



**THE**

**CORPORATION OF THE TOWNSHIP OF THURLOW**

**COMPREHENSIVE**

**ZONING BY-LAW NO. 3014**

**NOTICE OF THE PASSING OF A ZONING BY-LAW**

**BY THE TOWNSHIP OF THURLOW**

TAKE NOTICE that the Council of the Township of Thurlow passed By-law 3014 on the 12 day of August, 1987 under Section 34 of the Planning Act, S.O. 1983.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Township of Thurlow not later than the 16 day of September, 1987, a notice of appeal setting out the objection to the By-law and the reasons in support of the objection.

An explanation of the purpose and effect of the By-law and the complete By-law are attached hereto. Dated at the Township of Thurlow this 12th day of August, 1987.

Mr. Bryson Bates, Clerk-Treasurer,  
Township of Thurlow ,  
P.O. Box 128,  
Cannifton, Ontario,  
KOK 1K0

## **EXPLANATION OF THE BY-LAW**

The Council of a Municipality may pass a Zoning By-law under Section 34 of the Planning Act, S.O. 1983, as amended to restrict the use of land. The purpose of By-law No. 3014 is to regulate the use of land and the character, location and use of buildings and structures and, furthermore, to prohibit certain uses of land and the erection and use of certain buildings and structures and prohibit or require and regulate the provision, maintenance and use of certain facilities and matters as a condition for the development or redevelopment of lands, buildings or structures within various areas of the Corporation of the Township of Thurlow in accordance with the Official Plan for the County of Hastings and the Official Plan for part of the Township of Thurlow.

By-law No. 3014 will serve to regulate and restrict development within the Township which may create an adverse effect on existing areas or the development of land for a use which may be detrimental to the future orderly development of an area.

The provisions of the By-law will apply throughout all of the defined areas within the corporate limits of the Township of Thurlow. No land shall be used and no building or structure shall be erected, altered or used in any manner except in conformity with the provisions of the By-law.

However, notwithstanding the foregoing statement, the By-law will not apply to prevent or hinder the continued use of any land, building or structure, which on the date of the passing of the By-law was legally used or erected for any purpose prohibited by the By-law, so long as it continues to be used for that purpose.

It is strongly urged that every property owner examine the text and Schedules "A1 to A6" to determine the status of the property and note how it is affected by the By-law. The importance of checking the regulations affecting your property cannot be over emphasized.

# THE CORPORATION OF THE TOWNSHIP OF THURLOW

## BY-LAW 3014

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

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

By-law 3014 has been amended by the following By-laws which have received Ontario Municipal approval, where necessary, and which are incorporated in this consolidation. Please note that this By-law was not consolidated until 2018-1019 so some sections that have been added by amendment do not numerically correspond.

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERKS APPROVAL</u>
OMB File No	R880022		
3029	October 7, 1987		
3030	October 7, 1987	(Map Change Only)	
3031	October 7, 1987	(Map Change Only)	
3032	October 7, 1987	(Map Change Only)	
3033	October 7, 1987		
3047	November 23, 1987		December 29, 1987
3048	December 7, 1987	(Map Change Only)	
3049	November 23, 1987	(Map Change Only)	December 29, 1987
3050	November 23, 1987		December 29, 1987
3052	January 13, 1988		February 18, 1988
3062	March 9, 1988		
3074	June 8, 1988		June 9, 2018
3076	April 13, 1988		
3078	September 15, 1988	October 16, 1989	
3079	April 13, 1988 (Repealed August 10, 1988)		
3080	April 13, 1988 (Repealed June 8, 1988))	Temporary Use By-law (Until April 13, 1991)	
3081	April 13, 1988		
3082	April 13, 1988	(Map Change Only)	

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERKS APPROVAL</u>
3083	April 13, 1988		
3090	June 8, 1988 (Repealed August 10, 1988)	Temporary Use By-law (Expires June 8, 1991)	
3094	June 13, 1988		
3095	June 8, 1988		
3096	June 13, 1988		
3097	June 8, 1988		
3102	June 8, 1988	(Map Change Only)	
3103	June 27, 1988		August 11, 1988
3104	June 27, 1988	(Map Change Only)	August 11, 1988
3107	July 20, 1988		August 25, 1988
3108	July 20, 1988		August 25, 1988
3109	July 20, 1988	(Map Change Only)	August 25, 1988
3110	July 20, 1988		August 25, 1988
3111	July 20, 1988		August 25, 1988
3113	August 22, 1988		September 27, 1988
3114	August 22, 1988		September 27, 1988
3116	September 26, 1988		
3117	August 10, 1988		September 15, 1988
3118	August 10, 1988	(Map Change Only)	September 15, 1988
3119	August 10, 1988		September 15, 1988
3120	August 10, 1988	(Map Change Only)	September 15, 1988
3121	August 10, 1988	Repealed By-laws : 3079, 3090, 3091 & 3092	
3123	August 10, 1988		September 15, 1988
3124	September 15, 1988		
3133	October 26, 1988		
3134	October 26, 1988	(Map Change Only)	
3145	December 29, 1988	(Map Change Only)	February 3, 1989
3158	February 8, 1989	(Map Change Only)	March 15, 1989
3159	February 8, 1989	(Map Change Only)	March 15, 1989
3160	February 8, 1989		March 15, 1989

<b><u>BY-LAWS</u></b>	<b><u>COUNCIL APPROVAL</u></b>	<b><u>O.M.B. APPROVAL</u></b>	<b><u>CLERKS APPROVAL</u></b>
3161	February 8, 1989	(Map Change Only)	March 15, 1989
3162	February 8, 1989		March 15, 1989
3166	March 8, 1989		
3167	March 8, 1989		
3172	April 12, 1989	(Map Change Only)	May 18, 1989
3173	April 12, 1989		May 18, 1989
3174	April 24, 1989		May 30, 1989
3177	April 24, 1989	(Map Change Only)	May 30, 1989
3178	April 24, 1989	(Map Change Only)	May 30, 1989
3179	April 24, 1989	(Map Change Only)	May 30, 1989
3182	June 5, 1989	(Map Change Only)	
3185	June 5, 1989	(Map Change Only)	
3186	June 5, 1989		
3187	June 5, 1989		
3188	June 5, 1989		
3193	June 26, 1989		
3194	June 26, 1989		
3195	June 26, 1989	(Map Change Only)	
3199	July 31, 1989		
3200	July 31, 1989	(Map Change Only)	
3201	July 31, 1989		
3202	July 31, 1989	(Map Change Only)	
3203	July 31, 1989	(Map Change Only)	
3204	July 31, 1989	(Map Change Only)	
3205	July 31, 1989	(Map Change Only)	
3206	July 31, 1989		
3207	July 31, 1989		
3239	October 30, 1989		
3240	October 30, 1989	(Map Change Only)	
3241	October 30, 1989		
3242	October 30, 1989		
3243	October 30, 1989	(Map Change Only)	

<b><u>BY-LAWS</u></b>	<b><u>COUNCIL APPROVAL</u></b>	<b><u>O.M.B. APPROVAL</u></b>	<b><u>CLERKS APPROVAL</u></b>
3244	October 30, 1989	(Map Change Only)	
3249	November 27, 1989	(Map Change Only)	
3250	November 27, 1989	(Map Change Only)	
3251	November 27, 1989	(Map Change Only)	
3252	November 27, 1989		
3253	November 27, 1989	(Map Change Only)	
3254	November 27, 1989	(Map Change Only)	
3255	November 27, 1989	(Map Change Only)	
3270	December 29, 1989		
3271	December 29, 1989	(Map Change Only)	
3277	April 9, 1990		
3279	December 29, 1989	(Map Change Only)	
3298	January 22, 1990		
3299	January 22, 1990	(Map Change Only)	
3300	January 22, 1990	(Map Change Only)	
3301	January 22, 1990		
3302	January 22, 1990		
3306	March 12, 1990	(Map Change Only)	April 5, 1990
3307	March 12, 1990	(Map Change Only)	April 4, 1990
3308	March 12, 1990	(Map Change Only)	April 4, 1990
3309	March 12, 1990		April 4, 1990
3310	March 12, 1990	(Map Change Only)	
3312	March 12, 1990	(Map Change Only)	April 4, 1990
3320	April 23, 1990		
3325	April 9, 1990	(Map Change Only)	
3326	April 9, 1990	(Map Change Only)	
3328	April 9, 2018	(Map Change Only)	
3331	April 23, 1990	(Map Change Only)	
3332	April 23, 1990		
3333	April 23, 1990	(Map Change Only)	
3335	June 11, 1990		
3336	April 23, 1990	(Map Change Only)	

<b><u>BY-LAWS</u></b>	<b><u>COUNCIL APPROVAL</u></b>	<b><u>O.M.B. APPROVAL</u></b>	<b><u>CLERKS APPROVAL</u></b>
3339	May 28, 1990	(Map Change Only)	
3341	May 28, 1990		
3342	May 14, 1990		
3344	May 28, 1990		
3347	May 14, 1990	(Map Change Only)	
3350	June 18, 1990		
3352	June 18, 1990	(Map Change Only)	
3353	September 24, 1990		
3354	June 18, 1990	(Map Change Only)	
3358	July 26, 1990	(Map Change Only)	
3363	July 26, 1990	(Map Change Only)	
3366	August 13, 1990	(Map Change Only)	
3375	September 17, 1990	(Map Change Only)	
3376	November 26, 1990	(Map Change Only)	
3377	September 17, 1990	(Map Change Only)	
3382	September 17, 1990	(Map Change Only)	
3383	September 17, 1990	(Map Change Only)	
3386	September 17, 1990	(Map Change Only)	
3390	September 17, 1990	(Map Change Only)	
3401	November 19, 1990	(Map Change Only)	
3407	October 15, 1990	(Map Change Only)	
3409	November 19, 1990	(Map Change Only)	
3411	October 15, 1990		
3414	September 30, 1991	(Map Change Only)	
3426	December 17, 1990	(Map Change Only)	
3428	December 17, 1990		
3429	March 25, 1991	(Map Change Only)	
3437	December 17, 1990	(Map Change Only)	
3455	January 21, 1991	(Map Change Only)	
3461	March 18, 1991	(Map Change Only)	
3463	March 18, 1991	(Map Change Only)	April 10, 1991
3467	March 18, 1991		

<u>BY-LAWS</u>	<u>COUNCIL APPROVAL</u>	<u>O.M.B. APPROVAL</u>	<u>CLERKS APPROVAL</u>
3468	March 18, 1991		
3469	March 18, 1991		
3472	June 17, 1991		RECINDED
3477	June 17, 1991	(Map Change Only)	
3478	May 27, 1991	(Map Change Only)	
3484	June 17, 1991	(Map Change Only)	
3486	June 10, 1991		
3504	September 16, 1991		
3505	September 16, 1991		
3511	November 4, 1991		
3516	November 4, 1991	Temporary Use By-law (Expires November 4, 1994)	
3517	November 4, 1991	(Map Change Only)	
3519	November 4, 1991		
3526	January 13, 1992		
3541	February 10, 1992		
3559	May 11, 1992		
3560	May 11, 1992	(Map Change Only)	
3561	May 11, 1992		
3562	May 25, 1992		
3564	June 15, 1992		
3566	September 28, 1992	(Map Change Only)	
3574	June 8, 1992	(Map Change Only)	July 6, 1992
3590	September 14, 1992	(Map Change Only)	
3591	September 28, 1992		
3592	September 14, 1992	(Map Change Only)	
3593	June 21, 1992		
3595	September 21, 1992		
3602	October 26, 1992		
3603	October 26, 1992	(Map Change Only)	November 23, 1992
3604	October 19, 1992	(Map Change Only)	
3605	October 26, 1992	(Map Change Only)	



<b><u>BY-LAWS</u></b>	<b><u>COUNCIL APPROVAL</u></b>	<b><u>O.M.B. APPROVAL</u></b>	<b><u>CLERKS APPROVAL</u></b>
3614	January 11, 1993	(Appealed to OMB and subsection 5.180 and 6.18 were created/alterd)	
3616	January 25, 1993	(Map Change Only)	
3617	January 25, 1993	(Map Change Only)	
3618	January 25, 1993		
3619	January 25, 1993	(Map Change Only)	
3620	January 18, 1993	(Map Change Only)	
3632	March 1, 1993	(Map Change Only)	
3638	May 31, 1993		
3641	May17, 1993		
3642	May 17, 1993	(Map Change Only)	
3643	May 17, 1993		
3644	May 17, 1993		
3645	May 17, 1993		
3649	June 14, 1993	(Map Change Only)	
3651	June 21, 1993		
3652	June 21, 1993	(Map Change Only)	
3654	July 26, 1993		August 17, 1993
3655	July 26, 1993		August 17, 1993
3656	July 26, 1993		August 17, 1993
3657	July 26, 1993	(Map Change Only)	August 17, 1993
3658	September 13, 1993	(Map Change Only)	October 8, 1993
3659	July 26, 1993		August 17, 1993
3660	July 12, 1993		August 4, 1993
3667	September 27, 1993	(Map Change Only)	October 20, 1993
3668	November 8, 1993		November 30, 1993
3673	November 8, 1993	(Map Change Only)	November 30, 1993
3674	November 15, 1993		
3676	November 8, 1993		November 30, 1993
3677	November 22, 1993	(Map Change Only)	December 14, 1993
3679	December 20, 1993	(Map Change Only)	January 12, 1994

<b><u>BY-LAWS</u></b>	<b><u>COUNCIL APPROVAL</u></b>	<b><u>O.M.B. APPROVAL</u></b>	<b><u>CLERKS APPROVAL</u></b>
3680	December 20, 1993		January 12, 1994
3691	January 24, 1994		February 16, 1994
3704	February 28, 1994		March 29, 1994
3706	February 28, 1994		March 25, 1994
3711	April 18, 1994	(Map Change Only)	May 11, 1994
3713	April 18, 1994		May 11, 1994
3714	April 18, 1994	(Map Change Only)	May 11, 1994
3715	April 11, 1994		May 3, 1994
3730	July 18, 1994	(Map Change Only)	August 10, 1994
3731	July 18, 1994	(Map Change Only)	August 10, 1994
3732	July 18, 1994	(Map Change Only)	August 10, 1994
3733	July 18, 1994		August 10, 1994
3734	July 18, 1994	(Map Change Only)	August 10, 1994
3755	November 3, 1994		November 29, 1994
3756	September 26, 1994	(Map Change Only)	
3761	September 26, 1994		
3770	October 24, 1994		
3776	December 12, 1994		January 4, 1995
3777	December 12, 1994	(Map Change Only)	January 4, 1995
3778	December 12, 1994		January 4, 1995
3789	May 15, 1995	Temporary Use By-law (Expires May 15, 1998)	June 6, 1995
3791	February 13, 1995		March 8, 1995
3792	February 13, 1995	(Map Change Only)	March 8, 1995
3793	March 20, 1995		April 20, 1995
3795	February 13, 1995	(Map Change Only)	March 8, 1995
3802	March 20, 1995		April 13, 1995
3803	March 20, 1995		
3804	March 13, 1995	(Map Change Only)	April 6, 1995
3808	April 10, 1995		May 3, 1995
3811	May 8, 1995	(Map Change Only)	June 1, 1995
3812	May 8, 1995	(Map Change Only)	
3822	July 10, 1995	Temporary Use By-law (Expires July 10, 1998)	August 3, 1995

<b><u>BY-LAWS</u></b>	<b><u>COUNCIL APPROVAL</u></b>	<b><u>O.M.B. APPROVAL</u></b>	<b><u>CLERKS APPROVAL</u></b>
3823	July 10, 1995		August 3, 1995
3824	August 21, 1995	(Map Change Only)	
3825	July 10, 1995		August 8, 1995
3842	September 11, 1995	(Map Change Only)	October 11, 1995
3843	September 11, 1995		October 11, 1995
3846	September 25, 1995		
3851	November 20, 1995		
3864	March 11, 1996		April 9, 1996
3865	March 11, 1996	(Map Change Only)	April 8, 1996
3866	March 11, 1996		April 8, 1996
3892	June 17, 1996		July 9, 1996
3893	June 17, 1996		July 9, 1996
3894	June 17, 1996		July 9, 1996
3896	June 24, 1996	Temporary Use By-law (Expires June 24, 1999)	July 17, 1996
3902	September 23, 1996		October 17, 1996
3907	October 21, 1996		November 15, 1996
3914	November 18, 1996		December 17, 1996
3915	November 18, 1996	Temporary Use By-law (Expires November 18, 1999)	December 17, 1996
3916	November 18, 1996	(Map Change Only)	December 17, 1996
3917	October 28, 1996		
3923	December 16, 1996		
3924	January 27, 1997	(Map Change Only)	
3942	March 24, 1997		
3956	March 24, 1997	(Map Change Only)	
3957	March 24, 1997		
3958	March 24, 1997		
3971	July 14, 1997		
3973	June 9, 1997		
3974	June 9, 1997		
3981	July 28, 1997	(Map Change Only)	
3983	July 28, 1997		

<b><u>BY-LAWS</u></b>	<b><u>COUNCIL APPROVAL</u></b>	<b><u>O.M.B. APPROVAL</u></b>	<b><u>CLERKS APPROVAL</u></b>
3984	July 28, 1997		
3991	September 8, 1997	(Map Change Only)	
3992	September 8, 1997		
3993	September 8, 1997	(Map Change Only)	
3994	September 29, 1997	(Rescinded by By-law 99-152 – October 18, 1999)	
98-43	April 20, 1998		May 15, 1998
98-84	July 20, 1998		October 7, 1998
98-88	July 20, 1998	APPEALED TO O.M.B (Rescinded by By-law 2002-20 - January 28, 2002)	
98-118	September 14, 1998		October 15, 1998
98-134	September 14, 1998		October 16, 1998
98-135	September 14, 1998		October 16, 1998
98-136	September 14, 1998		October 16, 1998
98-137	September 14, 1998		October 16, 1998
98-138	September 14, 1998		October 16, 1998
98-139	September 14, 1998		October 20, 1998
98-147	October 19, 1998	(Map Change Only)	November 12, 1998
98-161	November 9, 1998	APPEALED TO O.M.B (Rescinded by By-law 2002-22)	
98-163	November 9, 1998		December 8, 1998
98-164	November 9, 1998		December 8, 1998
99-3	January 18, 1999	(Map Change Only)	February 11, 1999
99-11	February 8, 1999		March 4, 1999
99-32	March 29, 1999		April 30, 1999
99-59	April 19, 1999		May 20, 1999
99-66	May 10, 1999		June 11, 1999
99-87	June 14, 1999		July 28, 1999
99-89	June 14, 1999	(Map Change Only)	July 28, 1999
99-119	July 28, 1999		August 20, 1999
99-150	October 18, 1999		November 17, 1999
99-152	October 18, 1999		November 15, 1999
99-173	November 8, 1999		

<b><u>BY-LAWS</u></b>	<b><u>COUNCIL APPROVAL</u></b>	<b><u>O.M.B. APPROVAL</u></b>	<b><u>CLERKS APPROVAL</u></b>
99-186	December 13, 1999		January 7, 2000
2000-07	January 17, 2000	(Map Change Only)	February 17, 2000
2000-27	February 14, 2000		March 16, 2000
2000-49	March 27, 2000	(Map Change Only)	April 19, 2000
2000-92	June 12, 2000		July 19, 2000
2000-108	July 24, 2000		August 16, 2000
2000-165	October 16, 2000		November 9, 2000
2000-167	October 16, 2000		November 14, 2000
2001-46	April 9, 2001		May 2, 2001
2001-72	May 14, 2001	(Map Change Only)	
2001-76	May 14, 2001	(Map Change Only)	June 8, 2001
2001-94	June 11, 2001		July 4, 2001
2001-95	June 11, 2001		July 4, 2001
2001-140	September 10, 2001		October 2, 2001
2001-145	September 10, 2001		October 2, 2001
2001-164	October 22, 2001	(Map Change Only)	November 14, 2001
2002-06	January 14, 2002	(Map Change Only)	February 5, 2002
2002-20	January 28, 2002	(Rescinded By-law 98-88)	
2002-22	January 28, 2002	(Rescinded By-law 98-161)	
2002-26	February 11, 2002		March 8, 2002
2002-44	March 11, 2002	(Map Change Only)	April 2, 2002
2002-58	April 8, 2002		
2002-63	May 13, 2002		June 6, 2002
2003-10	January 13, 2003		February 6, 2003
2003-41	March 10, 2003		April 1, 2003
2003-42	March 10, 2003		April 1, 2003
2003-43	March 10, 2003	(Map Change Only)	April 1, 2003
2003-143	August 11, 2003		April 20, 2004
2003-144	August 11, 2003	(Map Change Only)	September 3, 2003
2003-145	August 11, 2003	(Map Change Only)	September 3, 2003

