

PART M – CH - HIGHWAY COMMERCIAL ZONE

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

1. PERMITTED USES

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

(a) Main Use

- (i) Motor Motor Rental Agency
- (ii) Motor Vehicle Repair Garage
- (iii) Motor Vehicle Sales Room and Lot
- (iv) Motor Vehicle Gasoline Bar
- (v) Motor Vehicle Service Station
- (vi) Recreation Vehicle Sales and Service
- (vii) Rental Outlet, but not including outside storage
- (viii) Eating Establishment
- (ix) Hotel
- (x) Motel
- (xi) Farm Implement Sales and Service
- (xii) Parking Lot
- (xiii) Places of Amusement
- (xiv) Convenience Store, with a gross floor area not exceeding 300 square metres
- (xv) Bank
- (xvi) Service Shop

- (xvii) Home Improvement and/or Interior Decorating Centre
- (xviii) Building Supply Centre
- (xix) Nursery or Garden Centre
- (xixa) Monument Shop, but not including outside storage
- (xx) Non Personal Service or Repair Operation, but not including outside storage
- (xxi) Banquet or Meeting Hall
- (xxii) Church
- (xxiii) Auction Sales Building
- (xxiv) Mini Storage Building
- (xxv) Existing Uses (3129-95)
- (xxvi) Public Uses (2019-64)

(b) Accessory Uses, Buildings or Structures

- (i) Any use, building or structure which is subordinate and customarily incidental to a main use;
- (ii) An existing single detached dwelling related to, or one dwelling unit in a commercial building, except in the case of a motor vehicle service station or motor vehicle repair garage where such dwelling shall not be permitted.
(3129-95)

2. ZONE REQUIREMENTS (except for Motor Vehicle Service Stations and Gas Bars)

- (1) Lot Frontage (minimum): 30.0 metres
- (2) Front Yard Depth (minimum): 12.0 metres

A strip of land with a depth of 1.5 metres abutting the street line shall be maintained as a landscaped area, except for ingress and egress.

- (3) Rear Yard Depth (minimum): 7.5 metres
Where the rear yard abuts a streetline or a lot which is located in a residential zone, a strip of land with a depth of 1.5 metres abutting the rear

lot line shall be maintained as a landscaped area.

- (4) Interior Side Yard Width (minimum): 4.5 metres

Where the side yard abuts a lot which is located in a residential zone, a minimum side yard of 6.0 metres shall be provided, of which the 1.5 metres abutting the lot line shall be maintained as a landscaped area.

- (5) Lot Coverage (maximum): 50 percent

- (6) Building Height (maximum): 13.5 metres

- (7) Where open storage is located in a yard which abuts a residential, open space or community facility zone, or is visible from the street, such open storage shall be enclosed by adequate screening in the form of landscaping and/or fencing to a height of not less than 1.8 metres. No open storage shall be permitted within 3.0 metres of a lot line.
(3129-95)

3. ZONE REQUIREMENTS FOR MOTOR VEHICLE SERVICE STATIONS AND GAS BARS

- (1) Minimum frontage on any street shall be 36.5 metres;

- (2) No gasoline pump shall be located closer to any lot line than 6.0 metres;

- (3) Notwithstanding the requirements of this By-Law, canopies over gas pumps are permitted provided:

(a) the minimum distance between ground at the base of the gas pumps and the lowest point of the canopy is 3.0 metres; and

(b) the nearest part of the canopy is not closer than 1.5 metres to any lot line.

- (4) No buildings shall be erected closer to a street line than 9.0 metres nor closer to any other lot line than 3.0 metres;

- (5) The width of any entrance or exit, or combined entrance or exit, measured at the street line, shall not be greater than 9.0 metres;

- (6) The distance between the point of intersection of the street line and either side lot line and the nearest entrance or exit shall be at least 3.0 metres;

- (7) On a corner lot, no entrance or exit shall be permitted within 7.5 metres of the intersection of the two street lines;

- (8) A strip of land not less than 1.5 metres in width shall be provided for landscaping purposes between the working area and any adjacent lot line other than those sections used for ingress and egress;
- (9) No open storage of unserviceable cars and waste materials shall be permitted.

