellings on lot of 1.2 m., minimum distance between a driveway and/or parking area and the exterior main wall of 4.5 m., reduced lot area of 149.0 sq. m. per two-bedroom unit, and lot frontage of 18.23 meters”

7. FOR DAY NURSERY PROVISIONS

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See Part C, Section 21.