<b><u>BY-LAWS</u></b>	<b><u>COUNCIL APPROVAL</u></b>	<b><u>O.M.B. APPROVAL</u></b>	<b><u>CLERKS APPROVAL</u></b>
2003-164	September 8, 2003	(Removal of 'h' Holding)	
2003-173	September 22, 2002		October 15, 2003
2003-211	November 17, 2003	(Removal of 'h' Holding)	
2004-41	April 13, 2004	(Removal of 'h' Holding)	
2004-91	June 14, 2004		July 7, 2004
2004-92	June 14, 2004		July 7, 2004
2004-137	September 27, 2004		October 19, 2004
2004-152	October 24, 2004	(Removal of 'h' Holding)	
2004-191	December 13, 2004		January 5, 2005
2004-193	December 13, 2004		January 5, 2005
2005-18	February 14, 2005	(Map Change Only)	March 8, 2005
2005-46	March 14, 2005		April 5, 2005
2005-105	June 14, 2005		July 6, 2005
2005-123	June 27, 2005	(Removal of 'h' Holding)	
2005-187	November 14, 2005	(Map Change Only)	December 6, 2005
2005-188	November 14, 2005		December 6, 2005
2005-216	December 12, 2005		January 4, 2006
2005-218	December 12, 2005		January 4, 2006
2006-23	February 13, 2006		March 7, 2006
2006-104	June 12, 2006	(Map Change Only)	July 5, 2006
2006-130	August 21, 2006		September 12, 2006
2006-131	August 21, 2006		September 14, 2006
2006-151	September 11, 2006		October 3, 2006
2006-157	September 25, 2006	(Removal of 'h' Holding)	
2006-183	November 20, 2006		December 12, 2006
2006-190	November 20, 2006		December 12, 2006
2006-193	December 11, 2006		January 3, 2007
2007-3	January 15, 2007		February 6, 2007
2007-55	April 10, 2007		May 17, 2007
2007-56	April 20, 2007	(Map Change Only)	May 2, 2007
2007-65	April 23, 2007	(Map Change Only)	May 15, 2007
2007-80	May 14, 2007	(Map Change Only)	June 5, 2007

<b><u>BY-LAWS</u></b>	<b><u>COUNCIL APPROVAL</u></b>	<b><u>O.M.B. APPROVAL</u></b>	<b><u>CLERKS APPROVAL</u></b>
2007-81	May 14, 2007		June 5, 2007
2007-82	May 14, 2007		June 5, 2007
2007-105	June 11, 2007	(Removal of 'h' Holding)	
2007-107	June 11, 2007	(Map Change Only)	July 4, 2007
2007-130	July 16, 2007	(Removal of 'h' Holding)	
2007-133	July 16, 2007		August 8, 2007
2007-135	July 16, 2007		August 8, 2007
2007-150	August 13, 2007		October 5, 2007
2007-182	October 2, 2007	(Map Change Only)	October 30, 2007
2007-218	December 10, 2007	(Removal of 'h' Holding)	
2007-219	December 10, 2007		January 3, 2008
2008-35	February 11, 2008	Deleted by By-law 2014-112	March 6, 2008
2008-36	February 11, 2008		March 6, 2008
2008-149	July 28, 2008	(Removal of 'h' Holding)	
2008-201	November 10, 2018	(Map Change Only)	December 3, 2008
2008-215	December 8, 2018	(Removal of 'h' Holding)	
2009-2	January 12, 2009		February 3, 2009
2009-47	April 14, 2009		May 6, 2009
2009-50	April 14, 2009	(Map Change Only)	May 6, 2009
2009-77	May 11, 2009	(Removal of 'h' Holding)	
2009-108	July 13, 2009		August 5, 2009
2009-124	August 10, 2009	(Map Change Only)	September 1, 2009
2009-125	August 10, 2009	(Map Change Only)	September 1, 2009
2010-02	January 11, 2010		February 2, 2009
2010-19	February 8, 2010		March 3, 2010
2010-23	February 8, 2010	(Removal of 'h' Holding)	
2010-73	May 10, 2010	Temporary Use By-law (Expires August 10, 2011)	June 1, 2010
2010-102	June 14, 2010	(Removal of 'h' Holding)	
2010-111	June 28, 2010	(Removal of 'h' Holding)	
2010-129	August 9, 2010		August 31, 2010
2010-199	December 13, 2010	(Map Change Only)	January 5, 2011

<b><u>BY-LAWS</u></b>	<b><u>COUNCIL APPROVAL</u></b>	<b><u>O.M.B. APPROVAL</u></b>	<b><u>CLERKS APPROVAL</u></b>
2010-200	December 13, 2010		January 5, 2011
2011-93	May 9, 2011		May 31, 2011
2011-5	January 10, 2011		February 1, 2011
2011-23	February 14, 2011	(Map Change Only)	March 8, 2011
2011-24	February 14, 2011		March 8, 2011
2011-34	March 14, 2011	Includes a Temporary Use By-law (Expires March 14, 2012)	April 5, 2011
2011-35	March 14, 2011		April 5, 2011
2011-83	April 26, 2011	(Removal of 'h' Holding)	
2011-108	June 27, 2011		November 20, 2012
2011-163	October 11, 2011		November 2, 2011
2012-1	January 9, 2012	(Map Change Only)	January 31, 2012
2012-72	May 14, 2012	(Map Change Only)	June 7, 2012
2012-74	May 14, 2012		June 7, 2012
2012-93	June 11, 2012		July 4, 2012
2012-94	June 11, 2012		July 4, 2012
2012-118	July 9, 2012	(Map Change Only)	July 31, 2012
2012-122	June 11, 2012		July 4, 2012
2012-141	August 13, 2012		September 5, 2012
2012-201	November 26, 2012	(Removal of 'h' Holding)	
2013-05	January 14, 2013		February 5, 2013
2013-94	June 10, 2013	(Map Change Only)	July 3, 2013
2013-148	August 12, 2013	(Map Change Only)	September 4, 2013
2013-201	November 12, 2013	(Map Change Only)	December 5, 2013
2014-05	January 13, 2014		February 4, 2014
2014-07	January 13, 2014	(Map Change Only)	February 10, 2014
2014-26	February 10, 2014	(Map Change Only)	March 4, 2014
2014-36	March 24, 2014		May 16, 2014
2014-37	March 24, 2014		April 16, 2014
2014-45	April 14, 2014		May 6, 2014
2014-46	April 14, 2014		May 6, 2014



<b><u>BY-LAWS</u></b>	<b><u>COUNCIL APPROVAL</u></b>	<b><u>O.M.B. APPROVAL</u></b>	<b><u>CLERKS APPROVAL</u></b>
2014-70	May 12, 2014	(Map Change Only)	August 6, 2014
2014-71	May 12, 2014		June 3, 2014
2014-112		May 30, 2014	
2014-116	July 14, 2014		August 6, 2014
2014-118	July 14, 2014		August 6, 2014
2014-157	November 10, 2014		December 8, 2014
2014-158	November 10, 2014		December 8, 2014
2015-22	January 26, 2015	(Map Change Only)	February 18, 2015
2015-115	June 8, 2015	(Map Change Only)	July 3, 2015
2015-138	July 13, 2015		August 5, 2015
2015-152	August 10, 2015	Map Change and Temporary Use By-law (Expires August 10, 2017)	September 1, 2015
2015-163	September 14, 2015	(Map Change Only)	October 7, 2015
2015-179	October 26, 2015	(Removal of 'h' Holding)	
2015-192	November 9, 2015	(Map Change Only)	December 3, 2015
2015-206	December 15, 2015	(Map Change Only)	January 5, 2016
2016-04	January 11, 2016		February 2, 2016
2016-41	March 29, 2016		April 29, 2016
2016-42	March 29, 2016		April 29, 2016
2016-56	April 11, 2016	(Map Change Only)	May 4, 2016
2016-86	May 9, 2016		June 1, 2016
2016-87	May 9, 2016		June 1, 2016
2016-95	June 13, 2016	(Map Change Only)	July 5, 2016
2016-113	July 11, 2016		August 3, 2016
2016-122	August 8, 2002	(Map Change Only)	September 2, 2016
2016-191	November 14, 2016		December 6, 2016
2016-192	November 14, 2016		December 6, 2016
2016-193	November 14, 2016		December 6, 2016
2017-02	January 10, 2017	(Map Change Only)	January 31, 2017
2017-17	January 9, 2017	(Removal of 'h' Holding)	
2017-39	February 13, 2017	(Map Change Only)	March 7, 2017

<b><u>BY-LAWS</u></b>	<b><u>COUNCIL APPROVAL</u></b>	<b><u>O.M.B. APPROVAL</u></b>	<b><u>CLERKS APPROVAL</u></b>
2017-75	April 10, 2017	(Map Change Only)	May 2, 2017
2017-76		January 11, 2019	January 15, 2019
2017-77	April 10, 2017		May 3, 2017
2017-101	May 8, 2017	(Map Change Only)	May 30, 2017
2017-117	June 12, 2017	(Map Change Only)	July 5, 2017
2017-140	July 10, 2017		August 1, 2017
2017-141	July 10, 2017	(Map Change Only)	August 1, 2017
2017-142	July 10, 2017		August 1, 2017
2017-143	July 10, 2017	(Removal of 'h' Holding)	
2018-03	January 8, 2018	(Map Change Only)	January 30, 2018
2018-32	March 26, 2018	(Map Change Only)	April 17, 2018
2018-34	March 26, 2018		April 17, 2018
2018-67	May 14, 2018		June 7, 2018
2018-78	May 28, 2018	(Removal of 'h' Holding)	
2018-131	August 27, 2018	(Map Change Only)	September 19, 2018
2018-132	August 27, 2018	(Map Change Only)	September 19, 2018
2018-135	August 27, 2018	(Removal of 'h' Holding)	
2018-143	September 10, 2018		October 5, 2018
2018-144	September 10, 2018	Temporary Use By-law (Expires September 10, 2019)	October 5, 2018
2018-162	October 9, 2018	(Map Change Only)	November 9, 2018
2018-173	November 13, 2018	(Map Change Only)	December 7, 2018
2018-186	November 13, 2018		December 7, 2018
2019-35	March 11, 2019	(Map Change Only)	April 9, 2019
2019-36	March 11, 2019	(Map Change Only)	April 9, 2019
2019-57	April 8, 2019		May 1, 2019
2019-61	April 8, 2019	(Map Change Only)	May 1, 2019
2019-63	April 8, 2019		May 1, 2019
2019-116	June 10, 2019	(Removal of 'h' Holding)	N/A
2019-92	May 13, 2019	(Map Change Only)	July 8, 2019
2019-112	June 10, 2019	(Map Change Only)	July 3, 2019
2019-113	June 10, 2019	(Map Change Only)	July 3, 2019

**BY-LAWS**

2019-136

**COUNCIL APPROVAL**

July 8, 2019

**O.M.B. APPROVAL**

(Map Change Only)

**CLERKS APPROVAL**

July 31, 2019

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NOTE: FOR INFORMATION ON RESIDENTIAL HOLDING (RH) ZONE REFER TO SECTION 5.110

# METRIC CONVERSION

## LINEAR

METERS	=	FEET	METER	=	FEET
1.0	=	3.28	20.5	=	67.26
1.2	=	4.00	21.0	=	68.82
1.5	=	4.92	22.0	=	72.16
1.6	=	5.25	22.1	=	72.50
2.0	=	6.58	22.8	=	74.83
2.5	=	8.25	24.0	=	78.66
3.0	=	9.84	25.0	=	82.00
4.0	=	13.12	25.1	=	82.33
4.5	=	14.75	25.4	=	83.33
5.0	=	16.42	25.5	=	83.66
5.4	=	17.75	26.0	=	85.33
5.5	=	18.04	28.4	=	93.16
6.0	=	19.69	28.6	=	93.83
7.0	=	22.97	30.0	=	98.41
7.5	=	24.58	30.4	=	99.75
7.6	=	25.00	30.5	=	100.00
9.0	=	29.50	32.9	=	108.00
9.2	=	30.16	33.4	=	109.66
10.0	=	32.75	33.6	=	110.32
10.5	=	34.41	36.2	=	118.82
11.0	=	36.09	36.5	=	119.66
12.0	=	39.33	40.0	=	131.16
12.2	=	40.00	41.2	=	135.16
12.8	=	42.00	43.0	=	141.00
13.7	=	45.00	45.0	=	147.66
15.24	=	50.00	46.0	=	151.00
16.0	=	52.5	49.0	=	160.82
17.5	=	67.41	60.0	=	196.82
17.7	=	58.00	90.0	=	295.23
18.0	=	59.00	100.0	=	328.00
19.2	=	63.00	150.0	=	492.00
			220.0	=	721.38
			300.0	=	984.00

METRIC CONVERSION

LINEAR

SQ. METERS		SQ. FT.		SQ. METERS		ACRES
9	=	97		4 000	=	0.988
14	=	151		4 047	=	1.001
23	=	248		7 400	=	1.814
28	=	302		9 000	=	2.225
36	=	388		14 000	=	3.466
37	=	398		22 500	=	5.556
42	=	452		30 000	=	7.41
46	=	495		4 Ha.	=	7.41
55	=	592		6 Ha.	=	14.83
65	=	700		25 Ha.	=	61.78
70	=	753				
83	=	893				
100	=	1,076				
140	=	1,507				
185	=	1,992				
232	=	2,502				
325	=	3,636				
550	=	5,916				
650	=	6,979				
800	=	8,610				
836	=	9,100				
925	=	9,960				
1 000	=	10,764				
1 114	=	12,000				
1 150	=	12,376				
2 300	=	24,750				
2 322	=	24,990				
2 625	=	28,260				
2 787	=	30,000				
2 800	=	30,120				

# SECTION 1 - INTERPRETATION

## ZONING BY-LAW NUMBER 3014

### CORPORATION OF THE TOWNSHIP OF THURLOW

#### BEING A ZONING BY-LAW PASSED PURSUANT TO THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, 1983, AS AMENDED

WHEREAS the Council of the Corporation of the Township of Thurlow considers it desirable to enact a Zoning By-law in accordance with the provisions of Section 34 of the Planning Act, 1983, as amended, to regulate the use of lands and the character, location and use of buildings and structures; and, to prohibit certain uses of land and the erection and use of certain buildings and structures in various areas of the Corporation of the Township of Thurlow.

AND WHEREAS the Council of the Corporation of the Township of Thurlow further considers it advisable to implement the approved policies and designations set forth under the Official Plan of the County of Hastings and the Official Plan for part of the Township of Thurlow insofar as is necessary to restrict, prohibit and regulate the use of land situated within various defined areas of the Corporation of the Township of Thurlow so as to ensure proper and orderly development within the whole of the Municipality;

NOW THEREFORE the Council of the Corporation of the Township of Thurlow ENACTS as follows:

#### 1. **INTERPRETATION**

##### 1.1 TITLE

This By-law may be cited as the "Zoning By-law"

##### 1.2 DECLARATION

The Schedules "A1" to "A6" contained herein is declared to form part of this By-law.

##### 1.3 APPLICATION

This By-law shall apply and be enforceable with respect to the lands within the limits of the Corporation of the Township of Thurlow. For the purposes of this By-law, the definitions and interpretations given herein shall govern unless the context requires otherwise.

##### 1.4 INTERPRETATION

For the purposes of this By-law, words used in the present tense include the future; words in singular number include the plural and words in the plural include the singular number; the word "shall" is mandatory; the word "may" is permissive; the words "used" and "occupied" shall include the words "arranged" and "designed to be used or occupied".

##### 1.5 ZONE SYMBOLS

The Zone symbols may be used to refer to lots, buildings structures and excavations and to the use of lots, buildings, structures and excavations permitted by this By-law in the Zones. Whenever in this By-law the word "Zone" is used, preceded by any of the symbols, such Zone shall mean any area with the Corporation of the Township of Thurlow within the scope of this By-law, delineated on Schedules "A1" to "A6", and designated thereon by the symbol.

## **SECTION 1 - INTERPRETATION**

### **1.6 SPECIAL ZONE SYMBOLS**

- 1.6.1 Where the Zone Symbol designating certain lands, as shown on Schedules “A1” to “A6” is followed by a dash and a number, for example C1-1, Special Zone Provisions apply to such lands. Such special provisions are found in Section 5 “SPECIAL ZONE CATEGORIES” (MISCELLANEOUS EXCEPTIONS) of this By-law. Lands designated in this manner shall be subject to all the restrictions of the Zone, except as may otherwise be provided by the Special Zone Provisions.
- 1.6.2 Where the Zone Symbol designating certain lands, as shown on Schedules “A1” to “A6”, is followed by a dash and the letter “h”, Holding Zone provisions apply to such lands.

### **1.7 ZONE BOUNDARIES AND INTERPRETATION**

Where possible, the extent and boundaries of all Zones, as shown on Schedules “A1” to “A6”, are construed to be lot lines, street lines, centerlines of streets, railway rights-of-way or boundaries or registered plans. In the case where uncertainty exists as to the boundary of any Zone, then the location of such boundary shall be determined in accordance with the scale of Schedules “A1” to “A6”. In the event that a street delineated on Schedules “A1” to “A6” hereof is closed, the land formerly within such street or road shall be included within the Zone of the adjoining land on either side of such closed street. Where a closed street is the boundary between two or more different zones, the new zone boundary shall be the former centerline of the closed street.

### **1.8 RESIDENTIAL AND NON-RESIDENTIAL USES**

For the purpose of reference, all buildings and structures and all uses of buildings, structures and lots named as uses permitted and classified under the headings of “Residential” and “Non-Residential”, may be referred to as Residential and Non-Residential buildings, structures or uses respectively.

### **1.9 LOCATION OF PROVISIONS**

All the Zone provisions of this By-law which are applicable to a use, building or structure shall be provided within the Zone in which such use, building or structure is located, unless a specific provision of this By-law provides otherwise.

### **1.10 HEADINGS**

The captions appearing at the headings of the parts, sections and clauses, of this By-law or on Schedules “A1” to “A6” of this By-law together with the illustrations, examples and explanatory notes appearing at various places throughout this reference only and in no way define, limit or enlarge the scope or meaning of this By-law or any of its provisions.



## **SECTION 2 – COMPLIANCE WITH THE BY-LAW**

### **2 COMPLIANCE WITH THE BY-LAW**

#### **2.1 CONFORMITY**

No land, building, structure, excavation, lot or premises shall be used or occupied, and no building, structure or excavation shall be erected, altered or made, in whole or in part, for any purpose EXCEPT in conformity with the provisions of this By-law.

#### **2.2 INTERPRETATION**

The provisions of this By-law shall be held to be the minimum requirement EXCEPT where the word maximum is used, in which case the maximum requirement shall apply.

#### **2.3 CHANGE IN LOT SIZE**

No lot shall be changed in area, depth or width, either by the conveyance of land or otherwise, so that the lot coverage exceeds the maximum permitted by this By-law, or, so that the existing or resulting lot area, lot width or yards will be less than the minimum permitted by the provisions of this By-law.

#### **2.4 CHANGE IN USE**

A use or occupation of land, building, structure, lot or premises, or any activity in connection therewith which, under the provisions of this By-law is not permissible within the Zone in which such land, building, structure, lot or premises is located, shall not be changed except to a use or occupation or activity connected therewith, which is permissible within such Zone.

#### **2.5 PUBLIC ACQUISITION**

No person shall be deemed to have contravened any provision of this By-law by reason of the fact that any part or parts of any lot has or have been conveyed to or acquired by any Public Authority.

#### **2.6 COMMITTEE OR ADJUSTMENT**

Nothing in this By-law shall be deemed to detract from the powers of a Committee of Adjustment appointed under the provisions of the Planning Act, S.O. 1983.

## **SECTION 3 – ADMINISTRATION, ENFORCEMENT AND ENACTMENT**

### **3 ADMINISTRATION, ENFORCEMENT AND ENACTMENT**

#### **3.1 ADMINISTRATION**

##### **3.1.1 ADMINISTRATION**

This By-law shall be administered and enforced by such person or persons as may be appointed for such purpose by the Council of the Corporation of the Township of Thurlow from time to time, and known as the By-law Enforcement Officer.

##### **3.1.2 BUILDING AND OTHER PERMITS**

No building permit occupancy permit shall be issued where the proposed building, structure or excavation or where the proposed use or activity would be in violation of any of the provisions of this By-law. No such permit shall be deemed to authorize the violation of any provision of this By-law.

##### **3.1.3 APPLICATION FOR PERMITS**

In addition to all the requirements of the Building Code Act and regulations or any By-law of the Corporation, every application for a building permit shall be accompanied by a plan in duplicate, (one copy of which shall be retained by the By-law Enforcement Officer), drawn to scale and showing the following:

- a) The true dimensions of the lot to be built upon or otherwise used.
- b) The proposed located, height, floor area and dimensions of any building, structure, use or activity proposed for such lot.
- c) Proposed locations and dimensions of any yards, setback, landscaped open space, off-street parking space or off-street loading facilities required by this By-law.
- d) The location of all existing buildings or structures on the lot shown on the plan.
- e) A statement signed by the owner, or his duly authorized agent, disclosing the exact use proposed for each aforesaid building, structure, use or activity, and giving all information necessary to determine if such proposed or existing building, structure, use or activity conforms to the requirements of this By-law.

##### **3.1.4 CERTIFICATE OF OCCUPANCY**

Upon request, by an owner or authorized agent, a Certificate of Occupancy may be issued by the By-law Enforcement Officer to the effect that a proposed use or activity on the specified property complies with this By-law.

##### **3.1.5 OCCUPANCY OF UNCOMPLETED DWELLING HOUSES**

No dwelling house shall be used for human habitation until the Building Code Act, as amended, and the Regulations passed thereunder have been complied with and, in any event, not before the main side walls and roof have been erected; the external siding and roofing completed; and kitchen heating and sanitary conveniences have been installed and the structure rendered usable, safe and fit for human habitation.

## **SECTION 3 – ADMINISTRATION, ENFORCEMENT AND ENACTMENT**

### **3.1.6 BUILDINGS OR STRUCTURES TO BE MOVED**

In all Zones, no building or structure, residential or otherwise, normally requiring a building permit for construction, shall be moved within the area affected by this By-law without a permit issued by the Chief Building Official.

## **3.2 ENFORCEMENT**

### **3.2.1 INSPECTION**

The By-law Enforcement Officer, or any Officer or employee of the Corporation acting under the direction of the Council, is hereby authorized to enter, at all reasonable hours, upon any property or premises for the purpose of carrying out his duties under this By-law, provided such entry is otherwise lawful.