4. REQUIREMENTS FOR ACCESSORY USES, BUILDINGS OR STRUCTURES

- (1) In addition to the provisions of Part C, Section 7, the following requirements shall apply:
 - (a) Where the accessory building is in the form of a dwelling unit attached to a commercial building, such unit shall not be located in front of the commercial building;
 - (b) Where a dwelling unit is in the form of an existing single detached dwelling,
(3129-95)
 - (i) the provisions of Part E, Sections 2. (4) to (10) and Sections 3, 4, 5, 6 and 7 shall apply; and
 - (ii) the minimum distance between such dwelling and the main building shall be one half of the combined heights of such dwelling and main building.
 - (c) The residential requirements shall be in addition to the zone requirements of this Part M.

5. FOR OFF STREET PARKING PROVISIONS

See Part C, Sections 15 and 16.

6. FOR OFF STREET LOADING PROVISIONS

See Part C, Sections 17 and 18.

7. SPECIAL PROVISIONS

- (1) Notwithstanding the provisions of Section 1 (1) of this Part M, within the area zoned CH-1, business, professional and administrative offices and retailing warehouse outlets shall be deemed to be permitted uses in addition to those uses permitted by Section 1(1) of this Part M. Notwithstanding anything to the contrary, any main building in the CH-1 zone shall be serviced by and connected to:

- (a) an adequate municipal water supply system; and
 - (b) an adequate municipal sanitary sewer system. (3129-95)
- (2) Notwithstanding the provisions of Sections 1, 2, 3 and 4 of this Part M, within the area zoned CH-2, only commercial uses in the form of a Shopping Centre shall be permitted subject to the following requirements:
- (a) Permitted Uses: a bank and/or trust company; places of amusement; business, professional and/or administrative office; coin operated laundry; dry cleaning distribution station; eating establishment; retail store; service shop; and non personal service or repair operation, but not including outside storage. (3129-95)
 - (b) Accessory Uses: Any use, building or structure which is subordinate and customarily incidental to a main use;
 - (c) Lot Frontage (minimum): 93.2 metres
 - (d) Lot Area (maximum): 7193 square metres
 - (e) Front Yard Depth (minimum): 17.7 metres
 - A strip of land with a depth of 1.5 metres abutting the street line shall be maintained as a landscaped area, except for ingress and egress.
 - (f) Rear Yard Depth: 10.2 metres
 - (g) Side Yard Width (minimum): 7.5 metres
 - (h) Gross Ground Floor Area (maximum): 2112.0 square metres
 - (i) Building Height (maximum): 10.5 metres
- (3) Notwithstanding the provisions of Section 1. (1) of this Part M, within the area zoned CH-3, only the motor vehicle sales lot as existing on the date of the passing of this By-Law shall be deemed to be a permitted use.
- (4) Notwithstanding the provisions of Section 1,(1) of this Part M, within the area zoned CH-4 a 'carpet sales and service shop' use and a 'packaging and warehousing of bathtub adhesive strips and other similar and related bathroom products' use shall be deemed to be permitted uses . (3169-95)
- (5) Notwithstanding the provisions of Section 1,(1) of this Part M, within the area zoned CH-5, the only permitted uses shall be the Motor Vehicle

Repair Garage as existing on the date of the passing of By-Law 2076-80, Farm Implement Sales and Service, Recreational Vehicle Sales and Service, a Rental outlet and Non Personal Service and Repair Operation. (3129-95)

- (6) Notwithstanding the provisions of Section 1(1) (a) and 2, of this Part M, within the area zoned CH-6 the following shall apply:

(a) Main Use

- (i) business, professional and/or administrative office;
- (ii) small household appliance sales and service;
- (iii) service shop; and
- (iv) clothing store.

(b) Zoning Requirements

- (i) Lot Frontage (minimum): 30.0 metres
- (ii) Front Yard Depth (minimum): 8.0 metres
- (iii) Rear Yard Depth (minimum): 10.0 metres
- (iv) Interior Side Yard Width (minimum): 10.5 metres
- (v) Exterior Side Yard Width(minimum): 11.5 metres
- (vi) A strip of land with a minimum depth of 1.5 metres abutting the streetline and the rear lot line shall be maintained as a landscaped area except for ingress and egress.
- (vii) Building Floor Area (maximum): as existing
- (viii) Building Height (maximum): as existing
- (ix) Ingress and Egress Location: as existing

(3129-95)

- (7) Notwithstanding the provisions of Section 2(4) of this Part M, within the area zoned CH-7, the interior side yard width shall be 12 metres. This entire yard shall be maintained as a landscaped area. (2342-84)