OMB File No. R880022

### **3.2.2 VIOLATION AND PENALTIES**

Every person who uses any lot, or erects or uses any building, structure or any part of any lot, building or structure in a manner contrary to any requirement of this By-law, or who causes or permits such use, activity or erection, or who violates any provisions of this By-law, or causes or permits a violation shall be guilty of an offence and upon conviction thereof shall forfeit and pay a penalty not exceeding the limits prescribed in Section 66 (1), (2), and (3) of the Planning Act, 1983 exclusive of costs, for each offence, and every such penalty shall be recoverable under the Municipal Act, R.S.O., 1980, as amended and the Provincial Offences Act, R.S.O., 1980, as amended.

### **3.2.3 CONTRAVENTION RESTRAINED BY ACTION**

In the case where any building or structure is to be erected, altered, reconstructed, extended, or part thereof is to be used, or any lot is to be used, in contravention of restrained by action at the instance of any ratepayer or of the Corporation, pursuant to the provisions of the Municipal Act, as amended.

### **3.2.4 VALIDITY**

If any section, clause or provision of this By-law, including anything contained on schedules is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the section, clause or provisions, including anything contained on schedules of this By-law, shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

## **3.3 ENACTMENT**

### **3.3.1 ZONE SCHEDULES**

The provisions of this By-law shall apply to all lands within the limits of the Corporation of the Township of Thurlow. For the purposes of this By-law such lands are divided into various Zones which are delineated on Schedules "A1" to "A6" attached hereto and forming part of this By-law:

## **SECTION 3 – ADMINISTRATION, ENFORCEMENT AND ENACTMENT**

Low Density Residential Type 1 (R1) Zone  
Low Density Residential Type 2 (R2) Zone  
Medium Density (R3) Zone  
High Density Residential (R4) Zone  
Rural Residential (RR) Zone  
Seasonal Residential (SR) Zone  
Estate Residential (ER) Zone  
Mobile Home Residential (MHR) Zone  
Highway Commercial (C1) Zone  
Rural Commercial (C2) Zone  
General Commercial (C3) Zone  
Local Commercial (C4) Zone  
General Industrial (M1) Zone  
Extractive Industrial (M2) Zone  
Waste Disposal Industrial (M3) Zone  
Community Facility (CF) Zone  
Prime Agriculture (PA) Zone  
Rural (RU) Zone  
Hazard (H) Zone  
Development (D) Zone

### **3.3.2 REPEAL OF OTHER ZONING BY-LAWS**

All By-laws in force within the Corporation regulating the use of lands and the character, location, bulk, height, and use of buildings and structures, be and the same, are hereby amended insofar as it is necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern.

### **3.3.3 ENACTMENT**

1. This By-law shall come into force on the date of passing by the Council of the Corporation of the Township of Thurlow.
2. The Clerk is hereby authorized and directed to proceed with the giving of notice under Section 34 Subsection 17 of the Planning Act.

READ A FIRST TIME ON THE 12 DAY OF AUGUST 1987.

READ A SECOND TIME ON THE 12 DAY OF AUGUST 1987.

READ A THIRD TIME AND FINALLY PASSED ON THE 12 DAY OF AUGUST 1987.

## **SECTION 4 – GENERAL PROVISIONS**

### **4. GENERAL PROVISIONS**

#### **4.1 ACCESSORY BUILDINGS, STRUCTURES AND USES**

##### **4.1.1 PERMITTED USES**

Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use, but shall not include the following:

- i) any occupation for gain or profit conducted within or accessory to a dwelling unit or on the lot, except as in this By-law is specifically permitted, or,
- ii) any building used for human habitation, except as in this By-law is specifically permitted.

##### **4.1.2 LOCATION**

Except as otherwise provided herein any accessory building or structure which is not part of the main building shall be erected to the rear of the front yard and shall comply with the yard and setback requirements of the Zone in which such building or structure is situated.

(2006-131)

##### **4.1.3 LOT COVERAGE AND HEIGHT**

Save and except for the R1 through to R4 zones, inclusive, the total lot coverage of all accessory buildings and structures, except swimming pools, shall not exceed 5 percent of the lot area. Within the R1 through to R4 zones, inclusive, the total lot coverage of all accessory buildings and structures, except swimming pools, shall not exceed 10 percent of the lot area. No accessory building or structure, except for barns, shall exceed a height of 5 metres.

OMB File No. R880022

##### **4.1.4 ENCROACHMENTS**

Notwithstanding the yard and setback provisions of this By-law to the contrary, flag poles, light standards, garden trellises, retaining walls, fences which comply with the Corporation's Fence By-law, signs which comply with the Corporations Sign By-law or similar uses shall be permitted in any required yard or in the area between the street line and the required setback.

Clothes poles and dish antennae shall not be permitted except in the rear yard.

##### **4.1.5 GARAGE OR OTHER ACCESSORY BUILDINGS OR STRUCTURES**

Notwithstanding any other provisions of this By-law to the contrary, an attached or detached private garage or other accessory building may be erected and used in an interior side or rear yard provided that:

## SECTION 4 – GENERAL PROVISIONS

OMB File No. R880022

### 4.1.5.1 INTERIOR SIDE YARD

When such accessory building is located in an interior side yard it shall be in conformity with the requirements of the Zone in which the building is located, EXCEPT where a common semi-detached garage is being erected simultaneously on both sides of the lot line, as one building, in which case no interior side yard to the accessory building is required.

OMB File No. R880022

### 4.1.5.2 REAR YARD

When such accessory building is located in a rear yard it shall be in conformity with the requirements of the Zone in which it is located.

OMB File No. R880022

### 4.1.5.3 REAR YARD WITH LANE ACCESS

Where such accessory building is located in a rear yard with lane access it shall not be located closer than 2.5 metres to the rear lot line.

### 4.1.5.4 RELATION TO STREET

All accessory buildings shall comply with the setback provisions applicable to the principal or main building on the lot.

### 4.1.6 GATE HOUSE IN INDUSTRIAL ZONE

Notwithstanding the yard and setback provisions of this By-law to the contrary, in an Industrial Zone, a gate house shall be permitted in a front or side yard or in the area between the street line and the required setback.

### 4.1.7 RAILWAY SPUR IN INDUSTRIAL ZONE

Notwithstanding any yard and setback provisions of this By-law to the contrary, in an Industrial Zone, a railway spur shall be permitted within any required side or rear yard, but not within a required planting strip area, except for necessary ingress and egress. However, where such side or rear yard abuts a Residential Zone, then such railway spur shall conform to the yard and setback requirements of the Zone in which it is located.

### 4.1.8 ORNAMENTAL STRUCTURES

Notwithstanding the yard and setback provisions of this By-law to the contrary, in an Industrial Zone, a gate house shall be permitted in a front or side yard or in the area between the street line and the required setback.

OMB File No. R880022

(2006-131)

### 4.1.9 UNENCLOSED PORCHES, BALCONIES, STEPS OR PATIOS

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed porches, balconies, steps and patios covered or uncovered, drop

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awnings, eaves, may project into any required yard a maximum distance of 1.5 metres save and except the R1 through to R4 Zones, inclusive, where they may project a maximum distance of 3.0 metres into any required rear yard, but not closer than 1 metre to any lot line, provided that in the case of porches, steps or patios such uses are not more than 2 metres above grade.

### 4.1.10 FIRE ESCAPES

Notwithstanding the yard and setback provisions of this By-law to the contrary, unenclosed fire escapes, in which the stair steps and floors are latticed in such a manner that the portion of voids to solids is not less than two to one and in which guards consist of hand rails and the structural members necessary to their support, may project into any required setback a maximum of 1.5 metres.

(2016-86)

### 4.1.11 SWIMMING POOLS

Notwithstanding the yard and provisions of this By-law to the contrary, an outdoor swimming pool shall only be permitted within the rear yard or side yard of a lot and shall be within a swimming pool enclosure. Such outdoor swimming pool shall not be located within 1.0 metres of the rear or interior side lot lines. In the case of a corner lot, such outdoor swimming pool, or pool enclosure, shall conform to the minimum exterior side yard requirement of the main or principal building on the lot. The maximum area covered by an outdoor swimming pool shall not exceed twenty (20) percent of the total lot area. For the purpose of this subsection, "pool enclosure" shall mean a fence, wall or other structure, including doors or gates, surrounding an outdoor swimming pool designed to restrict access thereto.

### 4.1.12 PRIVATE CABIN

Notwithstanding the yard and setback provisions of this By-law to the contrary, one Private Cabin may be erected and used on the same lot as a Seasonal Residential Dwelling, provided, such Private Cabin does not exceed 23 square metres in total floor area, and complies with the yard and setback requirements of the Zone in which such building or structure is situated.

### 4.1.13 BOAT HOUSE, PUMP HOUSE OR DOCK

Notwithstanding the yard and setback provisions of this By-law to the contrary, where ownership of a lot extends to the high water mark, a boathouse, pump house or a dock may be erected and used in the yard abutting the high water mark provided such accessory buildings or structures are located no closer than 1 metre to the side lot line. Where the ownership extends to a 66 foot original road allowance prior to the issuing of a building permit for the erection of a boathouse, pumphouse or dock, the owner shall furnish the Building Inspector with a copy of a lease signed by the Municipality covering the occupation of that portion of road allowance affected by the accessory buildings or structures. No private communal dock will be located within 60 metres of a residential dwelling.

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### **4.2 DWELLING UNITS BELOW GRADE**

#### **4.2.1 (a) CELLAR**

No dwelling unit shall in its entirety, be located in a cellar. If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used as a furnace room, laundry room, storage room, recreation room or for a similar use only.

#### **4.2.2 (b) BASEMENT OR WALKOUT BASEMENT**

A dwelling unit, in its entirety, may be located in a basement, or walkout basement provided the finished floor level of such basement is not below the level of the septic tank facilities serving the building or structure in which such basement is located and provided further, that the floor level of such basement is not more than .5 metres below the adjacent finished grade.

### **4.3 ENVIRONMENTALLY SENSITIVE AREA ZONE**

No person shall erect, alter or use any building or structure in an Environmentally Sensitive Area (ESA) Zone for any purpose except for a Public Use in accordance with the provisions of Section 4.17 of this By-law.

### **4.4 ESTABLISHED BUILDING LINE IN BUILT-UP AREA**

Notwithstanding the yard and setback provisions of this By-law to the contrary, where a permitted building or structure is to be erected on a lot in a built-up area, where there is an established building line extending on both sides of the lot, such permitted building or structure may be erected closer to the street line or the centerline of the street or to the high water mark, as the case may be, than required by this By-law provided that such permitted building or structure is not erected closer to the street line, centerline or high water mark, as the case may be, than the established building line on the data of passing of this By-law.

### **4.5 EXISTING BUILDINGS, STRUCTURES AND USES**

#### **4.5.1 CONTINUATION OF EXISTING USES**

The provisions of this By-law shall not apply to prevent the use of any lot, building or structure for any purpose prohibited by this By-law if such lot, building or structure was lawfully used for such purpose on the date of passing of this By-law, so long as it continues to be used for that purpose.

#### **4.5.2 PERMITTED EXTERIOR EXTENSION**

A building, which at the date of passing of this By-law, was used for a purpose not permissible within the Zone in which it is located, shall not be enlarged or extended, unless such building is thereafter to be used, for a purpose permitted within such Zone, and complies with all requirements of this By-law for such Zone.

#### **4.5.3 PERMITTED INTERIOR ALTERATION**

The interior of any building lawfully used on the date of passing of this By-law for a use that is not permitted within the Zone that such building is located in may be



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reconstructed or structurally altered, in order to render the same more convenient or commodious for the same purpose for which, at the passing of this By-law, such building was used.

### **4.5.4 RESTORATION TO A SAFE CONDITION**

Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any building or structure or part thereof, lawfully used on the date of passing of this By-law, provided that the strengthening or restoration does not increase the building height, size or volume or change the use of such building or structure.

### **4.5.5 RECONSTRUCTION OF DAMAGED EXISTING BUILDINGS OR STRUCTURES**

Nothing in this By-law shall apply to prevent the reconstruction of any lawful non-conforming building or structure which is damaged by causes beyond the control of the owner.

### **4.5.6 BUILDING PERMIT ISSUED**

The provisions of this By-law shall not apply to prevent the erection or use, for a purpose prohibited by this By-law, of any building or structure, the plans for which have prior to the date of passing of this By-law been approved by the Building Inspector, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the erection of such building or structure is commenced within two years after the date of the passing of this By-law and such building or structure is completed within a reasonable time after the erection thereof is commenced.

### **4.5.7 CHANGE OF USE**

The use of a lot, building or structure which under the provisions hereof is not permissible within the Zone in which such a lot, building or structure is located, shall not be changed, except to a conforming use.

### **4.5.8 PERMITTED NON-COMPLYING BUILDINGS OR STRUCTURES**

Nothing in this By-law shall prevent the enlargement, extension, reconstruction, renovation, repair or alteration of a building or structure, which existed at the date of passing of this By-law, which is used for a purpose specifically permitted within the Zone in which such building or structures does not comply with the setback or one or more yards that is or are less than required under the provisions of this By-law provided that the setback or yard or yards that is or are less than required are not further reduced and that all other provisions of this By-law are complied with.

### **4.5.9 FLOOR AREA LESS THAN REQUIRED**

Nothing in this By-law shall prevent an extension or addition being made to a permitted dwelling house, which dwelling house existing at the time of passing of this By-law but which has a gross floor area or dwelling unit area less than required by this By-law, provided such extension or addition does not contravene any other provision of this By-law.

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### 4.5.10 PRIVATE RIGHT-OF-WAY

Notwithstanding the provisions of this By-law, where a building has been erected prior to the passing of this By-law on a lot which fronts on a private right-of-way registered on title that which provides legal access to an improved public street, the provisions of this By-law shall not apply to prevent the enlargement, alteration, extension, renovation or reconstruction of such a building or structure, provided the use of such building or structure, is permissible in the Zone in which it is located and that all other applicable Zone Provisions of this By-law are complied with.

### 4.6 EXTERNAL DESIGN

The following building materials shall not be used for more than 5% of the exterior vertical facing on any wall of any residential building with the Corporation of the Township of Thurlow:

4.6.1 Building paper;

4.6.2 Asphalt roll-type siding;

4.6.3 Insul brick.

### 4.7 ACCESS BY PUBLIC STREET, NAVIGABLE WATERWAY OR PRIVATE ROAD

#### 4.7.1 PUBLIC STREET

No person shall erect any building or structure in any Zone, unless the lot upon which such building or structure is to be erected fronts upon an improved public street, and further that such building or structure complies with the setback provisions of this By-law.

#### 4.7.2 UNASSUMED ROAD

Notwithstanding the provisions of 4.7.1 hereof to the contrary, the provisions of this By-law shall not apply to prevent the erection of a permitted building or structure on a lot in a Registered Plan of Subdivision where a properly executed subdivision agreement has been entered into with the Municipal Corporation whereunder the street or streets will not be assumed by the Municipality until such time as specified in the said agreement.

#### 4.7.3 PRIVATE ROAD

Notwithstanding the provisions of 4.7.1 hereof where access to a Seasonal Residential (SR) Zone is by private road, no person shall erect any building or structure unless the lot has frontage on a registered 20 metre right-of-way and notice has been provided to all prospective purchasers in purchase agreements or on title that maintenance of the access will be the owner's responsibility and will not be maintained or assumed by the Municipality.

#### 4.7.4 NAVIGABLE WATERWAY

Notwithstanding the provisions of 4.7.1 hereof where access to a Seasonal Residential (SR) Zone is by navigable waterway only, no person shall erect any

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building or structure on a lot unless the lot has water frontage upon the navigable waterway. For the purpose of this section, where a marine allowance is in existence or a user-in-common private open space fronts the waterway or the lot is served by a public or private marina, the lot shall be deemed to front on the navigable waterway.

### 4.8 HOME OCCUPATION

The following regulations shall apply to a home occupation where such a use is permitted in a single-family dwelling house or unit or within a permitted accessory structure.

#### 4.8.1 SECONDARY USE

Such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling nor create or become a public nuisance, in particular in regards to noise, noxious odours, emission of smoke, traffic or parking. In no circumstances shall any yard be used in conjunction with the home occupation except in accordance with Section 4.1 of this By-law.

#### 4.8.2 SIGN

There is no display, other than a sign of a maximum size of .3 square metres to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential. Furthermore, such a sign shall be set back a minimum of 3 metres from any lot line.

#### 4.8.3 EMPLOYEES

No person other than those resident in the dwelling shall be employed except in the case of a professional office in which instance no more than two (2) persons not resident in the dwelling shall be employed.

#### 4.8.4 FLOOR AREA

No more than 25 percent of the gross floor area of the dwelling is used for the purposes of home occupation uses except in the case of a doctor, dentist, chiropractor, physiotherapist, licensed masseuse or osteopath, where the home occupation shall not exceed 40 percent of the gross floor area of the dwelling.

#### 4.8.5 PROFESSIONAL OFFICE

The office for a professional person shall be located in the same dwelling in which the professional person resides.

#### 4.8.6 PROHIBITED

Such home occupation shall not include a medical clinic, a private hospital, a nursing home, an eating establishment or a veterinary clinic.

#### 4.8.7 EQUIPMENT

There shall be no mechanical or other equipment used which would interfere with the television or radio reception of others in adjacent buildings or structures.

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### 4.8.8 OUTSIDE DISPLAY OF STORAGE

There shall be no outside display or storage of goods or materials associated with a home occupational use.

OMB File No. R880022

### 4.8.9 PARKING

On-site parking is provided in accordance with the provisions of Section 4.15 of this By-law.

OMB File No. R880022

### 4.8.10 LOADING SPACE REQUIREMENTS

The requirements of Section 4.11 shall not apply.

## 4.9 HEIGHT EXCEPTIONS

Notwithstanding the height provisions herein contained, nothing in this By-law shall apply to prevent the erection, alteration, or use of the following accessory buildings or structures provided the principal use is a use permitted within the Zone in which it is located, namely: a church spire, a belfry, a flag pole, a light standard, a clock tower, a chimney, a water tank, a windmill, a radio or television tower or antenna, air conditioner duct, grain elevator, a barn or silo, incidental equipment required for processing, and, external equipment associated with internal building equipment.

## 4.10 ILLUMINATION

Lighting fixtures designed for exterior illumination shall be installed with the light directed downward and deflected away from adjacent lots.

## 4.11 LOADING SPACE REQUIREMENTS

### 4.11.1 LOADING SPACE

For every building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of animals, goods, wares, merchandise or raw materials there shall be provided and maintained on the lot loading and unloading spaces in accordance with the Loading Space Requirement Table hereof:

### 4.11.2 LOADING SPACE REQUIREMENT TABLE

<b>Gross Floor Area</b>	<b>Number of Loading Spaces</b>
Up to and including 2,300 square metres	One loading space
Over 2,300 square metres to and including 7,400 square metres	Two loading spaces
Over 7,400 square metres to and including 14,000 square metres	Three loading spaces
Over 14,000 square metres to and including 22,500 square metres	Four loading spaces

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Over 22,500 square metres to and including 30,000 square metres	Five loading spaces
Over 30,000 square metres, for each additional 9,000 square metres	One loading space

### 4.11.3 DIMENSIONS

Each loading space shall not be less than 12 metres long and 4 metres wide and have a vertical clearance of not less than 5 metres.

### 4.11.4 LOCATION

The loading space or spaces required shall be located in the interior side or rear yard unless such space or spaces are set back from the street line a minimum distance of 20 metres.

### 4.11.5 LIGHTING

Where the loading area is adjacent to a Residential Zone, any lighting facilities shall be so arranged as to deflect the light away from the Residential Zone.

### 4.11.6 SCREENING

Where the loading area is adjacent to a Residential Zone, a barrier at least 2.0 metres in height shall be erected on the lot line where it abuts the Residential Zone. Such barrier shall be constructed of material and in a manner to affect complete visual screening of the loading area.

### 4.11.7 ACCESS

Access to loading or unloading spaces shall be by means of a driveway at least 9 metres wide contained on the lot in which the spaces are located and leading to a street or lane located within the Zone in which the use is located.

### 4.11.8 LOADING SPACE SURFACE

The driveways and loading spaces shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. They shall, before being used, be constructed of crushed stone, slag, gravel, crushed brick (or tile), cinders, asphalt, concrete, or Portland cement binder and with provisions for drainage facilities.

### 4.11.9 ADDITIONS TO BUILDINGS

The loading requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the floor area, then additional loading space shall be provided as required by 4.11.2 hereof for such addition.

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### 4.12 LOTS (EXISTING) HAVING LESS AREA AND/OR FRONTAGE

Where a lot having a lesser lot area and/or lot frontage than required herein is held under distinct and separate ownership from abutting lots as shown by a conveyance of title properly executed, prior to the date of the passing of this By-law, or where such a lot is created as a result of an expropriation, such smaller lot may be used and a building or structure may be erected, altered or used on such lot, provided that all other applicable Zone requirements of this By-law are complied with.

### 4.13 MULTIPLE USES ON ONE LOT

Where a lot is used for more than one use and the lot lies within more than one Zone, all the provisions for each Zone shall be complied with.

### 4.14 NOXIOUS USES

Except as may otherwise be specifically permitted under this By-law, no use shall be permitted which, from its nature or the materials used therein, is declared by the Local Board of Health or Council of the Corporation to be a noxious trade, business or manufacture under the Health Protection and Promotion Act, as amended, and the Regulations promulgated thereunder, and without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offensive, or both:

4.14.1 By the creation of noise or vibration; or

4.14.2 By reason of the emission of gas, fumes, smoke, dust or objectionable odour, except in the case of agricultural uses operating in compliance with the Agricultural Code of Practice; or

4.14.3 By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, automobiles, trailers, or parts of vehicles or trailers, machinery or other such material.

### 4.15 PARKING AREA REGULATIONS

#### 4.15.1 PARKING AREA REQUIREMENTS

Parking spaces and areas are required under this By-law, in accordance with the Parking Space Requirement Table, and the owner of every building or structure erected or used for any of the purposes set forth shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said premises from time to time the required parking spaces and areas.

#### 4.15.2 PARKING SPACE REQUIREMENT TABLE

TYPE OR NATURE OR USE	MINIMUM OFF-STREET PARKING REQUIREMENTS
Assembly Hall, Place of Entertainment, Place of Worship, Arena, Community Centre and other similar places of assembly	The greater of: (a) 1.0 parking space per 6 fixed seats or fraction. (b) 1.0 parking space per 9 sq. metres of gross floor area.

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	(c) 1.0 parking space for each 4 persons that can be accommodated at any one time.
Boarding, Lodging House	1.0 Parking space per dwelling unit plus 1.0 parking spaces per guest room.
Bowling Alley	3.0 Parking spaces for each alley.
Business or Professional Office Retail Commercial establishment Personal Service establishment	1.0 Parking space per 28 square metres of gross floor area.
Hospital, Home for Aged and Nursing Home	1.0 Parking space for each four beds.
Eating Establishments*	1.0 Parking space per 9 square metres of gross floor area.
Home Occupation	1.0 Parking space for every 37 square metres of floor area devoted to the use.
Liquor Licensed Premises	1.0 Parking space for each 4 persons that may be legally accommodated at one time.
Manufacturing or Processing Plant	1.0 Parking space per 36 square metres of manufacturing.
Medical or Dental Clinic	4.0 Parking spaces per doctor.
Motel*, Tourist Establishment*	1.2 Parking spaces per guest room, cottage or cabin.
Post Office, Public Library, Museum	1.0 Parking space per 36 square metres of gross floor space.
Residential, other than listed herein	2.0 Parking spaces per dwelling unit.
School	1.5 Parking spaces per classroom.
Trailer Camp or Park	1.0 Parking space for each Tent or Trailer Space.
Uses permitted by this By-law other than those listed in this table	1.0 Parking space per 36 square metres of gross floor area.
Workshop	1.0 Parking space per 36 square metres of gross floor area.

\* In addition to the minimum off-street parking requirements for the use permitted, if a Liquor Licensed Premise is contained within a portion thereof, then additional parking spaces shall be provided in accordance with the minimum off-street parking requirements for Liquor Licensed Premises.

### 4.15.3 PARKING AREA SURFACE

Each parking area and driveway connecting the parking area with a street shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles. They shall, before being used, be constructed of crushed stone, slag, gravel, crushed brick (or tile) cinders, asphalt, concrete, Portland cement binder or like material and with provisions for drainage facilities.

### 4.15.4 INGRESS AND EGRESS

4.15.4.1 Ingress and egress to and from the required parking spaces and areas shall be provided by means of unobstructed driveways or passageways at least 3 metres but not more than 9 metres in perpendicular width.

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- 4.15.4.2 The maximum width of any joint ingress and egress driveway ramp measured along the street line shall be 9 metres.
- 4.15.4.3 The minimum distance between any two driveways on one lot or between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 7.5 metres.
- 4.15.4.4 The minimum angle of intersection between a driveway and a street line shall be 60 degrees.
- 4.15.4.5 Every lot shall be limited to the following number of driveways:
- (a) Up to the first 30 metres of frontage – not more than 2 driveways with a combined width not exceeding 30% of the lot frontage; and
  - (b) For each additional 30 metres of frontage – not more than 1 additional driveway.

(2012-74)

### 4.15.4.6 PARKING SPACE REQUIREMENT TABLE

Notwithstanding 4.15.4.5, in the R1 through to R4 Zones, inclusive, the portions of a driveway or parking area in a front yard, exterior side yard, or extension of an exterior 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, exterior side yard, or extension of an exterior 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 landscaped open space.

### 4.15.5 MORE THAN ONE USE ON A LOT

When a building or structure accommodates more than one type of use, the parking space requirement for the whole building shall be the sum of the requirement for the separate parts of the building occupied by the separate types of use.

### 4.15.6 PARKING AREA LOCATION ON LOT

Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas shall be permitted in the required yards or in the required setback as set out in the Parking Area Location Table. Further, in all Zones, except Residential, no driveway or parking area is permitted with 7.5 metres of the boundary of a Residential Zone.

### 4.15.7 PARKING AREA LOCATION TABLE

ZONE	YARD IN WHICH REQUIRED PARKING AREA PERMITTED
Community Facility, Commercial, Agricultural and Rural Zones	All yards provided that no part of any parking area, other than a driveway, is located closer than 1 metre to any street line.
Residential Zones	Interior side and rear yard and one space may be provided in the driveway, provided that no



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	part of any parking area, other than a driveway, is located closer than 1 metre to any street line and provided further that a parking area, other than a driveway, for a Residential use, containing three or more dwelling units is located in no other yard than the rear yard.
	<b>YARD IN WHICH REQUIRED PARKING AREA PERMITTED</b>
Industrial Zones	Interior side and rear yards only, except for visitor parking provided that no part of any parking area, other than a driveway is located closer than 1 metre to any street line.

### 4.15.8 EXISTING – ADDITIONS TO BUILDINGS

The parking space requirements referred to herein shall not apply to any building in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the building or structure which increases the floor area, then parking space for the addition shall be provided as required by the Parking Space Requirement Table.

### 4.15.9 USE OF PARKING SPACES AND AREAS

Parking spaces and areas required in accordance with this By-law shall be used for the parking of operative, currently licensed vehicles only, and for vehicles used in operations incidental to the permitted uses in respect of which such parking spaces and areas are required or permitted; provided, however, no person shall use any lot, in any Residential Zone, for the parking or storage of more than one of any commercial motor vehicle in excess of 500 kilograms capacity, EXCEPT that one commercial motor vehicle, not exceeding 1,000 kilograms capacity, may be stored in a private garage.

### 4.15.10 ABANDONED EQUIPMENT

Unused and discarded motor vehicles, farm implements and similar abandoned equipment shall not be located or stored in any Zone in a location where they will be visible from a street or road or from adjacent lots.

### 4.15.11 PARKING SPACE LOCATED ON OTHER LOT

Where the owner of a building or structure proposes to provide the required parking spaces and areas in a location other than the same lot as the use which requires such spaces and areas, said spaces and areas shall be located within the same Zone as the said lot.

### 4.15.12 PARKING AREA DESIGN REQUIREMENTS

The following parking area design requirements shall apply to all required parking areas in all zones, except for single family, semi-detached, duplex, triplex, fourplex, converted and row dwelling houses, namely:

## **SECTION 4 – GENERAL PROVISIONS**

- 4.15.12.1 The minimum width of parking space shall be 3 metres and the minimum length shall be 6 metres;
- 4.15.12.2 That where a parking space has a parking angle of 30 degrees or less, such parking space shall be at least 7 metres in length where the aisle width is at least 4 metres.
- 4.15.12.3 That where the parking angle is less than 50 degrees, the minimum aisle width shall be at least 4 metres.
- 4.15.12.4 That where the parking angle is equal to or greater than 50 degrees, but less than 70 degrees, the minimum aisle width shall be at least 5.5 metres; and
- 4.15.12.5 That where the parking angle is equal to or greater than 70 degrees but less than or equal to 90 degrees, the minimum aisle width shall be at least 7.0 metres.

### **4.16 PLANTING STRIPS AND SCREENS**

#### **4.16.1 LOCATION**

Where the interior side or rear lot line in a Commercial or Industrial Zone abuts a Residential zone, a planting strip or screening adjoining such abutting lot line or portion thereof shall be provided on the Commercial or Industrial lot.

#### **4.16.2 PREREQUISITE**

Where a planting strip is required on a lot, such lot shall be used for no other purpose than that which existed at the date of passing of this By-law, unless and until the required planting strip is planted.

#### **4.16.3 CONTENTS**

The planting strip shall consist of a continuous unpierced hedgerow of trees, evergreens or shrubs, not less than 2 metres high and 3 metres wide immediately adjoining the lot line or portion thereof along which such planting strip is required. A screen may include a fence or berm which provides a visual screen having a minimum height of 1.6 metres. Where an earth berm is to be constructed, it shall have slopes no greater than 3:1 horizontal to vertical ratio.

#### **4.16.4 MAINTENANCE**

Where a planting strip is required it shall be planted, nurtured and maintained by the owner or owners of the lot on which the strip is located.

#### **4.16.5 LANDSCAPED OPEN SPACE**

A planting strip referred to in this subsection may form a part of any landscaped open space required by this By-law.

#### **4.16.6 PLANTING STRIPS OR SCREENING FOR RESORT COMMERCIAL**

Where a planting strip or screening is required in a Resort Commercial Zone, the

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minimum width of such planting strip shall be 30 metres and the minimum height of screening shall be 2 metres.

### 4.16.7 INTERRUPTION FOR DRIVEWAYS OR PEDESTRIAN WALKS

In all cases where ingress and egress driveways or walks extend through a planting strip or screen it shall be permissible to interrupt the strip or screen within 3.0 metres (9.84 ft.) of the edge of such driveway or within 1.5 metres (4.92 ft.) of the edge of such walk.

### 4.17 PUBLIC USES (Replaced in its complete entirety by By-law 2019-63)

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:

4.17.1 Such public use shall comply with all applicable zone regulations, parking and loading requirements of the zone in which it is located.

4.17.2 Such use, building or structure shall be buffered from an adjacent residential use by 1.5 metres of landscaped area.

4.17.3 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.

4.17.4 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.

4.17.5 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.

4.17.6 Electricity generation facilities and transmission and distribution systems are permitted in all zones subject to any regulatory requirements for the utility involved.

4.17.7 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.

### 4.18 SPECIAL PROVISIONS – AREAS REGULATED BY CONSERVATION AUTHORITY

Notwithstanding any other provisions set forth in this By-law to the contrary, where lands are located within a “Hazard” Zone or other hazardous or environmentally significant area regulated by the Conservation Authority, no persons shall undertake the placing or removal

## SECTION 4 – GENERAL PROVISIONS

of fill or alter the existing drainage pattern; except in conformity with the regulations of the Conservation Authority having jurisdiction.

### 4.18.2 SPECIAL PROVISIONS – GROUP HOMES

Notwithstanding any other provision of this By-law to the contrary, where a group home is a permitted use within a Zone as set forth under this By-law, no group home shall be located within 800 metres of another group home facility without a site specific amendment to this By-law. Group homes for the ages, the mentally and physically disabled, children, socially disadvantaged persons and recovering psychiatric patients are to be permitted where a group home is a permitted use, however, the establishment of any other type of group home shall be by amendment to this By-law.

### 4.18.3 SEPARATION REQUIREMENTS – AGRICULTURAL CODE OF PRACTICE

Notwithstanding any other provision of this By-law to the contrary, no dwelling house or dwelling unit shall be erected, after the date of passing of this By-law, closer to any farm building or structure, on adjacent lands held under distinct and separate ownership, than the minimum requirements set forth under the Agricultural Code of Practice.

### 4.18.4 SPECIAL USES PERMITTED – Amended by (By-law 2016-86) to delete in its entirety and replace with the following:

(2016-86)

#### 4.18.4 SPECIAL USES PERMITTED

4.18.4.1 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.

4.18.4.2 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

## SECTION 4 – GENERAL PROVISIONS

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 subdivisions; and
- v) The model home shall comply with all applicable terms and conditions of the said subdivision or condominium agreement.

### 4.19 THROUGH LOTS

Where a lot which is not a corner lot has frontage on more than one street, the setback and front yard requirements contained herein shall apply on each street in accordance with the provisions of the Zone or Zones in which such lot is located.

### 4.20 TRAILERS, CAMPER TRAILERS AND TENTS

#### 4.20.1 PARKING AND STORAGE

The parking and storage of trailers, motorized mobile homes, truck campers and camper trailers shall be prohibited in all Zones, EXCEPT where such vehicle is parked or stored on the owner's lot or in such areas established by the Corporation's Trailer By-law.

#### 4.20.2 HUMAN OCCUPATION

The use of tents and trailers for human habitation, or for business or other purposes, is prohibited, provided, however, this provision shall not prevent the use of tents for children's play or for picnics, or the use of trailers, camper trailers or tents for the occasional accommodation of guests in any Zone.

### 4.21 TRUCK, BUS AND COACH BODIES

No truck, bus, coach or streetcar body, or structure of any kind, other than a dwelling unit erected and used in accordance with this By-law, the Building Code Act, as amended, and the Regulations passed thereunder; and, all other By-laws of the Corporation, shall be used for human habitation or storage of goods and materials within any area affected by this By-law whether or not the same is mounted on wheels.

(2002-63)

#### 4.21.1 TRUCK TRAILER BOX

A truck trailer box shall not be permitted within the following Zones:  
R1, R2, R3, R4, RR, SR, ER, and MHR

Furthermore, in addition to the provisions of Section 4.1, a truck trailer box shall be a permitted accessory structure for storage purposes within the following zones: C1, C2, C3, C4, M1, M2, M3, CF, PA, and RU Zones provided where the Zone abuts a residential zone or residential use, the setback shall be a minimum of 15 m from the

## SECTION 4 – GENERAL PROVISIONS

lot line.

### 4.22 WAYSIDE PITS AND QUARRIES

Subject to the provisions of the Pits and Quarries Control Act, R.S.O. 1980, the making or establishing of wayside pits and quarries as defined in the Pits and Quarries Control Act, R.S.O. 1980 is permitted in the Agricultural, Rural and Extractive Industrial Zones and is prohibited in all other Zones.

### 4.23 ZONES

#### 4.23.1 AMENDMENT OF DEVELOPMENT (D) ZONES

Lands zoned “D” herein shall not be developed until an amending By-law placing the lands in the appropriate land use designation has been adopted by Council and only when Council is satisfied that the criteria here have been met to the satisfaction of Council.

#### 4.23.2 The criteria to be satisfied prior to the adoption of an amending By-law by Council rezoning lands in the “D” Zone shall include the following:

##### 4.23.2.1 LANDS ZONED DEVELOPMENT RESIDENTIAL “DR”

The provision by the owner of the land of municipal sanitary sewers, and piped water systems, storm drainage and streets as well as the electrical services or an agreement with Council to provide such services.

##### 4.23.2.2 LANDS ZONED DEVELOPMENT COMMERCIAL (DC) AND DEVELOPMENT INDUSTRIAL (DM)

The provision by the land owner of municipal roads and electrical services or an agreement with the Council to provide such services except where the lands are to be zoned to land use category herein where the provision of the services is necessary then the provisions of 4.23.2.1 shall apply.

### 4.24 SECOND UNIT DWELLINGS (Accessory Apartments)

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 town house dwelling, provided that:

- i. The second unit dwelling use is entirely within the same building as the main use on the same lot;
- ii. The use is accessory to the main use on the same lot;
- iii. 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);
- iv. Subsection iii) 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;

## SECTION 4 – GENERAL PROVISIONS

- v. A maximum of 2 bedrooms are permitted in each second unit dwelling;
- vi. A second unit dwelling is not permitted on a property where there is a converted dwelling house, duplex dwelling house, triplex dwelling house, seasonal dwelling house, apartment dwelling house, boarding or lodging house, fourplex dwelling house, semi-detached duplex dwelling house, mobile home dwelling, or coach house dwelling also situated;
- vii. A minimum of 1 parking space is provided for the second unit dwelling, in addition to parking required for the single detached dwelling, semi-detached dwelling or town house dwelling;
- viii. The lot has frontage on an open public maintained road; and
- ix. Any lot with a second unit dwelling shall provide and maintain a minimum of 40% of the front yard as landscaped open space.
- x. 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
- xi. Subsection x) does not:
  - a) Prohibit an internal lobby or vestibule with a common doorway entrance in the front wall; nor
  - b) 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
  - c) Require the removal of a doorway entrance to a house that already contains more than one doorway entrance in the front wall; nor
  - d) 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.

### 4.25 COACH HOUSES

Notwithstanding any other provisions of this By-law to the contrary a maximum of one coach house dwelling is permitted on a residential lot containing a single-detached, semi-detached, or town house dwelling, provided that:

- i. 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);
- ii. A maximum of 2 bedrooms are permitted in a coach house dwelling;
- iii. A coach house dwelling is not permitted on a property where there is a converted dwelling house, duplex dwelling house, triplex dwelling house, seasonal dwelling house, apartment dwelling house, boarding or lodging house, fourplex dwelling house, semi-detached duplex dwelling house, mobile home dwelling, or a second unit dwelling also situated;

## **SECTION 4 – GENERAL PROVISIONS**

- iv. A minimum of 1 parking space is provided for the coach house dwelling, in addition to parking required for the single detached dwelling, semi-detached dwelling or town house dwelling;
- v. Any lot with a coach house dwelling shall provide and maintain a minimum of 40% of the front yard as landscaped open space;
- vi. The maximum lot coverage of the coach house dwelling shall not exceed 40% of the yard in which it is located;
- vii. The coach house dwelling is prohibited from future severance;
- viii. The minimum distance from side and rear lot lines shall be the greater of either 1.2 metres or the minimum distance from side and rear lot lines as established within the underlying zone;
- ix. A minimum 1.2 metre-wide access from the coach house dwelling to a public street is provided;
- x. Other provisions for accessory buildings or structures as established within the underlying zone apply; and
- xi. The lot has frontage on an open public maintained road.



## **SECTION 5 – MISCELLANEOUS EXCEPTIONS**

### **5. MISCELLANEOUS EXCEPTIONS**

(2003-41)

- 5.1 Notwithstanding the provisions of Section 6.15.1.2 within the area zoned M1-1 the permitted uses shall be restricted to a contractor's yard and mini-storage facility.
- 5.2 That part of Lot 2, Concession 2 lying to the south of Cloverleaf Drive shown as M1-2 on Schedule A1 shall be limited to the use as a warehouse for swimming pool supplies only.

OMB File No. R880022

- 5.3 That Part of Lot 2, Concession 3 lying to the north of Cloverleaf Drive shown as M1-3 on Schedule A1 shall be limited to the use as a sales, repair and body work garage for automobiles, trucks, tractors, motorcycles and snowmobiles within the existing building only.

OMB File No. R880022

- 5.4 The part of Lot 1, Concession 2 lying to the south of Cloverleaf Drive shown as M1-4 on Schedule A1 shall be limited to the use as Grader Equipment Rentals only.

OMB File No. R880022

- 5.5 The part of Lot 1, Concession 3 shown as M1-5 on Schedule A1 shall be limited to the use as a storage facility for well drilling equipment.
- 5.6 That part of Lot 26, Concession 7 lying to the west of Scuttlehole Road shown as M1-6 on Schedule A6 shall be limited to the use as a trucking establishment.
- 5.7 That part of Lot 19, Concession 4 lying to the west of Bethany Side Road shown as M1-7 on Schedule A5 shall be limited to the use as a storage facility for tree service equipment only.
- 5.8 That part of Lot 7, Concession 2 lying to the south of Black Diamond Road shown as M1-8 on Schedule A1 shall be limited to the use as a metal foundry and casting establishment only.
- 5.9 That part of Lot 26, Concession 3 lying to the north of the Third Concession Road shown as M1-9 on Schedule A4 shall be limited to the use as a facility for the storage of electrical equipment only.

OMB File No. R880022

- 5.10 That part of Lot 8, Concession 3 lying to the west of Cannifton Road shown as C3-1 on Schedule A1 shall be limited to the use as a used furniture retail establishment only.

OMB File No. R880022

- 5.11 That part of Lot 7, Plan 278 lying to the east of Centre Street shown as C3-2 on Schedule A1 shall be limited to the use as a refrigeration equipment and appliance sales, service and repair establishment only.

OMB File No. R880022

- 5.12 That part of Lot 7, Concession 4 lying to the east of River Road shown as C3-3 on Schedule A1 shall be limited to the use as a retail sales established for used household appliances.

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

OMB File No. R880022

5.13 That part of Lot 17, Concession 4 lying to the north of County Road No. 6 shown as C3-4 on Schedule A5 shall be limited to the use as a real estate sales office only.

5.14 That part of Lot 11, Concession 4 lying to the west of Ritz Road shown as M1-10 on Schedule A5 shall be limited to the use as a storage facility for trucks only.

(3050)

5.15 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary on that Part of Lot 6, Concession 9, lying to the south of the Concession Road between the Township of Thurlow and the Township of Huntingdon shown as RR-1 on Schedule A6 the minimum lot area requirement shall be 4.7 hectares and the minimum lot frontage requirement shall be 134 metres.

(3047)

5.16 That part of Lot 10, Concession 4, lying to the east of Highway No. 37 shown as M1-11 on Schedule A5 shall be used in accordance with the following special provisions in addition to the other relevant provisions of the M1 Zone; specifically:

5.16.1 Notwithstanding Section 1.9 of this By-law to the contrary the lot frontage for the lands zoned M1-11 may be determined utilizing the line forming the western boundary of the subject lot line even through the lands situated between the M1-11 Zone and the subject front lot line are zoned C1 (Highway Commercial).

5.16.2 Notwithstanding Section 1.9 of this By-law to the contrary a 4.57 metre right-of-way across the adjacent C1 (Highway Commercial) Zone may be utilized for the purposes of a driveway required by Section 6.15.1.5.8 of this by-law provided the lands zoned M1-11 and the adjacent lands zoned C1 are owned by the same individual.