- (8) Notwithstanding the provisions of Section 1(18) (a) of Part B and Section I (l) a) of this Part M within the area zoned CH-8, the provisions of Section 7 (17) of this Part M shall apply, and the following shall also apply:
- (a) In addition to those uses permitted by Section 7(17) of this Part M, the following uses shall also be permitted:
- (i) a printing business
 - (ii) a commercial marina and related buildings and structures
- (b) Notwithstanding the landscape requirements of Section 2 (2) and 2(4) of this Part M, the required landscaped area shall consist of grass as well as trees and shrubbery and shall be maintained along the lot lines which abut Provincial Highway #2 and a residential zone. In addition, wooden board on board fencing to a minimum height of 2.4 metres shall also be required on those lot lines which abut a residential zone. Notwithstanding the requirements of Section 13(3) of Part C, gasoline pumps and marina related buildings shall be permitted subject to appropriate provincial and municipal approvals.
(2991-93) (3129-95)
- (9) This section deleted. (3129-95)
- (10) Notwithstanding the provisions of Section 1(1) of this Part M, within the area zoned CH-9, a business, professional and/or administrative office and a retailing warehouse outlet shall be deemed to be permitted uses in addition to those uses permitted by Section 1(1) of this Part M,
(3129-95)
- (11) Notwithstanding the provisions of section 2(3) and 2 (4) of this Part M, within the area zoned CH-10, the minimum interior side yard width to the existing concrete building along the southerly lot boundary shall be 3.35 metres, of which 1,5• metres abutting the lot line shall be maintained as a landscaped area and the minimum rear yard depth to the existing concrete building along the westerly lot boundary shall be 1.07 metres.
(2528-87)
- (12) Notwithstanding the provisions of Sections 1 (1) and 2 (1), (2) and (4) of this Part M, within the area zoned CH-11 , a retailing warehouse outlet, business, professional and/or administrative offices, and day nursery shall be deemed to be a permitted use in addition to those uses permitted by Section 1 (1) of this Part M and the existing minimum lot frontage, front yard depth and interior side yard width for the existing building shall be permitted. Notwithstanding the aforementioned, the existing building may be extended or enlarged provided the existing yards are not reduced in

depth or width and where any such yards are larger in depth or width than the minimum required by Sections 2 (2) and (4) of this Part M, such yards may be reduced to the minimum yards required by Sections 2 (2) and (4) of this Part M.

(3129-95) (2006-25)

- (13) Notwithstanding the provisions of Section 1(1) of this Part M, within the area zoned CH-12, a business, professional or administrative office and office supplies and equipment sales and service, shall be deemed to be permitted uses in addition to those uses permitted by Section 1(1) of this Part M.
(2597-88) (3129-95)
- (14) Notwithstanding Sections 2(4) and 4(1) of this Part M, within the area zoned CH-13, the following shall apply:
- (a) the minimum eastern interior side yard width for a main use permitted within the CH-13 zone shall be 4.2 metres;
 - (b) an overhead crane constructed as an accessory structure for a monument shop shall be permitted to have a minimum western interior side yard width of 1.8 metres ; and
 - (c) open storage shall be permitted provided such open storage is in accordance with Section 2 (7) of this Part M.
(3129-95)
- (15) (a) Notwithstanding the provisions of Section 1(1) of this Part M, within the area zoned CH-14, the following uses shall be deemed to be permitted uses in addition to those uses permitted by Section 1(1) of this Part M:
- Furniture, Appliance and Interior Decoration Retail and Warehouse Operation
 - Office Supply and Equipment Sales and Service;
 - Printing or Copy Service;
 - Retailing Warehouse outlet;
 - Business, Professional and/or Administrative Office;
 - Motor Vehicle Parts and Accessories.
- (3129-95)
- (b) Notwithstanding the requirements of Part c, Section 15, the minimum off street parking requirements for a Furniture, Appliance and Interior Decoration Retail and Warehouse Operation shall be 2.4 spaces per 100 square metres of G.F.A. (gross floor area).
(2607-88)

- (16) Notwithstanding the provisions of Section 1(1) of this Part M and Section 15 of Part C, the following uses shall be deemed to be permitted uses in addition to those uses permitted by Section 1(1) of this Part M and the minimum off street parking requirements for the following uses within the area zoned CH-15 are the following:

<u>Uses</u>	<u>Minimum Parking Spaces Required</u>
(a) Printing or Copy Service	4 spaces per 100 square metres of gross floor area
Business, Professional or Administrative Office	5 spaces per 100 square metres of gross floor area
Wholesale Business	2 spaces per 100 square metres of gross floor area
(b) This section deleted. (3129-95)	

- (17) Notwithstanding Section 1(18) (a) of Part B and Sections 1(1)(a) , 2(l) and 3(1) of this Part M, within the area zoned CH-16 the following shall apply:

(a) Main Use

- (i) Motor Vehicle Rental Agency
- (ii) Motor Vehicle Repair Garage
- (iii) Motor Vehicle Sales Room and Lot
- (iv) Motor Vehicle Gasoline Bar
- (v) Motor Vehicle Service Station
- (vi) Recreation Vehicle Sales and Service
- (vii) Rental Outlet, but not including outside storage
- (viii) Hotel
- (ix) Motel
- (x) Farm Implement Sales and Service
- (xi) Parking Lot

- (xii) Places of Amusement
 - (xiii) Service Shop
 - (xiv) Bank
 - (xv) Convenience Store, with a gross floor area not exceeding 300 square metres
 - (xvi) Building Supply Centre
 - (xvii) Nursery or Garden Centre;
 - (xviii) Non Personal Service or Repair Operation but not including outside storage
 - (xix) Business, Professional and/or Administrative Offices
 - (xx) Home Improvement and/or Interior Decoration Centre;
 - (xxi) Auction Sales Building
 - (xxii) Banquet or Meeting Hall
 - (xxiii) Church
 - (xxiv) Mini Storage Building
 - (xv) Existing Uses
- (b) Notwithstanding Section 1(1) (b) (ii) of this Part M, no single detached dwelling related to, or a dwelling unit in a commercial building, shall be permitted. (3129-95)
- (c) Special Maximum Yard and Setback: See Part C, Section 13 (1)c) .
- (d) Any main building shall be serviced by and connected to an adequate municipal water supply system.
- (e) The minimum lot frontage and minimum lot area shall be as existing on the first day of November, 1991.
- (f) Where at the time of the first day of November, 1991 a main building has been erected on a lot in the CH-16 zone, such main building may be extended, enlarged, improved, and occupied provided the yards and setbacks existing at the time of the first day of November, 1991

are not reduced in depth, and where such lands and setbacks are larger in depth than the minimum required by this By-Law, such yards and setbacks may be reduced to the minimum yards and setbacks required by this By-Law.

- (g) Notwithstanding the requirements of Sections 2, 3 and 7(17) of this Part M within the area zoned CH-16-H, no person shall erect or enlarge any building or structure or alter the external dimensions of any building or structure. The uses permitted within the CH-16-H zone shall be those uses permitted by Sections 7(17) (a) and 1(1) (b) (i) of this Part M. The Holding "H" symbol shall be removed from any lot or lots within the CH-16-H zone in accordance with the provisions of Section 36 of the Planning Act, R.S.O. 1990 provided that all of the following are addressed for the lot or lots in question:
- (i) that an adequate municipal water supply system is available to service and connect to the main use on the lot in question;
 - (ii) the submission of engineering or hydrogeological studies regarding the required private sewage disposal system satisfactory to the Ministry of Environment and Energy, the Hastings/Prince Edward counties Health Unit and the Municipality;
 - (iii) that a master drainage plan has been completed for the relevant watershed to the satisfaction of the Ministry of Environment and Energy, the Lower Trent Region Conservation Authority, the Ministry of Natural Resources, and the Municipality;
 - (iv) the submission of grading and drainage plans satisfactory to the Municipality and stormwater management plans satisfactory to the Ministry of Environment and Energy, the Ministry of Natural Resources, the Lower Trent Region Conservation Authority, and the Municipality;
 - (v) written confirmation from the Ministry of Natural Resources and the Lower Trent Region conservation Authority that no significant fish or wildlife habitats or wetlands will negatively be impacted by the development of the lot in question; and
 - (vi) written confirmation of road access approval from the appropriate road authority.
(2991-93) (3129-95)
- (18) Notwithstanding the provisions of Section 1(1), Section 2 and Section 4 of this Part I, within the area zoned CH-17, the following special provisions shall apply:

- (a) The only main permitted uses within the area zoned CH-17 shall be:
- (i) bank;
 - (ii) motor vehicle rental agency;
 - (iii) motor vehicle sales room and lot;
 - (iv) recreation vehicle sales and service;
 - (v) business, professional and/or administrative office; and
 - (vi) computer hardware and software sales, research and development operation.