5.16.3 Notwithstanding Section 1.9 of this By-law to the contrary a 4.57 metre right-of-way across the adjacent C1 (Highway Commercial) Zone may be utilized for the purposes of access required by Section 4.11.7 of this By-law to a loading or unloading space provided the lands zoned M1-11 and the adjacent lands zoned C1 are owned by the same individual.

5.16.4 Notwithstanding Section 1.9 of this By-law to the contrary a 4.57 metre right-of-way across the adjacent C (Highway Commercial) Zone may be utilized for the purposes of ingress and egress required by Section 4.15.4 of this by-law to parking provided the lands zoned M1-11 and the adjacent lands zoned C1 are owned by the same individual.

5.16.5 Notwithstanding Section 6.15.1.5.7.1 of this By-law to the contrary the minimum front yard shall be 0 metres provided the lands zoned M1-11 and the adjacent lands zoned C1 are owned by the same individual.

(3052)

5.18 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 4, Concession 7 shown as PA-1 on Schedule A6 the minimum lot area requirement shall be 6.0 hectares.

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

(3062)

5.19 Notwithstanding the provisions of Sections 7.116.5, 7.117.1, 4.13, 6.1.2.1.3 and 6.1.2.2.3 to the contrary, on that part of Lot 3, Concession 5, east of main street, north of Harmony Road and west of the Moira river, in the Hamlet of Foxboro shown as R1-1 on Schedule A2 the following special provisions shall apply in addition to all other applicable provisions of this by-law:

5.19.1 Minimum lot area

5.19.1.1 Private water supply and private sewage disposal system: 1.0 hectares

5.19.2 Minimum lot frontage

5.19.2.1 Private water supply and septic tank: 247 metres

5.19.3 Front lot line

5.19.3.1 Notwithstanding the provisions of Sections 4.13, 7.116.5 and 7.117.1 of this By-law to the contrary the front lot line and lot frontage for lands zoned R1-1 shall be determined utilizing the line abutting the road allowance of Main Street as the front lot line even though the lands situated between R1-1 Zone and the subject front lot line are zoned H (Hazard).

(3083)

5.20 Notwithstanding the provisions of Sections 4.13, 6.19.1.1, 6.19.1.5.1, 6.19.1.5.2, 7.116.5 and 7.117.1 to the contrary, on that part of Lot 11, Concession 4, south of County Road No. 6, shown as PA-3 on Schedule A5 the following special provisions shall apply in addition to all other applicable provisions of this by-law:

5.20.1 Permitted uses

5.20.1.1 Farm

5.20.1.2 Conservation uses

5.20.1.3 Farm produce outlet

5.20.1.4 Wayside pit or quarry

5.20.2 Regulations for non-residential uses

5.20.2.1 Minimum lot area: 1.3 hectares

5.20.2.2 Minimum lot frontage: 87 metres

5.20.3 Front lot line

5.20.3.1 Notwithstanding the provisions of Sections 4.13, 7.116.5 and 7.117.1 of this By-law to the contrary the front lot line and lot frontage for lands zoned PA-3 shall be determined utilizing the line abutting the road allowance of County Road No. 6 even though the lands situated between the PA-3 Zone and the subject front lot line are zoned M (General Industrial).

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

(3083)

5.21 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 11, Concession 4, south of the County Road No. 6 shown as PA-4 on Schedule A5 the minimum lot area requirement shall be 9.0 hectares.

(3081)

5.22 Notwithstanding the provisions of Sections 4.13, 6.20.1.5.1, 7.116.5 and 7.117.1 to the contrary, on that part of Lot 6, Concession 8 south of Townsend Road shown as RU-1 on Schedule A6 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.22.1 Regulations for non-residential uses

5.22.1.1 Minimum lot area: 5 hectares

5.22.2 Notwithstanding the provisions of Sections 4.13, 7.116.5 and 7.117 of this By-law to the contrary the front lot line and lot frontage for lands zone RU-1 shall be determined utilizing the line abutting the road allowance of 8<sup>th</sup> Concession Road even though the lands situated between the RU-1 zone and the subject front lot line are zoned H (Hazard) and PA (Prime Agriculture).

(3079-Repealed by By-law 3121)

~~5.23 Notwithstanding the provisions of Sections 6.5.219.1 and 6.5.2.10.1 to the contrary, on that part of Lot 31, Concession 9 shown as RR-2 on Schedule A6 the minimum front and rear yard depth requirements shall be 11.5 metres (37.7 feet) and the minimum setback from the centerline of a Provincial Highway shall be 28.5 metres.~~

(3074)

5.24 Notwithstanding the provisions of Section 4.13, 6.19.1.1, 6.19.1.5.1, 6.19.1.5.2, 7.116.5 and 7.117.1 to the contrary, on that part of Lot 24, Concession 6, north of the 6<sup>th</sup> Concession Road, shown as PA-5 of Schedule A5 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.24.1 Permitted uses

5.24.1.1 Farm

5.24.1.2 Conservation uses

5.24.1.3 Farm produce outlet

5.24.1.4 Wayside pit or quarry

5.24.2 Regulations for non-residential uses

5.24.2.1 Minimum lot area: 0.5 hectares

5.24.2.2 Minimum lot frontage: 52 metres

5.24.3 Front lot line

5.24.3.1 Notwithstanding the provisions of Sections 4.13, 7.116.5 and 7.117.1 of this By-law to the contrary the front lot line and the lot frontage for lands zoned PA-5 shall be determined utilizing the line abutting the road allowance of the 6<sup>th</sup>

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

Concession Road even though the lands situated between the PA-5 Zone and the subject front lot line are zoned H (Hazard) and RR (Rural Residential).

(3074)

5.25 Notwithstanding the provisions of Sections 4.13, 6.20.1.1, 6.20.1.5.1, 6.20.1.5.2, 7.116.5 and 7.117.1 to the contrary, on that part of Lot 24, Concession 6, north of the 6<sup>th</sup> Concession Road, shown as RU-2 of Schedule A5 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

### 5.25.1 Permitted uses

5.25.1.1 Conservation uses

5.25.1.2 Farm

5.25.1.3 Farm produce outlet

5.25.1.4 Forestry

5.25.1.5 Kennel

5.25.1.6 Riding or boarding stable

5.25.1.7 Uses permitted in the Community Facility (CF) Zone

5.25.1.8 Wayside pit or quarry

### 5.25.2 Regulations for non-residential uses

5.25.2.1 Minimum lot area: 5.2 hectares

5.25.2.2 Minimum lot frontage: 52 metres

### 5.25.3 Minimum lot line

5.25.3.1 Notwithstanding the provisions of Sections 4.13, 7.116.5 and 7.117.1 of this By-law to the contrary the front lot line and the lot frontage for lands zoned RU-2 shall be determined utilizing the line abutting the road allowance of the 6<sup>th</sup> Concession Road even though the lands situated between the RU-2 Zone and the subject front lot line are zoned RR (Rural Residential).

(3076)

5.26 Notwithstanding the provisions of Sections 6.13.1, 6.13.1.5.1 and 6.13.1.5.2 to the contrary, on that part of Lot 4, Concession 3 shown as C3-1 on Schedule A1 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

### 5.26.1 Permitted uses

5.26.1.1 Administrative, business or professional office

### 5.26.2 Regulations for non-residential uses

5.26.2.1 Minimum lot area: 935 square metres

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

### 5.26.2.2 Minimum lot frontage: 15 metres

(3074)

5.27 Notwithstanding the provisions of Section 6.5.2.9.1 to the contrary on that part of Lot 24, Concession 6, north of the 6<sup>th</sup> Concession shown as RR-3 on Schedule A5 the minimum rear yard depth requirement shall be 30 metres.

(3081)

5.28 Notwithstanding the provisions of Section 6.5.2.1 to the contrary on the part of Lot 6, Concession 8, south of the Townsend Road shown as RR-4 on Schedule A6 the minimum lot area requirement shall be 2090 square metres.

OMB File No. R880022

5.30 Those parts of Lots 10 & 11, Concession 5 & 6 shown as CF-1 on Schedules A2 & A5 shall be limited to use as a private shooting preserve and club house facilities.

OMB File No. R880022

5.31 That part of Lot 2, Concession 6 shown as C3-5 on Schedule A2 may, in addition to the uses permitted in a C3 Zone, be used for the following:

- (i) A storage warehouse
- (ii) Open storage for dry fertilizer blending and manufacturing
- (iii) A retail garden centre
- (iv) A gasoline bar
- (v) Petroleum and propane storage
- (vi) A grain elevator and associated activities
- (vii) Building supplies
- (viii) Feed mill
- (ix) Bulk chemical storage
- (x) Liquid fertilizer storage

OMB File # R880022

5.32

(a) In that part of Lot 25, Concession 4, shown as M1-15 on Schedule A5 (being part 2 on Plan 21R-5902 save and except the most easterly 57.5 metres thereof), notwithstanding the provisions of Section 6.15.1.2 the non-residential uses shall be limited to the following only:

(i) Assembly, fabricating, manufacture and processing of goods and materials (not including foods) together with uses buildings and structures accessory thereto including a machine shop, a welding shop, a workshop, a warehouse except a retail commercial outlet as referred to in Section 7.199, and a wholesale establishment; and

(2010-200)

(ii) Small engine repairs.

(iii) Postal retail outlet.

(b) A gatehouse shall not be permitted in the M1-15 Zone.

(c) All assembling, fabricating, manufacturing, processing and small engine repairs within the M1-15 Zone shall be carried on only within enclosed buildings.

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

- (d) Outside storage and display of goods and materials shall not be permitted in the following areas of the M1-15 Zone:
  - (i) The most southerly 150 metres; or
  - (ii) The most easterly 5 metres.
- (e) All parking shall be restricted to the area of the M1-15 Zone in which outside storage and display of goods and materials is permitted, except for the following:
  - (i) Parking of personal vehicles of the owners or occupiers of the residential use located in the M1-15 Zone and their family members,
  - (ii) Parking of one truck used in connection with the permitted non-residential uses carried on within the M1-15 Zone;
  - (iii) Parking of a maximum of 5 vehicles owned or used by employees of the said permitted non-residential uses; and
  - (iv) Temporary parking of vehicles engaged in delivery to or pick up from the said permitted non-residential uses for a period of time not to exceed 24 hours in duration.
- (f) Where a lesser yard than is otherwise required in the M1 Zone exists for a building existing at the date of the passing of this By-law, such lesser yard shall be deemed to comply with the requirements of the M1-15 Zone. Any future development shall comply with the requirements of the M1 Zone.
- (g) In the M1-15 Zone, maximum lot coverage by non-residential buildings shall not exceed 1400 square metres.
- (h) In the M1-15 Zone, an earth berm shall not be included in the screen referred to in the Section 4.16.3.

(3094)

5.32 Notwithstanding the provisions of Section 6.7.2.1 to the contrary, on that part of Lots 4 and 5, Concession 6 north of County Road No. 5 (Rosedale Avenue) shown as ER-1 on Schedule A2 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

### 5.32.1 Regulations for residential uses

5.32.1.1 Minimum lot area: 3800 square metres

5.32.1.2 Minimum lot frontage: 42 metres

5.32.1.3 Minimum dwelling unit gross floor area: 133 square metres

(3095)

5.33 Notwithstanding the provisions of Section 6.5.2.9.3 to the contrary on that part of Lot 8, Concession 5, lying to the north of Harmony Road as shown as RR-5 on Schedule A2 the minimum interior side yard requirement on the west side shall be 3.5 metres.

(3096)

5.34 Notwithstanding the provisions of Sections 4.13, 6.19.1.5.1, 7.116.5 and 7.117.1 to the contrary, on that part of Lot 2, Concession 3 south of Sunningdale Drive shown as PA-6 on Schedule A1 the following special provisions shall apply in addition to all other applicable

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

provisions of this By-law:

### 5.34.1 Regulations for non-residential uses

5.34.1.1 Minimum lot area: 6.6 hectares

5.34.1.2 Minimum lot frontage: 150 metres

### 5.34.2 Front lot line

5.34.2.1 Notwithstanding the provisions of Sections 4.13, 7.116.5 and 7.117 of this By-law to the contrary the front lot line and lot frontage for lands zoned PA-6 shall be determined utilizing the line abutting road allowance of Sunningdale Drive, even through the lands situated between the PA-6 zone and the subject front lot line are zoned D (Development).

(3097)

5.35 Notwithstanding the provisions of Section 6.19.1.4 to the contrary, on that part of Lot 19, Concession 6 south of the 6<sup>th</sup> Concession Road shown as PA-7 on Schedule A5 the minimum lot area requirement shall be 3.1 hectares and the minimum lot frontage requirement shall be 45 metres.

(3103)

5.40 Notwithstanding the provisions of Sections 6.1.2.1.3, 6.1.2.2.3, 6.1.7.3.2, and 4.4 to the contrary on that part of Lot 1, Concession 2 shown as R1-2 on schedule A1 as amended, the following special provisions of this By-laws;

### 5.40.1 Minimum lot area

5.40.1.1 Private water supply and private sewage disposal system: 1855 square metres

### 5.40.2 Minimum lot frontage

5.40.2.1 Private water supply and septic tank: 24 metres

5.40.3 Minimum set back from centre line of street, county road or collector: 17.7 metres

(3103)

5.41 Notwithstanding the provisions of Sections 6.1.2.2.3, 6.1.1.3, and 4.1.3 to the contrary, on that part of Lot 1, Concession 3 shown as R1-3 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

### 5.41.1 Minimum lot frontage

5.41.1.1 Private water supply and septic tank: 6 metres

### 5.41.2 Accessory uses

5.41.2.1 Notwithstanding the provisions of Section 6.1.1.3 of this By-law to the contrary, the existing building on the lands zoned R1-3 shall be considered a building or structure accessory to uses permitted within the R1-3 zone and shall be subject to all other applicable provisions of this By-law.

5.41.3 Accessory buildings, structures and uses lot coverage and height



## SECTION 5 – MISCELLANEOUS EXCEPTIONS

5.41.3.1 Notwithstanding the provisions of Section 4.1.3 of this By-law to the contrary, the total lot coverage of all accessory buildings and structures, except swimming pools, shall not exceed 12 percent of the lot area, nor shall the height of any accessory building or structure exceed 5 metres.

(3123)

5.41 Notwithstanding the provisions of Sections 6.18.1, 6.18.1.5 to the contrary, that part of Lot 5, Concession 3 shown as CF-2 on Schedule A1 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.41.1 Permitted uses

5.41.1.1 Residential uses

5.41.1.1.1 Dwelling unit as part of a non-residential building

5.41.1.2 Non-residential uses

5.41.1.2.1 Retirement home

5.41.2 Regulations for non-residential units

5.41.2.1 Minimum lot area: 1.2 hectares

5.41.2.2 Minimum lot frontage: 45 metres

(3107)

5.42 Notwithstanding the provisions of Section 6.6.2.8.1 to the contrary, on that part of Lot 30, Concession 8 east of the Moira River shown as SR-1 on Schedule A6 to the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.42.1 Regulations for residential uses

5.42.1.1 Minimum yards

5.42.1.1.1 Front yard depth (from waters edge): 30.5 metres

5.42.2 Special zone provisions

5.42.2.1 No development shall be permitted below an elevation of 120.0 metres G.S.C.

(3108)

5.43 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 30, Concession 8, west of Scuttlehole Road shown as RR-5 on Schedule A6 the minimum lot area requirement shall be 2000 square metres and the minimum lot frontage shall be 24 metres.

(3110)

5.44 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 23, Concession 3, shown as RR-6 on Schedule A4 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

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5.44.1 Minimum lot area: 3470 square metres

5.44.2 Minimum lot frontage: 53 metres

(3110)

5.45 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 23, Concession 3, shown as RR-7 on Schedule A4 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.45.1 Minimum lot area: 3230 square metres

5.45.2 Minimum lot frontage: 52 metres

(3111)

5.46 Notwithstanding the provisions of Sections 6.15.1.5.2, 6.15.1.5.7.1, 6.15.1.5.7.2, 6.15.1.5.7.5, 6.15.1.5.9.2, 6.15.1.5.8.3 and 7.185 to the contrary, on that part of Lot 4, Concession 3, (Part 1, Plan 21R-2703), shown as M1-12 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.46.1 Minimum lot frontage: 41 metres

5.46.2 Minimum yards

5.46.2.1 Front yard depth: 12 metres

5.46.2.2 Exterior side yard width: 12 metres

5.46.2.3 Rear yard depth: 5 metres

5.46.3 Setback from centre line of street

5.46.3.1 County of collector road: 22 metres

5.46.3.2 Township road: 17 metres

5.46.4 Notwithstanding the text of 7.185 to the contrary, for the purposes development on lands zoned M1-12, a private sewage disposal system shall not be considered as a structure.

(3113)

5.49 Notwithstanding the provisions of Section 6.15, on that part of Lot 9, Concession 3, shown as M1-13 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.49.1 Permitted uses

5.49.1.1 Non-residential uses

5.49.1.1.1 Driveway

5.49.2 Regulations for non-residential uses

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

5.49.2.1 Minimum lot area: 3065 square metres

5.49.2.2 Minimum lot frontage: 20.11 metres

(3114)

5.50 Notwithstanding the provisions of Sections 4.13, 6.16.1.4.2, 7.116.5 and 7.117.1 of this By-law to the contrary, the front lot line and lot frontage for lands zoned M1-14 shall be determined utilizing the 20.11 metre line within the M1-13 Zone abutting the Tank Farm Road, even though the lands situated between the M1-14 Zone and the subject front lot line are zoned Special General Industrial (M1-13).

(3114)

5.51 Notwithstanding the provisions of Sections 7.116.5 and 7.117.1 of this By-law to the contrary, the front lot line and lot frontage for lands zoned D-1 shall be determined utilizing the line abutting the unopened township road allowance (Beaver Road), located adjacent and north of lands zoned D-1.

(3116)

5.52 Notwithstanding the provisions of Section 6.7.2.2 to the contrary, on that part of Lot 16, Concession 1 and part of road allowance between Concession 1 and Broke Front Concession, shown as ER-4 on Schedule A3 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.52.1 Regulations for residential uses

5.52.1 Minimum lot frontage: 38 metres

(3117)

5.53 Notwithstanding the provisions of Sections 6.1.2.1.3 and 6.1.2.2.3 to the contrary, on that part of Lot 1, Concession 6 shown as R1-4 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.53.1 Minimum lot area: 1448 square metres

5.53.2 Minimum lot frontage: 33 metres

(3117)

5.54 Notwithstanding the provisions of Sections 6.1.2.1.3 and 6.1.2.2.3 to the contrary, on that part of Lot 1, Concession 6 shown as R1-5 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.54.1 Minimum lot area: 1448 square metres

5.54.2 Minimum lot frontage: 28 metres

(3119)

5.55 Notwithstanding the provisions of Section 6.19.1.5.1 of this By-law to the contrary, on that part of Lot 25 and 26, Concession 7 shown as PA-8 on Schedule A6 the minimum lot area requirement shall be 17.4 hectares.

(3124)

5.56 Notwithstanding the provisions of Sections 6.7.2.3 and 6.7.2.4 to the contrary, on that part of Lot 17, Concession 6 shown as ER-5 on Schedule A5 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

### 5.56.1 Regulations for residential uses

5.56.1.1 Minimum dwelling unit gross floor area: 133 square metres (1431.6 square feet)

5.56.1.2 Minimum ground floor area (where more than 1 storey): 99.75 square metres (1073.8 square feet)

(3133)

5.57 Notwithstanding the provisions of Sections 4.13, 6.19.1.5.1 and 6.19.1.5.2 to the contrary, on that part of Lot 2, Concession 8 shown as PA-9 on Schedule A6 as amended, the following special provision shall apply in addition to all other applicable provisions of this By-law:

5.57.1 Minimum lot area: 16.18 hectares (40 acres)

5.57.2 Minimum lot frontage: 45.72 metres (150 feet)

(3133)

5.58 Notwithstanding the provisions of Sections 4.13, 6.20.1.5.2, 7.116.5 and 7.117.1 to the contrary, on that part of Lot 2, Concession 8 shown as RU-3 on Schedule A6 as amended, the following special provision shall apply in addition to all other applicable provisions of this By-law:

5.58.1 Front lot line

5.58.1.2 The front lot line and lot frontage for lands zoned RU-3 shall be determined utilizing the front lot line and lot frontage of the PA-9 zone abutting Townsend Road as shown on Schedule A6 as amended.

5.58.2 Minimum lot frontage: 45.72 metres (150 feet)

(3160)

5.60 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Part Lot 3 and 4, Concession 9 shown as PA-10 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.60.1 Minimum lot area: 24.28 hectares (60 acres)

(3162)

5.61 Notwithstanding the provisions of Section 6.19 to the contrary, on that part of Part Lot 3, Concession 7 shown as PA-11 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.61.1 Permitted uses

5.61.1.1 Single family dwelling house

5.61.1.2 Licensed kennel operations

5.61.2 Regulations and permitted uses

5.61.2.1 Minimum lot area: 5.8 hectares (14.3 acres)

5.61.2.2 Minimum lot frontage: 90 metres (295 feet)

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

### 5.61.3 Minimum yards

5.61.3.1 Front yard depth: 150 metres (492.15 feet)

5.61.3.2 Exterior side yard width: 10 metres (32.81 feet)

5.61.3.3 Rear yard depth: 3 metres (9.8 feet)

### 5.61.4 Separation requirements

5.61.4.1 A shelter or stable for domestic animals or fowl shall be located no closer than 300 metres to a kennel.

(3162)

5.62 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Part Lot 3, Concession 7 shown as PA-12 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.62.1 Minimum lot area: 13 hectares (32 acres)

(3166)

5.63 Notwithstanding the provisions of Sections 6.20.1.5.1, 6.20.1.5.2, 7.116.5, 7.117.1 and 4.13 to the contrary, on that part of Part Lot 26, Broken Front Concession shown as RU-4 on Schedule A3 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.63.1 Minimum lot area: 3.2 hectares (8 acres)

5.63.2 The front lot line and lot frontage for lands zoned RU-4 shall be determined utilizing the front lot line of the lands zoned Rural Residential (RR) lying north of and adjacent to lands zoned RU-4.

(3167)

5.64 Notwithstanding the provisions of Section 6.7.2.2 to the contrary, on that part of Lot 4, Concession 5 shown as ER-6 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.64.1 Minimum lot frontage: 20.11 metres (66 feet)

(3173)

5.65 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 7, Concession 5 shown as RR-8 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.65.1 Minimum lot frontage: 44.65 metres (146.49 feet)

(3173)

5.66 Notwithstanding the provisions of Sections 4.13, 6.19.1.5.2, 7.116.5, and 7.117.1 to the contrary, on that part of Part Lot 7, Concession 5 shown as PA-13 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.66.1 Front lot line

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5.66.1.2 The front lot line and lot frontage for lands zoned PA-13 shall be determined utilizing the front lot line and lot frontage of the “D” zone abutting Harmony Road as shown on Schedule A2 as amended.

5.66.2 Minimum lot frontage: 10 metres (33 feet)

(3173)

5.67 Notwithstanding the provisions of Sections 4.13, 6.20.1.5.2, 7.116.5 and 7.117.1 to the contrary, on that part of Part Lot 7, Concession 5 shown as RU-5 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.67.1 Front lot line

5.67.1.2 The front lot line and lot frontage for lands zoned RU-5 shall be determined utilizing the front lot line and lot frontage of the “D” zone abutting Harmony Road as shown on Schedule A2 as amended

5.67.2 Minimum lot frontage: 10 metres (33 feet)

(3174)

5.68 Notwithstanding the provisions of Section 4.7.1 to the contrary, on that part of Lot 1, Concession 8 as shown as RR-9 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.68.1 Permitted uses

Within the RR-9 Zone a building or structure may be erect on a lot having frontage on an unmaintained Township road provided that such building or structure complies with the setback provisions of this By-law.

(3186)

5.69 Notwithstanding the provisions of Sections 6.1.2.1.3 and 6.1.2.2.3 to the contrary, on that part of Lot 2, Concession 6 shown as R1-6 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.69.1 Minimum lot area: 1,414.4 square metres

5.69.2 Minimum lot frontage: 26.51 metres

(3187)

5.70 Notwithstanding the provisions of Section 6.5.2.9.1 to the contrary the minimum front yard requirement lands zoned RR-10, being located in part of Lot 13, Concession 7, as shown on Schedule A6 as amended shall be as follows:

5.70.1 Minimum front yard depth: 30.48 metres

(3188)

5.71 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 17, Concession 5 shown as RR-11 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.71.1 Minimum lot area: 2508.3 square metres (27,000 square feet)

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5.71.2 Minimum lot frontage:36.5 metres (120 feet)

(3188)

5.72 Notwithstanding the provisions of Section 6.5.2.1 to the contrary, on that part of Lot 17, Concession 5 shown as RR-12 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.72.1 Minimum lot area: 3531.7 square metres (38,015.4 square feet)

(3193)

5.73 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on part of Lot 22, Concession 7 shown as RR-13 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.73.1 Minimum lot area: 1,946.53 sq. metres (20,954.40 sq. feet)

5.73.2 Minimum lot frontage: 40.11 metres (131.60 feet)

(3193)

5.74 Notwithstanding the provisions of Sections 6.5.2.1 to the contrary, on part of Lot 22, Concession 7 shown as RR-14 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.74.1 Minimum lot area: 3.035.14 square metres (32,673.28 square feet)

(3194)

5.75 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 4, Concession 7 shown as PA-14 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.75.1 Minimum lot area: 15.18 hectares

(3199)

5.76 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 26, Concession 9, shown as PA-15 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.76.1 Minimum lot area: 39 acres (15.78 ha)

(3201)

5.77 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 27, Concession 6 as shown as PA-16 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.77.1 Minimum lot area: 23.47 hectares

(3206)

5.78 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 7, Concession 5 shown as RR-15 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.78.1 Minimum lot frontage: 32 metres

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(3206)

5.79 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 7, Concession 5 shown as RR-16 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.79.1 Minimum lot frontage: 32 metres

(3207)

5.80 Notwithstanding the provisions of Section 6.5.2.1 to the contrary, on that part of Lot 12, Concession 4, shown as RR-17 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.80.1 Minimum lot area: 1,922.73 square metres

(3207)

5.81 Notwithstanding the provisions of Sections 6.19.1.5.1, 6.19.1.3, 6.19.7, 6.19.1.5.7.1, 6.19.1.5.7.2 and 6.19.1.5.8.2 to the contrary, on that part of Lot 12, Concession 4, shown as PA-17 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.81.1 Minimum lot area: 3.95 hectares

5.81.2 Accessory uses

5.81.2.1 The existing barn which is an accessory to the farm located on the lands zoned PA-17 shall not be utilized for the housing, shelter or as a stable for domestic animals, livestock or fowl. The existing barn shall be a permitted accessory use, however any alterations or renovations to same must comply with the setback and yard provisions of the PA Zone as contained in By-law-3014.

(3239)

5.84 Notwithstanding the provisions of Section 6.15.1.2 to the contrary, on that part of Lot 5, Concession 3, shown as M1-16 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.84.1 Non-residential uses may also include:

- Service oriented commercial shops
- Business and professional offices
- Restaurants and other eating establishments
- Convenience retail
- Personal service shop
- Warehousing
- Transportation and truck terminals

(3241)

5.85 Notwithstanding the provisions of section 6.7.2.2 to the contrary, on that part of Lot 5, Concession 9, shown as ER-7 on Schedule A6, as amended the following special provision shall apply in addition to all other applicable provisions of this By-law:

5.85.1 Minimum lot frontage: 41 metres (135 feet)

(3242)

5.86 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 7,



## SECTION 5 – MISCELLANEOUS EXCEPTIONS

Concession 8 shown as PA-18 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.86.1 Minimum lot area: 19.4 hectares (48 acres)

(3252)

5.87 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 22, Concession 6, Part 1, Plan 21R-10450 shown as RR-18 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.87.1 Minimum lot area: 0.33 hectares

(3270)

5.88 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 5, Concession 4 as shown as RR-19 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.88.1 Minimum lot frontage: 20.1 metres (66 feet)

(3277)

5.88 Notwithstanding the provisions of Sections 4.13, 7.116.5, 7.117.1 and 6.7.2.2 to the contrary, on that part of Lot 4, Concession 5, as shown as ER-8 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.88.1 Front lot line

5.88.1.1 Notwithstanding the provisions of Sections 4.13, 7.116.5, and 7.117.1 of this By-law to the contrary the front lot line and lot frontage for lands zoned ER-8 shall be determined utilizing the line abutting the road allowance of Old Mill Road as the front lot line even though the lands situated between the ER-8 Zone and the subject front lot line are zoned H (Hazard)

5.88.2 Minimum lot frontage: 20.12 metres

(3298)

5.89 Notwithstanding the provisions of Section 6.7.2.2 to the contrary on that part of Lot 2, Concession 6, in the Township of Thurlow shown as ER-9 on Schedule A2, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.89.1 Minimum lot frontage: 44.5 metres

(3301)

5.90 Notwithstanding the provisions of Section 6.5.2.1 to the contrary on that part of Lots 30 and 31, Concession Broken Front, as shown as RR-21 on Schedule A3 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.90.1 Minimum lot area: 3,723 square metres

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

(3301)

5.91 Notwithstanding the provisions of Section 6.5.2.9.3 to the contrary on that part of Lots 30 and 31, Broken Front Concession, as shown as RR-22 on Schedule A3 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.91.1 Minimum interior side yard width shall be nil.

(3302)

5.92 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lot 30, Concession 3, in the Township of Thurlow as shown as PA-19 on Schedule A4 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.92.1 Minimum lot area: 13.36 hectares (33 acres)

(3309)

5.93 Notwithstanding the provisions of Section 6.5.2.1 to the contrary on that part of Lot 7, Concession 8, in the Township of Thurlow shown as RR-23 and RR-24 on Schedule A6, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.93.1 Minimum lot area of 3,035 square metres

(3320)

5.94 Notwithstanding the provisions of Section 6.5.2.1 to the contrary on that part of Lot 13, Concession 3, in the Township of Thurlow shown as RR-25 and RR-26 on Schedule A4, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.94.1 Minimum lot area of 3,035 square metres (0.75 acres)

5.94.2 Minimum lot frontage of 37 metres (121.6 feet)

(3332)

5.95 Notwithstanding the provisions of Sections 6.19.1.5.1 and 6.19.1.5.2 to the contrary, on that part of Lot 25, Concession 4, in the Township of Thurlow shown as PA-20 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.95.1 Minimum lot area: 18.6 hectares (46 acres)

5.95.2 The front lot line and lot frontage for lands zoned Special Prime Agriculture – 20 (PA-20) shall be determined by using the front lot line of the lands zoned Special General Industrial – 15 (M1-15), lying south of and adjacent to the lands zoned PA-20.

(3335)

5.97 Notwithstanding the provisions of Section 6.1.2.2.1, to the contrary on that part of Lot 5, Concession 3, in the Township of Thurlow shown as R1-7 on Schedule A1, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.97.1 Minimum lot frontage: 17.63 metres (57.83 feet)

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

(3341)

5.98 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 18, Concession 2, shown as RR-27 on Schedule A4 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.98.1 Minimum lot frontage: 42.4 metres

(3342)

5.99 Notwithstanding the provisions of Section 6.21 to the contrary, on that part of Lot 3, Concession 4 and more specifically described as part of Lot 18, Registered Plan 1557, shown as H-4 on Schedule A2, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.99.1 Minimum lot area: 0.2 hectares

5.99.2 Minimum lot frontage: 30 metres

5.99.3 Development on the subject property shall be restricted to the existing residential use.

(3344)

5.100 Notwithstanding the provisions of Section 6.19.1.5.2 to the contrary on that part of Lots 18 and 19, Concession 2, in the Township of Thurlow shown as PA-21 on Schedule A4, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.100.1 Minimum lot frontage: 45.72 metres (150 feet)

(3350)

5.101 Notwithstanding the provisions of Section 6.5.2.1 to the contrary on that part of Lot 14, Concession 3, in the Township of Thurlow shown as RR-28 on Schedule A4, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.101.1 Minimum lot frontage of 35.1 metres (115 feet)

(3353)

5.102 Notwithstanding the provisions of Section 6.15.1.2 to the contrary on that part of Lot 5, Concession 3 and more specifically described as Part 7, Reference Plan 21R-8138 in the Township of Thurlow, shown as M1-17 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.102.1 Non-residential uses may also include:

- Business, administrative and professional offices
- Eating establishment including drive-in or take-out

(3411)

5.103 Notwithstanding the provisions of Section 6.5.2.2, to the contrary, on that part of Lots 2 and 3, Concession 5, as shown as RR-29 on Schedule A2, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.103.1 Minimum lot frontage: 29 metres (96 feet)

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

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5.103.2 Lots within a condominium development shall be permitted to front on a private road.

(3428)

5.104 Notwithstanding the provisions of Sections 6.1.2.1.3, 6.1.2.2.3, 6.1.2.10.1, 6.1.7.3.2 to the contrary on the part of Lots 2 and 3, Concession 5, in the Township of Thurlow shown as R1-8 on Schedule A2, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.104.1 Minimum lot area: 526 square metres (.13 acres)

5.104.2 Minimum lot frontage: 15.6 metres (51 feet)

5.104.3 Minimum front yard setback: 6.1 metres (20 feet)

5.104.4 Minimum setback from centerline of a Township Road: 16.2 metres (53 feet)

(3428)

5.105 Notwithstanding the provisions of Sections 6.13.1.5.1, 6.13.1.5.7.1.1, 6.13.1.5.9.3, 6.13.1.5.7.3 to the contrary on that part of Lots 2 and 3, Concession 5, in the Township of Thurlow shown as C3-3 on Schedule A2, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.105.1 Minimum lot area: 2,023.5 square metres (.5 acres)

5.105.2 Minimum front yard setback for the principal building: 7.3 metres (24 feet)

5.105.3 Minimum setback from the centerline of the Township Road for the principal building: 16.5 metres (54 feet)

5.105.4 Minimum side yard setback for a detached accessory building abutting a Residential Zone: 1.08 metres (3.5 feet)

(3467)

5.106 Notwithstanding the provisions of Sections 6.1.2.1.3, 6.1.2.2.3, and 6.1.2.10.2, to the contrary, on that part of Lot 1, Concession 5, shown as R1-9 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.106.1 Minimum lot area: 791 square metres (8,512 square feet)

5.106.2 Minimum lot frontage: 17.1 metres (56 feet)

5.106.3 Minimum interior side yard width: 0

(3467)

5.107 Notwithstanding the provisions of Sections 6.1.2.1.3, 6.1.2.2.3, and 6.1.2.10.2, to the contrary, on that part of Lot 1, Concession 5, shown as R1-10 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.107.1 Minimum lot area: 748 square metres (8,056 square feet)

5.107.2 Minimum lot frontage: 16.2 metres (53 feet)

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5.107.3 Minimum Interior Side Yard Width: 0

(3467)

5.108 Notwithstanding the provisions of Sections 6.1.2.1.3, 6.1.2.10.2, and 6.1.1.1 to the contrary, on that part of Lot 1, Concession 5, shown as R1-11 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.108.1 Minimum lot area: 2,370 square metres (.59 acres)

5.108.2 Minimum rear yard depth: 3.66 metres (12 feet)

5.108.3 Permitted uses

5.108.3.1 Notwithstanding the provisions of Section 6.1.1.1 of this By-law to the contrary, the existing commercial sign business shall be permitted use within the R1-11 Zone.”

(3469)

5.109 Notwithstanding the provisions of Section 6.13.1.1 and 6.13.1.2 to the contrary, on that part of Lots 1 and 2, Concession 6, in the Township of Thurlow shown as C3-4 on Schedule A2 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.109.1 Residential uses permitted: none

5.109.2 The following non-residential uses WILL NOT be permitted on lands zoned Special General Commercial-4 (C3-4):

Assembly halls; place of entertainment or recreation; day nursery; hotel; private club; or uses currently permitted within the Community Facility (CF) Zone.

(3468)

5.110 That part of Lots 1, 2 and 3, Concession 6, in the Township of Thurlow shown as RH on Schedule A2, as amended, shall be subject to the following special provisions:

5.110.1 Permitted residential uses

5.110.2 Existing single family dwellings

5.110.3 Additions to existing single family dwelling

5.110.4 Permitted accessory structures

5.110.5 Swimming pools

5.110.6 Fences

5.110.7 Garages

5.110.8 Storage shed

5.110.9 Regulations for residential uses in accordance with the provisions of 6.5.2

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5.110.10 Regulations for non-residential uses in accordance with the provisions of 6.5.3

(3486)

5.110 Notwithstanding the provisions of Section 6.19.1.5.2 to the contrary, on that part of Lot 23, Concession 5, in the Township of Thurlow shown as PA-22 on Schedule A5, as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.110.1 Minimum lot frontage: 76.2 metres (250 feet)

(3504)

5.111 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 3, Concession 6, shown as RR-30 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.111.1 Minimum lot area: 1,295 square metres (.32 acres)

5.111.2 Minimum lot frontage: 42.5 metres (139.4 feet)

(3504)

5.112 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 3, Concession 6, shown as RR-31 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.112.1 Minimum lot area: 1,659 square metres (.41 acres)

5.112.2 Minimum lot frontage: 23.8 metres (78.1 feet)

(3511)

5.113 Notwithstanding the provisions of Section 6.15.1.5.2 to the contrary, on that part of Lot 9, Concession 3, in the Township of Thurlow as shown as M1-18 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.113.1 Minimum lot frontage: 20 metres (65.8 feet)

(3519)

5.114 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 6, Concession 4 in the Township of Thurlow shown as RR-30 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.114.1 Minimum lot frontage: 37.97 metres (124.63 feet)

(3519)

5.115 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 6, Concession 4 in the Township of Thurlow shown as RR-31 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.115.1 Minimum lot frontage: 38.1 metres (125 feet)

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

(3526)

5.116 Notwithstanding the provisions of Sections 6.19.1.5.1 and 6.19.1.5.2 to the contrary on that Part of Lot 4, Concession 7, shown as PA-23 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.116.1 Lot area: 3.3 hectares (8.237 acres)

5.116.2 Lot frontage: 36.6 metres (120 feet)

(3541)

5.118 That the subject property located on part of Lot 15, Concession 7, in the Township of Thurlow shown as RR-32 on Schedule A6, as amended be identified as being in close proximity to and area licensed and zoned to allow the extraction of aggregate resources.

(3559)

5.119 Notwithstanding the provisions of Sections 6.5.2.2 and 6.5.2.3 to the contrary on that part of Lot 23, Concession 7, in the Township of Thurlow known as RR-33 on zone map Schedule A6 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.119.1 Minimum lot frontage: 19.4 metres (63.5 feet)

5.119.2 Minimum dwelling unit gross floor area: 83.6 square metres (900 square feet)

(3559)

5.120 Notwithstanding the provisions of Sections 6.5.2.1, 6.5.2.2 and 6.5.2.3 to the contrary on that part of Lot 23, Concession 7, in the Township of Thurlow shown as RR-34 on Schedule A6 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.120.1 Minimum lot area: 2590 square metres (.64 acres)

5.120.2 Minimum lot frontage: 19.4 metres (63.5 feet)

5.120.3 Minimum dwelling unit gross floor area: 83.6 square metres (900 square feet)

(3559)

5.121 Notwithstanding the provisions of Sections 6.5.2.2 and 6.5.2.3 to the contrary on that part of Lot 23, Concession 7, shown as RR-35 on Schedule A6 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.121.1 Minimum lot frontage: 19.4 metres (63.5 feet)

5.121.2 Minimum dwelling unit gross floor area: 83.6 square metres (900 square feet)

(3562)

5.122 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary on that part of Lot 23, Concession 7, in the Township of Thurlow shown as RR-36 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.122.1 Minimum lot area: 3764 square metres (.93 acres)

5.122.2 Minimum lot frontage: 38.1 metres (125 feet)

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(3562)

5.123 Notwithstanding the provisions of Section 6.5.2.2 to the contrary on that part of Lot 23, Concession 7, in the Township of Thurlow shown as RR-37 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.123.1 Minimum lot frontage: 38.1 metres (125 feet)

(3561)

5.124 Notwithstanding the provisions of Section 6.13.1.2 to the contrary, on that part of plan 278 as shown as C3-5 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.124.1 Permitted non-residential uses shall include a take-out restaurant within a permanent structure.