A single detached dwelling shall not be permitted as a main permitted use or an accessory use, building or structure within the area zoned CH-17.

- (b) The following special requirements shall apply to the area zoned CH-17 :

- (i) lot frontage (minimum): as existing on the date of the passing of this By-Law
- (ii) front yard depth (minimum): as existing on the date of the passing of this By-Law

A strip of land with a minimum depth of 4.5 metres abutting the streetline shall be maintained as a landscaped area, except for ingress and egress.

- (iii) rear yard depth minimum: 7.5 metres from the southern CH-17 zone boundary

- (iv) interior side yard depth (minimum): 6.0 metres

A strip of land with a minimum width of 3.0 metres abutting the side yard lot line shall be maintained as a landscaped area.

- (v) lot coverage (maximum): 50 percent

- (vi) building height (maximum): 13.5 metres
(2977-93)

- (19) Notwithstanding the requirements of section 1(1) of this Part M, within the

area zoned CH-18 the following use shall be deemed to be a permitted use in addition to those uses permitted by Section 1(1) of this Part M:

Natural Gas Utility Administrative Centre.

a) For the purposes of the CH-18 zone a 'Natural Gas Utility Administrative Centre' is defined as follows:

(i) 'Natural Gas Utility Administrative Centre ' shall mean the use of any land, building or structure by and for a business having control and management of natural gas works and/or distribution, supply and/or transportation systems for the purposes of an administrative and payment office and/or limited appliance retail showroom and/or employee training facility and/or equipment fabrication and/or indoor and/or outdoor storage of equipment and vehicles and/or the servicing, fueling and maintenance of equipment and vehicles and other similar uses.

b) In the CH-18 zone all storage shall be located in an enclosed building or structure or where open storage is visible from a street such open storage shall be enclosed by adequate buffering and screening in the form of landscaping and/or fencing to a height of not less than 1.8 metres. Where open storage is carried out in conjunction with any permitted use of the CH-18 zone such open storage shall not be located in any required front yard or required rear yard.

c) A retail showroom for a Natural Gas Utility Administrative Centre use within the CH-18 zone shall occupy not more than five percent (5%) of the gross floor area of the main building or 100 square metres whichever is the lesser.
(3042-94)

(20) Notwithstanding the provisions of Section 1(1), Section 2 and section 4 of this Part I, within the area zoned CH-19 the following special provisions shall apply:

a) The only main permitted uses within the area zoned CH-19 shall be:
(i) existing uses;

(ii) business, professional and/or administrative office;

(iii) service shop, with a gross floor area not exceeding. 325 square metres;

(iv) convenience store, with a gross floor area not exceeding 325 square metres; and

- (v) retail store, with a gross floor area not exceeding 325 square metres.

No dwelling unit detached or attached shall be permitted as an accessory use, building or structure within the area zoned CH-19.

- b) Any main building shall be serviced by and connected to an adequate municipal water supply system.
- c) The following special requirements shall apply to the area zoned CH-19:
 - (i) lot frontage (minimum): as existing on the date of the passing of this By-Law
 - (ii) front yard depth (minimum): as existing on the date of the passing of this By-Law

A strip of land with a minimum depth of 3.0 metres abutting the streetline shall be maintained as a landscaped area, except for ingress and egress.
 - (iii) rear yard depth (minimum): as existing on the date of the passing of this By-Law

A strip of land with minimum width of 3.0 a metres abutting the rear yard lot line shall be maintained a landscaped area.
 - (iv) interior side yard depth (minimum): as existing on the date of the passing of this By-Law

A strip of land with minimum width of 3.0 metres abutting the side yard lot line shall be maintained a landscaped area.
 - (v) lot coverage (maximum): as existing on the date of the passing of this By-Law
 - (vi) building height (maximum): as existing on the date of the passing of this By-Law
 - (vii) floor area (maximum): as existing on the date of the passing of this By-Law
- d) In the CH-19 zone all storage shall be located in an enclosed building or structure or where open storage is visible from a street such open storage shall be enclosed by adequate buffering and screening in the form of landscaping and/or fencing to a height of not less than 1.8

metres. Where open storage is carried out in conjunction with any permitted use of the CH-19 zone such open storage shall not be located in any required front yard.