(3564)

5.125 Notwithstanding the provisions of Section 6.5.2.1 to the contrary, on that part of Lot 20, Concession 4, in the Township of Thurlow, shown as RR-38 on Schedule A5 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.125.1 Minimum lot area: 2012.7 square metres (497 acres)

(3591)

5.126 Notwithstanding the provisions of Section 6.2.3.1.2 to the contrary on that part of Lot 17, Concession 1, in the Township of Thurlow shown as R2-1 on Schedule A3 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.126.1 Minimum dwelling unit gross floor area for the upper unit: 73.57 square metres (792 square feet)

5.126.2 Minimum dwelling unit gross floor area for the lower unit: 67.6 square metres (728 square feet)

(3593)

5.127 Notwithstanding the provisions of Section 6.20.1.1 to the contrary, on that part of Lot 3, Concession 7, in the Township of Thurlow, shown as RU-8 on Schedule A6 as amended, the following special provision shall apply in addition to all other applicable provisions of this By-law:

5.127.1 Residential uses shall include a converted dwelling house containing a maximum of two units.

(3595)

5.128 Notwithstanding the provisions of Section 6.20.1.5.1 to the contrary on that part of Lot 22, Concession 8, in the Township of Thurlow shown as RU-6 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.128.1 Minimum lot area: 4.89 hectares (12.1 acres)



## SECTION 5 – MISCELLANEOUS EXCEPTIONS

(3595)

5.129 Notwithstanding the provisions of Section 6.20.1.5.1 and 6.20.1.5.2 to the contrary, on that part of Lot 22, Concession 8, in the Township of Thurlow shown as PA-24 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.129.1 Minimum lot area: approximately .72 hectares (1.78 acres)

(3595)

5.130 Notwithstanding the provisions of Section 6.20.1.5.2 to the contrary on that Part of Lot 22, Concession 8, in the Township of Thurlow shown as RU-7 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.130.1 Minimum lot frontage: 0

(3602)

5.131 Notwithstanding the provisions of Sections 6.15.1.1 and 6.15.1.2 to the contrary on that part of Lot 25, Concession 7, in the Township of Thurlow shown as M1-19 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.131.1 Permitted uses: commercial wood working shop only

(3614)

5.132 (Repealed by OMB By-law – creating Subsection 5.180 and 6.18)

(3618)

5.133 Notwithstanding the provision of Sections 6.19.1.5.1 and 6.19.1.5.2 to the contrary on that part of Lot 25, Concession 4, shown as PA-28 on Schedule A5, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.133.1 Minimum lot area: 18.6 hectares (46 acres)

5.133.2 Minimum lot frontage: Nil

(3618)

5.134 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary on that part of Lot 25, Concession 4, shown as RR-39 on Schedule A5, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.134.1 Minimum lot area: 757.2 square metres (.187 acres)

5.134.2 Minimum lot frontage: 8 metres (26.25 feet)

(3638)

5.135 Notwithstanding the provisions of Sections 6.7.2.2 and 6.7.2.10.2 to the contrary on that part of Lot 17, Concession Broken Front and Concession 1, shown as ER-10 on Schedule A3, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.135.1 Minimum lot frontage: 38 metres (124.7 feet)

5.135.2 Minimum rear yard setback: 30 metres (98.4 feet)

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

(3638)

5.136 Notwithstanding the provisions of Sections 6.7.2.2 and 6.7.2.10.2 to the contrary on that part of Lot 17, Concession Broken Front and Concession 1, shown as ER-11 on Schedule A3, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.136.1 Minimum lot frontage: 39 metres (128 feet)

5.136.2 Minimum rear yard setback: 30 metres (98.4 feet)

(3638)

5.137 Notwithstanding the provisions of Section 6.7.2.2 to the contrary, on that part of Lot 17, Concession Broken Front and Concession 1, shown as ER-12 on Schedule A3, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.137.1 Minimum lot frontage: 38 metres (124.7 feet)

(3638)

5.138 Notwithstanding the provisions of Section 6.7.2.2 to the contrary on that part of Lot 17, Concession Broken Front and Concession 1, shown as ER-13 on Schedule A3 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.138.1 Minimum lot frontage: 33 metres (108.3 feet)

(3641)

5.139 Notwithstanding the provisions of Section 6.2.3.2.1 to the contrary, on that part of Lot 6, Concession 3, described as part 1, Plan 21R-13359, in the Township of Thurlow as shown as R2-2 on Schedule A1, as amended the following special provisions of this By-law:

5.139.1 Minimum lot frontage per unit: 10.13 metres (33.23 feet)

(3644)

5.140 Notwithstanding the provisions of Section 6.2.3.2 to the contrary on that part of Lots 5, 6 & 7, Concession 3, in the Township of Thurlow as show as R2-3 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.140.1 Minimum lot frontage – semi-detached dwelling house: 9.7 metres (31.8 feet) per unit

5.140.2 Minimum lot frontage – duplex: 19.4 metres (63.7 feet).

(3644)

5.141 Notwithstanding the provisions of Sections 6.18.1.1 and 6.18.1.2, to the contrary on that part of Lots 5, 6 and 7, Concession 3, in the Township of Thurlow as shown as CF-3 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.141.1 Permitted residential uses: none

5.141.2 Permitted non-residential uses:

- Athletic field

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- Conservation area
- Park (excluding a tent and trailer park)
- Public use not requiring above ground structures

5.141.3 Prohibited uses: those uses which require buildings and/or municipal water and sewage treatment services.

(3645)

5.142 Notwithstanding the provisions of Sections 6.18.1.1 and 6.18.1.2, to the contrary on that part of Lots 5, 6, and 7, Concession 3, in the Township of Thurlow as shown as CF-4 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.142.1 Permitted residential uses: None

5.142.2 Permitted non-residential uses:

- Athletic field
- Conservation area
- Park (Excluding a tent and trailer park)
- Public uses not requiring above ground structures

5.142.3 Prohibited uses: those uses which require buildings and or municipal water and sewage treatment services.

(3643)

5.143 Notwithstanding the provisions of Section 6.1.2.10.1 to the contrary on that part of Lots 5, 6 and 7, Concession 3, as shown as R1-12 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.143.1 Minimum setback from the pipeline right-of-way: 10 metres (32.8 feet)

(3643)

5.144 Notwithstanding the provisions of Section 6.4.3.7 to the contrary on that part of Lots 5, 6 and 7, Concession 3, as shown as R4-1 on Schedule A1 as amended, the following special provisions apply in addition to all other applicable provisions of this By-law:

5.144.1 Minimum setback from the pipeline right-of-way: 10 metres (32.8 feet)

(3651)

5.145 Notwithstanding the provisions of Section 6.20.1.5.2 to the contrary, on that part of Lots 4 and 5, Concession 6, in the Township of Thurlow as shown on Schedule A2, as amended, is hereby amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.145.1 Minimum combined lot frontage: 53.3 metres (175 feet)

(3654)

5.146 Notwithstanding the provisions of Sections 6.20.1.5.1 and 4.1.2 to the contrary on that part of Lot 5, Concession 9, in the Township of Thurlow as shown as RU-9 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of the By-law;

5.146.1 Structures existing at the time this By-law is passed, are permitted in the front yard.

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5.146.2 Minimum lot area: 4 hectares (10 acres)

(3655)

5.147 Notwithstanding the provisions of Section 6.20.1.5.2 to the contrary on that part of Lot 13, Concession 9, in the Township of Thurlow shown as RU-10 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.147.1 Minimum lot frontage: 20 metres (66 feet)

(3656)

5.148 Notwithstanding the provisions of Sections 6.5.2.9.1 and 6.5.2.9.2 to the contrary, on that part of Lot 17, Concession 1, in the Township of Thurlow as shown as RR-40 on Schedule A3 as amended. The following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.148.1 Minimum front yard setback: 91.4 metres (300 feet)

5.148.2 Minimum exterior side yard setback: 45.72 metres (150 feet)

(3659)

5.149 Notwithstanding the provisions of Sections 6.5.2.1, 6.5.2.2, 6.5.2.9.1 and 6.5.2.9.3 to the contrary on that part of Block P, Plan 573, Point Anne in the Township of Thurlow shown, a RR-41 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions:

5.149.1 Minimum lot area: 3066 square metres (.76 acres)

5.149.2 Minimum lot frontage: 30.6 metres (100.35 feet)

5.149.3 Minimum front yard setback requirements: 14.1 metres (46.3 feet)

5.149.4 Minimum side yard setback for structures existing at the time this By-law is approved: 0

(3659)

5.150 Notwithstanding the provisions of Sections 6.5.2.1, 6.5.2.2, 6.5.2.9.1 and 6.5.2.9.3 to the contrary on that part of Block P, Plan 573, Point Anne in the Township of Thurlow shown, a RR-42 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions:

5.150.1 Minimum lot area: 3112 square metres (.77 acres)

5.150.2 Minimum lot frontage: 30.5 metres (100 feet)

5.150.3 Minimum front yard setback requirements: 11.9 metres (39.1 feet)

5.150.4 Minimum side yard setback for structures existing at the time this By-law is approved: 0

(3660)

5.151 Notwithstanding the provisions of Section 7.116.5 to the contrary on that part of Lot 6, Concession 8, in the Township of Thurlow shown as RR-43 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of

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this By-law:

- 5.151.1 Lot frontage: the lot frontage for this lot will be defined as the width of the front lot line adjacent to the road.

(3674)

- 5.152 Notwithstanding the provisions of Sections 6.19.1.5.1 and 6.19.1.2 to the contrary, on that part of Lot 28, Concession 2, in the Township of Thurlow as shown as PA-21 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.152.1 Minimum lot area: 23 hectares (57 acres)
- 5.152.1 Permitted non-residential use: veterinary office

(3676)

- 5.153 Notwithstanding the provisions of Sections 6.20.1.5.8.4 and 6.20.1.6.3 to the contrary, on that part of Lot 25, Concession Broken Front, in the Township of Thurlow as shown as RU-11 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.153.1 Minimum rear yard setback: 457.2 metres (1500 feet)

(3680)

- 5.154 Notwithstanding the provisions of Section 6.1.2.2.3 to the contrary, on that part of Lot 2, Concession 6, in the Township of Thurlow as shown as R1-13 on Schedule A2 as amended, the following special provisions shall apply, in addition to all other applicable provisions of this By-law:

- 5.154.1 Minimum lot frontage: 29 Metres (95 feet)
- 5.154.2 Minimum front yard setback: 91.4 metres (300 feet)

(3668)

- 5.154 Notwithstanding the provisions of Sections 4.1.2 and 7.185 to the contrary on that part of Lot 8, Concession 8, in the Township of Thurlow as shown as RR-44 on Schedule A1 as amended, the following special provision applies in addition to all other applicable provisions of this By-law:

- 5.154.1 A septic system is a permitted structure in the front yard.

(3691)

- 5.155 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 22, Concession 5, in the Township of Thurlow, shown as PA-29 on Schedule A5 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.155.1 Minimum lot area: 13.4 hectares (33.07 acres)

(3704)

- 5.157 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 26, Concession 9, in the Township of Thurlow as shown as RR-44 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

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5.157.1 Minimum lot area: 1.3 hectares (3.2 acres)

5.157.2 Minimum lot frontage: 225.6 metres (740 feet)

(3704)

5.158 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 26, Concession 9, in the Township of Thurlow as shown as RR-45 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.158.1 Minimum lot area: 2.53 ha

5.158.2 Minimum lot frontage: 171.3 metres (562 feet) on Foxton Road and 262 metres (710 feet) on Boundary Road

(3706)

5.161 Notwithstanding the provisions of Sections 6.7.2.1 and 6.7.2.2 to the contrary on that part of Lot 4, Concession 5, in the Township of Thurlow shown as ER-14 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.161.1 Minimum lot area: 2493 square metres (.616 acres)

5.161.2 Minimum lot frontage: 30.48 metres (100 feet)

(3706)

5.162 Notwithstanding the provisions of Sections 6.7.2.1 and 6.7.2.2 to the contrary on that part of Lot 4, Concession 5, in the Township of Thurlow shown as ER-15 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.162.1 Minimum lot area: 2833 square metres (.7 acres)

5.162.2 Minimum lot frontage: 41.7 metres (136.9 feet)

(3713)

5.165 Notwithstanding the provisions of Section 6.13.1.2 to the contrary on that part of Lot 2, Concession 5, in the Township of Thurlow shown as C3-6 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions:

(3713)

5.165.1 Amended by By-law 2004-191 to replace in its entirety with the following:

(2004-191)

5.165.1 The permitted non-residential uses of the C3-6 zone shall be limited to a flower shop, beauty salon, professional office and a small engine sales and service business of outdoor power equipment.

(3715)

5.166 Notwithstanding the provisions of Section 6.5.2.1 to the contrary, on that part of Lot 5, Concession 6, in the Township of Thurlow as shown as RR-46 on Schedule A hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.166.1 Minimum lot area: .32 hectares (.79 acres)

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(3733)

5.167 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lot 23, Concession 2, in the Township of Thurlow shown as PA-30 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.167.1 Minimum lot area: approximately: 8.1 hectares (20 acres)

(3733)

5.168 Notwithstanding the provisions of Section 6.19.1.5.1 and Section 6.19.1.5.2 to the contrary on that part of Lot 23, Concession 2, in the Township of Thurlow shown as PA-31 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.168.1 Minimum lot area: approximately: 9.7 hectares (24 acres)

5.168.2 Minimum lot frontage: Nil

(3733)

5.169 Notwithstanding the provisions of Section 6.19.1.5.2 to the contrary on that part of Lot 23, Concession 2, in the Township of Thurlow shown as RU-12 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.169.1 Minimum lot frontage: Nil

(3755)

5.170 Notwithstanding the provisions of Section 6.19.1.5.2 to the contrary on that part of Lot 22, Concession 5, in the Township of Thurlow shown as PA-32 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.170.1 Minimum lot frontage: approximately 80 metres (282 feet)

(3761)

5.171 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 23, Concession 7, in the Township shown as RR-47 on Schedule A6, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.171.1 Minimum lot area: 2125 square metres (.52 acres)

5.171.2 Minimum lot frontage: 27.4 metres (89 feet)

(3761)

5.172 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 23, Concession 7, in the Township of Thurlow on Schedule A6, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.172.1 Minimum lot area: 1665 square metres (17, 920 square feet)

5.172.2 Minimum lot frontage: 21.3 metres (70 feet)

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(3770)

5.173 Notwithstanding the provisions of Sections 6.19.1.2 and 6.19.1.5.1 to the contrary on that part of Lot 23, Concession 4, in the Township of Thurlow, shown as PA-33 on Schedule A as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.173.1 Non-residential uses shall include a commercial seed and feed business

5.173.2 Minimum lot area: 4.86 hectares (12 acres)

(3776)

5.174 Notwithstanding the provisions of Section 6.11.1.2 to the contrary on that part of Lot 22, Concession Broken Front, in the Township of Thurlow shown as C1-2 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.174.1 Permitted non-residential commercial uses shall be restricted to a bake shop.

(3778)

5.175 Notwithstanding the provisions of Sections 6.20.1.5.1 and 6.20.1.5.2 to the contrary on that part of Lot 6, Concession 8, in the Township of Thurlow shown as RU-13 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.175.1 Minimum lot area: 2 hectares (5 acres)

5.175.2 Minimum lot frontage: 58.80 metres (198 feet)

(3778)

5.176 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lot 6, Concession 8, in the Township of Thurlow shown as PA-34 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.176.1 Minimum lot area: 15.7 hectares (38.7 acres)

(3778)

5.177 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lot 7, Concession 8, in the Township of Thurlow shown as PA-35 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.177.1 Minimum lot area: 2 hectares (5 acres)

(3791)

5.178 Notwithstanding the provisions of Section 6.11.1.2.2 to the contrary, on that part of Lot 3, Concession 4, in the Township of Thurlow shown as C1-3-h on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.178.1 The non-residential uses with private wells and sewage systems shall be restricted to the following:

Business, administrative or professional offices; motor vehicle sales, repair and



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servicing (including gasoline sales); builders supply outlet; auction sales barn or flea market; funeral home; home furnishings and appliance store; place of amusement entertainment or recreation; public use or utility; recreational vehicle (including marine) sales, repair and service; retail commercial establishment (in compliance with 6.11.1.8.4 of By-law 3014)

(3793)

5.179 Notwithstanding the provisions of Section 6.11.1.2.2 to the contrary on that part of Lot 4, Concession 3, in the Township of Thurlow shown as C1-4 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.179.1 The following uses are prohibited in a C1-4 Zone:

Garden centre; motor vehicle sales repair and servicing; food super market; motel; eating establishment with a total square footage in excess of 60.4 square metres (650 square feet)

(3803)

5.180 Notwithstanding the provisions of Section 6.24.1.2.2 to the contrary on that part of Lot 1, Concession 2, in the Township of Thurlow shown as SI-1-h on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.180.1 In addition to all other permitted uses, the following shall be permitted:

A maximum of one day nursery and one Government Administration Services building will be permitted within the area zoned SI-1-h or SI-1.

(OMB By-law resulting from appeal of By-law 3614)

5.180 "SPECIAL GENERAL COMMERCIAL – 7 (C3-7) " ZONE

### PERMITTED USES

5.180.1 No person shall within a General Commercial (C3) Zone use any land or erect, alter or use any building or structure except as permitted hereunder.

#### 5.180.1.1 DWELLING UNIT IN PART OF A NON-RESIDENTIAL BUILDING

5.180.1.1.2 Home occupation

#### 5.180.1.2 NON-RESIDENTIAL USES

5.180.1.2.1 Assembly hall, place of entertainment or recreation

5.180.1.2.2 Administrative, business or professional office

5.180.1.2.3 Bank, trust company or other financial institution

5.180.1.2.4 Clinic

5.180.1.2.5 Day nursery

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5.180.1.2.6 Funeral home

5.180.1.2.7 Laundry, including coin-operated laundry

5.180.1.2.8 Outside display during business hours of merchandise related to a permitted use herein

5.180.1.2.9 Parking lot

5.180.1.2.10 Printing or publishing establishment

5.180.1.2.11 Private club

5.180.1.2.12 Public use in accordance with 4.17 of this By-law

5.180.1.2.13 Retail commercial establishment

5.180.1.2.14 Service shop including personal service

5.180.1.2.15 Taxi stand

5.180.1.2.16 Uses permitted in the Community Facility (CF) zone as amended

(2014-157) File No.: B-77-967  
172 & 178 Tank Farm Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

5.180.1.2.17 Non-personal service or repair operation

For the purpose of this By-Law a non- personal service or repair operation shall mean a use other than a motor vehicle related use, associated with the provision of a non-personal service or trade, including a plumbers shop, a painters shop, a carpenters shop, an electricians shop, building heating and cooling systems shop, a machine or welding shop or other similar or like uses which provide installation, maintenance and/or repair services. In addition, outside storage is not permitted in association with this use.

### **5.180.1.3 ACCESSORY USES**

Uses, buildings and structures accessory to any of the permitted uses in accordance with the provisions of this by-law.

### **5.180.1.4 REGULATIONS FOR RESIDENTIAL USES**

The regulations for residential uses specified in 6.1 shall apply within the Special General Commercial-7 (C3-7) Zone. In addition, the following requirements shall apply.

#### **5.180.1.4.1 Secondary use**

The residential uses permitted on a lot in a Special General Commercial (C3-7) Zone shall be secondary and incidental to the non-residential use of

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

the lot.

### 5.180.1.4.2 Dwelling units in non-residential buildings

5.180.1.4.2.1 Maximum number of dwelling units: 4

5.180.1.4.2.2 Dwelling unit area: minimum

5.180.1.4.2.2.1 Bachelor: 42 sq. metres

5.180.1.4.2.2.2 One bedroom: 55 sq. metres

5.180.1.4.2.2.3 Two bedrooms: 70 sq. metres

5.180.1.4.2.2.4 More than two bedrooms: 9 sq. metres for each bedroom above two bedrooms.

### 5.180.1.5 REGULATIONS FOR NON-RESIDENTIAL USES

5.180.1.5.1 Minimum lot area: 1,500 sq. metres plus 1,500 sq. metres per dwelling unit

5.180.1.5.2 Minimum lot frontage: 30 metres

5.180.1.5.3 Minimum ground floor area: none

5.180.1.5.4 Minimum lot coverage: 50 percent

5.180.1.5.5 Maximum height of building: 11 metres

5.180.1.5.6 Minimum landscaped open space: none

5.180.1.5.7 Minimum yards

5.180.1.5.7.1 Front yard depth

5.180.1.5.7.1.1 Principal building: nil or 12 metres

5.180.1.5.7.2 Exterior side yard width

5.180.1.5.7.2.1 Principal building: nil or 12 metres

5.180.1.5.7.3 Interior side yard width: nil or 6 metres

5.180.1.5.7.4 Interior side yard abutting residential zone: 9 metres

5.180.1.5.7.5 Rear yard depth: 7.5 metres

5.180.1.5.7.6 Rear yard depth abutting residential zone: 10 metres

5.180.1.5.8 Driveways

5.180.15.8.1 Maximum width at front property line: 9 metres

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

### 5.180.1.5.9 Setback from centre line of street

5.180.1.5.9.1 Provincial highway: 30.4 metres

5.180.1.5.9.2 County road or collector road: 12.8 metres

5.180.1.5.9.3 Township road: 9.2 metres

### 5.180.1.6 REGULATIONS FOR OFF-STREET PARKING

**Refer to Section 4.15**

(3808)

5.181 Notwithstanding the provisions of Section 6.20.1.5.2 to the contrary on that part of Lot 31, Concession 7, in the Township of Thurlow shown as RU-14 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.181.1 Minimum lot frontage: 60.4 metres (198 feet)

(3823)

5.182 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.9.1 to the contrary on that part of Lot 12, Concession 4 in the Township of Thurlow as shown as RR-49 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.182.1 Minimum lot area: 2231 square metres (.55 acres)

5.182.2 Minimum front yard setback: 12.9 metres (42.2 feet)

(3825)

5.183 Notwithstanding the provisions of Sections 6.7.1.1, 4.8.3 and 4.8.4 to the contrary, on that part of Lot 4, Concession 5, in the Township of Thurlow shown as ER-18 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.183.1 A home occupation shall be permitted within a parcel zoned ER-18.

5.183.2 One person, not resident in the dwelling on a lot zoned ER-18 shall be permitted to work within the home occupation.

5.183.3 No more than 50% of the gross floor area of the dwelling may be used for the home occupation. The home occupation shall be permitted within an accessory structure on a lot zoned ER-18.

Notwithstanding the provisions of Sections 6.7.1.1 and 4.8 of By-law 3014, as amended on the lands to be zoned as ER-18, which lands are described above, a home occupation is allowed for under an ER-18 Zone, shall be permitted as a Temporary Use without a residence on the property for a period of not more than three (3) years from the date of the passing of this By-law. Upon the expiration of this three (3) year period the home occupation as allowed for under the ER-18 Zone may only continue if the business owner/manager lives in a single unit dwelling on the subject property.

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(3843)

5.184 Notwithstanding the provisions of Sections 6.17.1.1, 6.17.1.6.1, and 6.17.1.6.3 to the contrary on that part of Lot 20, Concession 8, in the Township of Thurlow shown as M3-1 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.184.1 Residential uses: one single unit dwelling from the owner or manager of the salvage yard is permitted.
- 5.184.2 Non-residential uses shall be restricted to a wrecking yard.
- 5.184.3 No Certificate of Approval from the Ministry of the Environment and Energy shall be required for the salvage yard operation, however, a license from the Ministry of Transportation and the Township of Thurlow shall be required.
- 5.184.4 The limits of the legal non-conforming salvage yard shall be located no closer than 150 metres to a residential zone which was granted by Council after September 1<sup>st</sup>, 1995. All residential zones within 150 metres of the area to be zoned M3-1 shall be permitted.

(3843)

5.185 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lot 20, Concession 8, in the Township of Thurlow, shown as PA-35 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.185.1 Minimum lot area: approximately 14.1 hectares (35 acres).

(3846)

5.186 Notwithstanding the provisions of Section 6.20.1.5.1, to the contrary on that part of Lot 30, Concession 9, in the Township of Thurlow, shown as RU-15 in Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.186.1 Minimum lot area: 3.3 hectares (8.1 acres).

(3846)

5.187 Notwithstanding the provisions of Section 6.20.1.5.1, to the contrary on that part of Lot 30, Concession 9, in the Township of Thurlow, shown as RU-16 in Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.187.1 Minimum lot area: 2.7 hectares (6.635 acres).