(3067-94)

- (21) Notwithstanding the requirements of Section 7(17) of this Part M, within the area zoned CH-20 the following use shall be deemed to be a permitted use in addition to those uses permitted by Section 7(17) of this Part M:

- Non Personal Service or Repair Operation, but not including outside storage.

All other provisions of Section 7(17) of this Part M shall apply within the area zoned CH-20

(3105-95)

- (25) Notwithstanding Section 1 (1) of this Part M, within the area zoned CH-24, a veterinary clinic shall be a permitted use in addition to those uses permitted by Sections 1 (1) (a), and 7 (15) of this Part M and Section 1 (1) of Part Q-1. In addition the pertinent zone restrictions of Part M and Part Q-1 shall apply to the respective permitted uses of the CH-24 zone.

(01-69)

- (26) Within the area zoned CH-25/MS, the uses of Sections 7(10) and 7(15) of Part M and Section 1(1) of Part Q-1 are permitted.

Notwithstanding the permitted uses of the CH-25/MS zone, within the area zoned CH-25/MS-H no person shall erect or occupy any building or structure or land for any purposes, other than the use that existed on September 4, 2001. The Holding "H" symbol shall be removed from any lot or lots within the CH-25/MS-H zone in accordance with the provisions of Section 36 of the Planning Act R.S.O. 1990, as amended, provided that all of the following are addressed for the lot or lots in question:

- (i) That adequate municipal water and municipal sanitary services are available to connect to the main use on the lot or lots in question to the satisfaction of the City of Quinte West and the City of Belleville. Notwithstanding the foregoing, in those locations where municipal water and municipal sanitary services are not available only those uses which are of a "dry" nature shall be permitted to the satisfaction of the City of Quinte West and the City of Belleville;
- (ii) the completion of a traffic study/review to the satisfaction of the City of Quinte West, the City of Belleville and the Ministry of Transportation;

and

- (iii) the completion of a hydrogeological analysis to determine impacts on ground water in conjunction with Quinte Conservation.

For the purposes of this section, a "dry" use would be a use which does not require water for cooling, washing and processing and whose subsurface sewage disposal systems are used solely for the disposal of domestic waste.

(01-99)

2010-103 **(NOTE:** By-Law Number 2010-103 passed June 14, 2010 removed 'H - holding' symbol on this property.)

2003-72

- (27) a) Within the area zoned CH-26/MS, a slot machine gaming facility located and developed only in conjunction with a racing facility for horses, a hotel and convention centre, racing facilities for horses and fairgrounds are permitted uses, in addition to the permitted uses of Section 7 (26) of this Part M.
- b) Notwithstanding the permitted uses of the CH-26/MS zone, within the area zoned CH-26/MS-H no person shall erect or occupy any building or structure or land for any purposes, other than the use that existed on May 12, 2003. The "H" Holding symbol shall be removed from any lot or lots within the CH-26/MS-H zone in accordance with Section 36 of the Planning Act R.S.O. 1990, as amended, provided that all of the following are addressed for the lot or lots in question:
 - i) the completion of the analysis of traffic impacts on the intersection of Wallbridge-Loyalist Road and Bell Boulevard, as a condition of site plan control approval, including the determination of the need for intersection signalization and other related traffic improvements;
 - ii) that adequate municipal water and municipal sanitary sewer services are available to connect to the use(s) in question to the satisfaction of the City of Belleville; and
 - iii) clarification as to the conclusions of the Hydrogeological Assessment submitted by Lissom Earth Sciences.

2007-48 **(NOTE:** By-Law Number 2007-48 passed March 26, 2007 removed 'H - holding' symbol on this property.)

2008-51

- (28) Within the area zoned CH-27, the only permitted use shall be a business, professional and/or administrative office comprising a maximum floor area of 450 square metres.

2012-149

- (29) Within the area zoned CH-28/MS, a casino shall be a permitted use in addition to those uses permitted by Subsection 7 (26) of this Part M. For the purpose of this By-Law a casino shall mean a gaming facility approved by the Ontario Lottery and Gaming Corporation.

Notwithstanding the permitted uses of the CH-28/MS zone, within the area zoned CH-28/MS-H no person shall erect or occupy any building or structure or land for any purposes, other than the use that existed on the day of the passing of this By-Law. The 'H' Holding symbol shall be removed from any lot or lots within the CH-28/MS-H zone, in accordance with Section 36 of the Planning Act R.S.O. 1990, as amended, provided that the following are addressed for the lot or lots in question:

- That adequate municipal water and sanitary services are available to connect to the main use on the lot or lots in question to the satisfaction of the City of Belleville. Notwithstanding the foregoing, in those locations where municipal water and municipal sanitary services are not available, only those uses of a 'dry' nature shall be permitted to the satisfaction of the City of Belleville. A 'dry' use would be a use which does not require water for cooling, washing and processing and whose subsurface sewage disposal systems are used solely for the disposal of domestic waste;
- Completion of a traffic study/review to the satisfaction of the City of Belleville and the Ministry of Transportation; and,
- Completion of a hydrogeological analysis to determine impacts on ground water in conjunction with Quinte Conservation.
- Moreover, for the purpose of this By-Law, a casino shall not be a permitted use unless approval has been given by the Ontario Lottery and Gaming Corporation.

2013-115

(NOTE: By-Law Number 2013-115 passed July 8, 2013 removed 'H - holding' symbol on Parts 1 - 7, Plan 21R-23997, former Township of Sidney.)

2016-23

(NOTE: By-Law Number 2016-23 passed January 25, 2016 removed 'H - holding' symbol on 380 Bell Boulevard, former Township of Sidney.)

2012-149

- (30) Within the area zoned CH-29/MS, a casino shall be a permitted use in addition to those uses permitted by Subsection 7 (27) of this Part M. For the purpose of this By-Law a casino shall mean a gaming facility approved by the Ontario Lottery and Gaming Corporation.

Notwithstanding the permitted uses of the CH-29/MS zone, within the area zoned CH-29/MS-H, the 'H' Holding symbol shall not permit a casino use and the 'H' Holding symbol shall not be removed from the CH-29/MS-H zone until approval for a casino has been given by the Ontario Lottery and Gaming Corporation.

2013-44

- (31) Notwithstanding the provisions of Subsection 2(1) and 2(6) of this Part M within the area zoned CH-30/MS the minimum lot frontage shall be 21.2 metres and the maximum height for a hotel (exclusive of any elevator housing, roof stairway, ventilating fan housing or a parapet wall) shall be 15.5 metres.

Notwithstanding the permitted uses of the CH-30/MS zone, within the area zoned CH-30/MS-H, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this By-Law. The H - Holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, subject to the completion of a hydrogeological study to the satisfaction of the City of Belleville.

2016-25

(NOTE: By-Law Number 2016 - 25 passed January 25, 2016 removed 'H - holding' symbol on 784 Bell Boulevard, former Township of Sidney.)

2014-131

- (32) Notwithstanding the provisions of Section 15 of Part C, within the area zoned CH-31/MS the Off-Street Parking Requirements shall be calculated as follows:

Shopping Centre

Office: >20% of Shopping Centre - none

<20% of Shopping Centre - 2.69 spaces / 100 square metres gross leasable floor area in excess of the 20%. All Other Uses: 5.91 spaces/100 metres of gross leasable floor area.

Notwithstanding the provisions of Section 17 of Part C, within the area zoned CH-31/MS Off-Street Loading Requirements shall not be required;

Notwithstanding the provisions of Subsection 1 (1) (a) of this Part M,

within the area zoned CH-31/MS the permitted uses shall be limited to the following:

- Bank
- Business and Industrial Incubator
- Business, Professional and/or Administrative Office
- Convenience Store
- Eating Establishment
- Furniture, Appliances and Interior Decoration Retail & Warehouse Operation
- Home Improvement / Interior Decoration Centre
- Monument Shop (no outside storage)
- Motor Vehicle Parts and Accessories
- Non Personal Service or Repair Operation
- Nursery or Garden Centre
- Office Supply and Equipment Sales and Service
- Parking Lot
- Places of Amusement
- Printing or Copy Service
- Rental Outlet
- Service Shop
- Wholesale Business
- Amusement Arcade
- Art Gallery
- Auditorium
- Bakery
- Bake Shop
- Bank or Financial Establishment
- Banquet Hall
- Beverage Room
- Candy Shop
- 2015-54 ~~Church or Religious Institution~~
- Clinic
- Coin-Operated Laundry
- Commercial Club
- Commercial Entertainment Establishment
- Commercial Establishment
- Commercial Recreation Facility
- 2015-54 ~~Commercial School~~
- Community or Recreation Centre
- Computer Programming Establishment
- Craft Shop
- Data Processing Establishment
- 2015-54 ~~Day Care Centre / Day Nursery~~
- Department Store
- Drugstore / Pharmacy

Dry-Cleaning Distribution Station
Dry-Cleaning Establishment
Dry-Cleaning or Laundry Outlet
Florist
Food Store
Funeral Home
Government Office
Hardware Store
Hobby Beer & Wine Making Establishments
Laundromat
Library
Liquor or Beer Store
Microbrewery or Craft Brewery
Parking Structure
Pet-Grooming Establishment
Pet Store
Photo or Artist Studio
Photocopying or Blueprinting Shop
Photofinishing Establishment
Postal or Courier Service
Printing and Binding Establishment
Private Social or Cultural Facility
Public Use
Radio or Television Studio
Recreational Establishment
Repair Service
Restaurant
Restaurant, Drive-In
Restaurant, Outdoor Patio
Restaurant, Take-Out
Retail Store
Service Establishment
Service Shop, Merchandise
Service Shop, Personal
Shopping Centre
Specialty Retail Store
Supermarket
Tavern
Taxi Business
Taxi Establishment
Taxi Stand or Bus Station
Telecommunication Services
Theatre
Video Rental
Workshop

2014-132

2016-32

- (33) Notwithstanding the provisions of Subsection 1 (1) (a) of this Part M, within the area zoned CH-32/MS a medical clinic and a retail store shall be permitted uses in addition to the uses permitted by subsection 7 (10) of this Part M.

Moreover, as defined in the Condominium Act, 1998, Parcels of Tied Land (POTL) that are located in the CH-32/MS zone shall each be subject to the provisions of this By-Law save and except for the provisions of Subsections 2 (1), (2), (3) and (4) of this Part M and the provision of Subsection 1 (15) of Part B. For the purposes of this By-Law, all POTL shall be permitted to front on a common elements condominium private road with all buildings subject to a minimum distance of 4.5 metres from the west, east and south boundaries of the CH-32/MS zone, save and except for the southwesterly 61 metres of the zone boundary which shall be subject to a minimum distance of 6.0 metres of which 1.5 metres shall be maintained as a landscaped area.

2015-164

- (34) Notwithstanding the provisions of Subsection 7 (10) of this Part M, with the area zoned CH-33 a Humane Society shall be a permitted use in addition to the uses permitted by Subsection 7 (10) of this Part M.

2016-05

- (35) Notwithstanding the provisions of Subsections 2 (3) and 7 (10) of this Part M, with the area zoned CH-34 the minimum rear yard depth shall be 2.5 metres and a Medical Clinic shall be a permitted use in addition to the uses permitted by Subsection 7(10) of this Part M.

Notwithstanding the permitted uses of the CH-34 zone, within the area zoned CH-34-H, no person shall erect any building or structure or use the land for any purpose other than the uses existing on the day of the passing of 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, subject to stormwater management being addressed to the satisfaction of the City of Belleville as part of the site plan control process.

2019-59

- (36) Notwithstanding any sections of Parts C, M, or Q-1 of this By-Law to the contrary, the following special provisions shall apply within the area zoned CH-35:
- a) The uses of Subsection 7(29) of this Part M shall be permitted in addition to the following uses:

- Coin Operated Laundry (Laundromat)
- Dry-Cleaning Distribution Station
- Dry-Cleaning Establishment
- Hobby Beer & Wine Making Establishments
- Medical Clinic
- Microbrewery or Craft Brewery
- Pet Grooming Establishment
- Rental Outlet
- Drive-In Restaurant
- Retail Store
- Shopping Centre
- Veterinarian Clinic

b) Minimum front yard depth = 3 metres

c) Minimum outside side yard depth = 3 metres

d) Off Street Parking Requirement

- i. 5.5 parking spaces for every 100 square metres, or part thereof, of gross floor area

e) Notwithstanding any severance, partition, or division of the Lands, the provisions of the CH-35 Zone shall apply to the whole of the Lands as if no severance, partition or division occurred.