(3851)

5.189 Notwithstanding the provisions of section 6.19.1.5.1 to the contrary on that part of Lot 10, Concession 8, in the Township of Thurlow shown as PA-36 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

- 5.189.1 Minimum lot area: 18.2 hectares (45 acres)

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

(3851)

5.190 Notwithstanding the provisions of section 6.20.1.5.1 to the contrary on that part of Lot 10, Concession 8, in the Township of Thurlow shown as RU-17 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.190.1 Minimum lot area: 4.18 hectares (10.33 acres)

OMB Files: Z 940076, Z 940085

Order dated April 17, 1996

Thurlow Zoning File 4/94

5.190 Notwithstanding the provisions of Section 6.7.2.10.2 to the contrary on that part of Lot 14, Concession 7, in the Township of Thurlow shown as ER-19 on Schedule A attached hereto, the following special provisions shall apply in addition to all of the other applicable provisions of the ER Zone as established by By-law 3014:

5.190.1 Minimum setback for all buildings and structures from a lot line which abuts property zoned or designated "Prime Agriculture" shall be 45.7 metres.

(3866)

5.191 Notwithstanding the provisions of Sections 6.19.1.2 and 6.19.1.5.1 to the contrary on that part of Lot 24, Concession 3, in the Township of Thurlow shown as PA-37 on Schedule A4 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.191.1 A farm-related auction facility is to be added to the list of permitted uses in the PA-37 Zone.

5.191.2 Minimum lot area: 6 hectares

OMB Files: Z 940076, Z 940085

Order dated April 17, 1996

Thurlow Zoning File 4/94

5.191 Notwithstanding the provisions of Sections 6.7.2.1., 6.7.2.2., 6.7.2.10.2 to the contrary on that part of Lot 14, Concession 7, in the Township of Thurlow shown as ER-20 on Schedule A attached hereto, the following special provisions shall apply in addition to all of the other applicable provisions of the ER Zone as established by By-Law 3014:

5.191.1 The minimum lot area and frontage requirements for all lots within the ER-20 Zone shall be as detailed on Schedule B of this By-Law.

5.191.2 The minimum rear yard setback for lots in an ER-20 Zone shall be: 45.7 metres for lots 22, and 23. The minimum rear yard setback for lots 24 and 25 shall be 7.6 metres.

[Schedule B goes on to list area and frontage requirements as follows:

Lot 22, 1.27 hectares, 88.5 metres; Lot 23, 1.34 hectares, 90.2 metres; Lot 24, 2.29 hectares, 90.2 metres; and Lot 25, 0.88 hectares, 29.3 metres.]

OMB Files: Z 940076, Z 940085

Order dated April 17, 1996

Thurlow Zoning File 4/94

5.192 Notwithstanding the provisions of Section 6.2.1.1 and 6.2.1.2 to the contrary on that part of Lot 14, Concession 7, in the Township of Thurlow shown as RU-18 on Schedule A,

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attached hereto, the following special provisions shall apply in addition to all of the other applicable provisions of the RU Zone as established by By-law Number 3014:

5.192.1 Residential uses: prohibited

5.192.2 Non-residential uses: shall be restricted only to those passive recreation uses which do not require buildings or structures.

(3892)

5.193 Notwithstanding the provisions of Sections 6.13.1.2, 6.13.1.5.2 and 6.13.1.5.7.4 to the contrary on that part of Lot 1, Concession 5, Township of Thurlow (Parts 1, 2 and 3, Plan 21R-17196) shown as C3-7 on Schedule A attached hereto the following special provisions shall apply in addition to all of the other applicable provisions of the C3 Zone as established by By-law 3014:

5.193.1 Permitted non-residential uses:

- Administrative, business and professional office
- Day nursery
- Retail commercial establishment
- Group home
- Clinic
- Personal service shop

5.193.2 Minimum lot frontage: 28 metres (92 feet)

5.193.3 Minimum exterior side yard setback (north lot line): 15 metres (49 feet)

(3892)

5.194 Notwithstanding the provisions of Sections 6.13.1.2, and 6.13.1.5.2 to the contrary on that part of Lot 1, Concession 5, Township of Thurlow (Parts 4, 5 and 6, Plan 21R-17196) shown as C3-8 on Schedule A attached hereto the following special provisions shall apply in addition to all of the other applicable provisions of the C3 Zone as established by By-law 3014:

5.194.1 Permitted non-residential uses:

- Administrative, business and professional office
- Day nursery
- Retail commercial establishment
- Group home
- Clinic
- Personal service shop

5.194.2 Minimum lot frontage: 28 metres (92 feet)

(3892)

5.195 Notwithstanding the provisions of Section 6.13.1.5.2 to the contrary on that part of Lot 1, Concession 5, Township of Thurlow as shown C3-9 on Schedule A attached hereto the following special provisions shall apply in addition to all of the other applicable provisions of the C3 Zone as established by By-law 3014:

5.195.1 Minimum lot frontage: 27 metres (89 feet)

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

(3894)

5.196 Notwithstanding the provisions of Section 6.20.1.5.8.4 to the contrary on that part of Lot 6, Concession 4, Township of Thurlow, show as RU-18 on Schedule A attached hereto, the following special provision shall apply in addition to all of the other applicable provisions of the RU Zone established by By-Law 3014:

5.196.1 Minimum rear yard setback for all cemetery plots from the north lot line: 91 metres (300 feet)

(3894)

5.197 Notwithstanding the provisions of Section 6.5.2.2 to the contrary on that part of Lot 6, Concession 4, Township of Thurlow, show as RR-50 on Schedule A attached hereto, the following special provision shall apply in addition to all of the other applicable provisions of the RR Zone established by By-Law 3014:

5.197.1 Minimum lot frontage: 20 metres (66 feet)

(3893)

5.198 Notwithstanding the provisions of Sections 6.13.1.2 and 6.13.1.5.1 to the contrary on that part of Lot 2, Concession 5, Township of Thurlow, shown as C3-10 on Schedule A attached hereto, the following special provisions shall apply in addition to all of the other applicable provisions of the C3 Zone established by By-law 3014:

5.198.1 Non-residential use permitted in addition to all of the other non-residential uses in the C3 Zone: restaurant (including take-out)

5.198.2 Minimum lot area: 1983 square metres (.49 acres)

(3902)

5.198 Notwithstanding the provisions of Sections 6.1.2.1.1, 6.1.2.2.1, 6.2.3.1.1, 6.2.3.1.2, 6.2.3.2.1, 6.2.3.2.2, 6.2.3.10, to the contrary on that part of Lots 5, 6 & 7, Concession 3, in the Township of Thurlow, shown as R2-4 and R2-4-h on Schedule A, attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law: (In accordance with subdivision plan 12T-90001)

5.198.1 Minimum lot area for a single detached residential dwelling unit: 380 square metres

5.198.2 Minimum lot frontage for a single detached residential dwelling unit: 12 metres

5.198.3 Minimum lot area for a semi-detached residential dwelling unit: 285 square metres per unit

5.198.4 Minimum lot frontage for a semi-detached residential dwelling unit: 9 metres per unit

5.198.5 Minimum lot area for duplex dwelling: 570 square metres

5.198.6 Minimum lot frontage for a duplex dwelling: 18 metres

5.198.7 Minimum setback for a structure from a pipeline right-of-way: 10 metres

(3902)

5.199 Notwithstanding the provisions of Sections 6.18.1.1 and 6.18.1.2, to the contrary on that part of Lots 5, 6 and 7, Concession 3, in the Township of Thurlow as shown as CF-4 on



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Schedule A1 as amended, the following Special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.199.1 Permitted residential uses: none
- 5.199.2 Permitted non-residential uses:
  - Athletic field
  - Conservation area
  - Park (excluding a tent and trailer park)
  - Public use not requiring above ground structures
- 5.199.3 Prohibited uses: those uses which require buildings and/or municipal water and sanitary sewer services.

(3907)

5.200 Amended by By-law 2000-108 to replace in its entirety with the following:

(2000-108)

5.200 Notwithstanding the provisions of Sections 6.1.2.1.1, 6.1.2.2.1, 6.1.2.5, 6.1.2.10.1, 6.1.2.10.2, 6.1.2.10.3, within the area zoned R2-5, the following special provisions shall apply to single unit detached dwellings as follows:

Minimum lot area (municipal water and sanitary sewers): 365 sq. m

Minimum lot frontage (municipal water and sanitary sewers): 12m

Maximum lot coverage: 40%

Minimum front yard depth: 3.6m

Minimum interior side yard width: 1.2m

Minimum rear yard depth: 7.5m

Amended by By-law 2007-81 to add the following paragraph:

(2007-81) Notwithstanding the provisions of Subsection 6.2.1.1.1, within the area zoned R2-5-h, no person shall erect or occupy any building or structure or use any building or structure and land for any purposes, other than those that existed on the date of the passing of this By-Law. The h – holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that the following has been addressed:

- (a) The subject property is to be serviced with municipal water and sewer services to the satisfaction of the Belleville Utilities Commission and the municipality, and the owner will be required to enter into a cost sharing agreement for the construction of these services to the satisfaction of the municipality.
- (b) A stormwater management plan for the subject property must be completed and approved by all applicable review agencies which must generally conform to the recommendations of the Upper NoName Creek Stormwater Management Study. The owner shall be required to enter into a cost sharing agreement for the design and construction of the stormwater management works to the satisfaction of the City.
- (c) Development shall not proceed until such time as the City of Belleville completes a Master Servicing Plan for the Cannifton Secondary Plan Area.
- (d) A Traffic Impact Study shall be completed for all lands south of Maitland Drive to address the requirement for turning lanes, signalization, etc.

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

- (e) A subdivision agreement shall be registered against the subject property in accordance with the provisions of the Planning Act.
- (f) Development shall not proceed for those lots that have a ground elevation of higher than 110 metres until an adequate water supply can be provided to the satisfaction of the City of Belleville.

Amended by By-law 2012-93 to add the following paragraph:

(2012-93) Notwithstanding the provisions of Subsection 6.2, within the area zoned R2-5-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 the demonstration of stormwater management, the construction of a permanent sanitary sewer outlet to Millennium Drive and the preparation of a watermain servicing report to confirm adequate supply and pressure all to the satisfaction of the City of Belleville.

(3907)

5.201 Notwithstanding the provisions of Sections 6.18.1.1 and 6.18.1.2 to the contrary on that part of Lots 1 and 2, Concession 3 in the Township of Thurlow as shown as CF-5 on Schedule A1, as amended, the following special provisions shall apply, in addition to all other applicable provisions of the By-law:

5.201.1 Permitted residential uses: none

5.201.2 Permitted non-residential uses:

- Athletic field
- Conservation area
- Park (excluding a tent and trailer park)
- Public use not requiring above ground structures

(3914)

5.202 Notwithstanding the provisions of Sections 6.15.1.5.1 and 6.15.1.5.2 to the contrary on that part of Lots 4 and 5, Concession 3, Township of Thurlow shown as M1-20 on Schedule A attached hereto, the following special provisions shall apply in addition to all of the other applicable provisions of the M1 Zone established by By-law 3014:

5.202.1 Minimum lot area: approximately 2590 square metres

5.202.2 Minimum lot frontage: approximately 32.8 metres

(3917)

5.203 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lot 13, Concession 5, Township of Thurlow, shown as PA-38 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the PA Zone established by By-law 3014:

5.203.1 Minimum lot area: approximately 3.3 hectares

(3917)

5.204 Notwithstanding the provisions of Sections 6.19.1.5.1 and 6.19.1.5.2 to the contrary on that part of Lot 13, Concession 5, Township of Thurlow, shown as PA-39 on Schedule A attached hereto, the following special provisions shall apply in addition to all other

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applicable provisions of the PA zone established by By-law 3014:

5.204.1 Minimum lot area: approximately 15.9 hectares

5.204.2 Minimum lot frontage: approximately 24.24 metres

(3923)

5.206 Notwithstanding the provision of Section 6.20.1.5.1 to the contrary on that part of Lot 7, Concession 9, in the Township of Thurlow shown as RU-19 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.206.1 Minimum lot area: 5 hectares

(3942)

5.207 Notwithstanding the provisions of Sections 6.19.1.5.1, 6.19.1.5.2, and 6.19.1.7.1, to the contrary on that part of Lot 12, Concession 4, in the Township of Thurlow shown as PA-40 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.207.1 Maximum lot area: 3.36 ha.

5.207.2 Maximum lot frontage: 65.8 metres

5.207.3 A building to house livestock is not permitted

(3942)

5.208 Notwithstanding the provisions of Sections 6.19.1.5.1, 6.19.1.5.2, and 6.19.1.7.1, to the contrary on that part of Lot 12, Concession 4, in the Township of Thurlow shown as PA-41 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.208.1 Maximum lot area: 2.14 hectares

5.208.2 Maximum lot frontage: 65.8 metres

5.208.3 A building to house livestock is not permitted

(3957)

5.209 Notwithstanding the provisions of Sections 6.12.1.1 and 6.12.1.2 to the contrary on that part of Lot 13, Concession 5, in the Township of Thurlow shown as C2-2 on Schedule A attached hereto the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.209.1 Two single unit dwellings shall be the maximum permitted

5.209.2 Permitted non-residential uses shall be restricted to:

- Personal riding arena
- Commercial tack shop
- Commercial farm supply outlet

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

(3958)

5.210 Notwithstanding the provisions of Sections 4.18.2 and 7.94 to the contrary on that part of Lot 25, Concession 2, in the Township of Thurlow shown as RR-50 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.210.1 One group home may be located within 800 metres to another

5.210.2 Maximum number of residents (exclusive of staff): 5

(3971)

5.211 Notwithstanding the provisions of Section 6.5.2.9.1 to the contrary on that part of Lots 8 and 9, Concession 4, in the Township of Thurlow as shown as RR-51-h on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.211.1 Rear yard setback: 15.24 metres

The removal of the “holding – h” Zone symbol may only be granted when the following condition has been fulfilled to the satisfaction of the Council for the Corporation of the Township of Thurlow:

1. The Ministry of the Environment and Energy has provided the Township with a letter which indicates they have no objection to the development of this parcel.

(3973)

5.212 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary on that part of Lots 6 & 7, Concession 6 in the Township of Thurlow shown as RR-52 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.212.1 Minimum lot area: 1.27 hectares

5.212.2 Minimum lot frontage: 142.5 metres

(3973)

5.213 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary on that part of Lots 6 & 7, Concession 6 in the Township of Thurlow shown as RR-53 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.213.1 Minimum lot area: .74 hectares

5.213.2 Minimum lot frontage: 52.2 metres

(3974)

5.214 Notwithstanding the provisions of Sections 6.5.2.9.3 and 6.5.4.2 to the contrary on that part of Lot 20, Concession 4 in the Township of Thurlow shown as RR-54 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.214.1 Minimum interior side yard setback from the west side of the property boundary for all structures shall be: 30 metres (100 feet)

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(3983)

5.215 Notwithstanding the provisions of Sections 6.18.1.2 and 6.18.1.5.7.5 to the contrary on that part of Lot 6, concession 4, in the Township of Thurlow shown as CF-6 on Schedule A attached here to, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.215.1 Permitted use: crematorium

5.215.2 Rear yard setback for all cemetery plots: 91 metres (300 feet)

(3984)

5.216 Notwithstanding the provisions of Section 6.5.1.2 to the contrary on that part of Lot 4, Concession 8 in the Township of Thurlow as shown as RR-55 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.216.1 A kennel shall be prohibited from operating on the subject properties.

(3992)

5.217 Notwithstanding the provisions of Section 6.2.3.2.2 to the contrary on that part of Lot 8, Concession 3, in the Township of Thurlow shown as R2-7 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.217.1 Minimum lot frontage: 18 metres

5.217.2 Minimum interior side yard setback: 1.829 metres

(3994)

5.218 Amended by By-law 99-152 to rescind By-law 3994

5.218.1 Amended by By-law 99-152 to rescind By-law 3994

(98-43)

5.219 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lots 3 and 4, Concession 9, formerly in the Township of Thurlow, now City of Belleville, shown as PA-42 on Appendix 1 attached hereto the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.219.1 Minimum lot area: 23.5 ha

5.219 Amended by By-Law 99-87

(99-87) Notwithstanding the provisions of Section 6.19.1.5.1 within the lands zoned PA - 42, the minimum lot area shall be 22.6 hectares.

5.219 Amended by By-Law 99-119

(99-119) Notwithstanding the provisions of Sections 6.19.1.5.1 and 6.19.1.5.2 within the lands zoned PA-44, the minimum lot area shall be 6.5 hectares and the minimum lot frontage shall be 75 m.

5.219 Amended by By-Law 99-186

(99-186) Notwithstanding the provisions of Section 6.19.1.5.1 within the lands zoned PA-45, the minimum lot area shall be 14.5 hectares.

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

5.219 Amended by By-Law 2000-27

(2000-27) Notwithstanding the provisions of Section 6.19.1.5.2 within the lands zoned PA-46, the minimum lot frontage shall be 48 m.

5.219 Amended by By-Law 2008-36

(2008-36) Notwithstanding the provisions of Subsection 6.19.1.1 within the area zoned PA-47, a single detached residential dwelling shall not be permitted.

(94-84)

5.220 Notwithstanding the provisions of Section 6.24.1.2.2 to the contrary on that part of Lots 1 and 2, Concession 2, part of Lots 24, 25, 26, 27, 28 and 29, Registered Plan No. 22, City of Belleville, formerly in the Township of Thurlow shown as SI-2-h on Schedule A attached hereto, the following special provisions shall apply in addition to the provisions of the SI Zone and the SI-1 zone:

(94-84)

5.220.1 Motor vehicle sales and service

(99-173)

5.220.2 Notwithstanding and in addition to the provisions of Section 6.24.1.2.2 within the area zoned SI-2, motor vehicle sales and service shall be a permitted use.

(2011-34)

5.220 Notwithstanding the provisions of Subsection 4.1.2, within the area zoned PA-48, the garage that is attached to the dwelling existing on the date of the passing of this By-Law shall be permitted as a detached garage in the same location.

(2013-05)

5.221 Notwithstanding the provisions of Subsection 6.19.1.5.1 within the area zoned PA-49 the minimum lot area shall be 15.8 hectares.

(2014-45)

5.222 Notwithstanding the provisions of Subsections 6.19.1.1 and 6.19.1.5.1, within the area zoned PA-50 a single detached dwelling shall not be permitted and the minimum lot area shall be 18.4 hectares.

(2014-46)

5.223 Notwithstanding the provisions of Subsections 6.19.1.2, 6.19.1.5.3, 6.19.1.5.7.1 and 6.19.1.5.7.3, within the area zoned PA-51 a malt house shall be a permitted use. For the purpose of this By-Law the malt house use shall comprise a single building with a maximum gross floor area of approximately 168 square metres and which is to be located generally no greater than 100 metres from the north property line and to be located a minimum distance of 47 metres from the west property line. A malt house use is defined as a business which will produce malted grains to be sold off-site as raw product.

~~5.223~~

(2014-158)

5.224 Re-number

Notwithstanding the provisions of Subsections 6.19.1.1 and 6.19.1.5.1, within the area zoned ~~PA-54~~ **PA-52** a single detached dwelling shall not be permitted and the minimum lot area shall be 23.5 hectares.

(2016-42)

5.225 Notwithstanding the provisions of Subsections 6.19.1.1 and 6.19.1.5.1, within the area

## SECTION 5 – MISCELLANEOUS EXCEPTIONS

zoned PA-53 a single detached dwelling shall not be a permitted use and the minimum lot area shall be 19.3 hectares.

(2016-87)

5.226 Notwithstanding the provisions of Subsections 4.1.2 and 6.5.2.9.1 within the areas zoned PA-54 an accessory building shall be permitted in the front yard subject to a minimum front yard depth of 15 metres.

(2016-193)

5.227 Notwithstanding the provisions of Subsections 4.5.8, 6.19.1.1 and 6.19.1.5.1, within the area zoned PA-55 a single detached dwelling shall not be permitted, the use of any existing building as a livestock facility shall not be permitted, unless such building complies with the required setback and yard requirements of the PA-55 zone, and the minimum lot area shall be 18.5 hectares.

Please Note:

During the consolidation process it was realized that the following subsections were missing:  
5.17, 5.29, 5.36, 5.37, 5.38, 5.39, 5.47, 5.48, 5.59, 5.82, 5.83, 5.96, 5.117, 5.156, 5.159, 5.160,  
5.163, 5.164, 5.188, 5.205

During the consolidation process it was realized that the following subsections were duplicated:  
5.32, 5.41, 5.88, 5.110, 5.154, 5.190, 5.191, 5.198, 5.219, 5.220

**SECTION 6 – ZONE PROVISIONS**  
**6.1 - Low Density Residential Type 1 (R1) Zone**

**6. ZONE PROVISIONS**

**6.1 LOW DENSITY RESIDENTIAL TYPE 1 (R1) ZONE**

**6.1.1 PERMITTED USES**

No person shall within a Low Density Residential Type 1 (R1) Zone use any land or erect, alter or use any building or structure except as permitted hereunder:

**6.1.1.1 Residential uses**

- 6.1.1.1.1 Single family dwelling house
- 6.1.1.1.2 Existing converted dwelling house
- 6.1.1.1.3 A group home in accordance with the provisions of 4.18.2
- 6.1.1.1.4 A home occupation use in accordance with the provisions of 4.8
- 6.1.1.1.5 A bed and breakfast establishment

**6.1.1.2 Non-residential uses**

Public uses or utilities in accordance with the provisions of this By-law.

**6.1.1.3 Accessory uses**

Uses, buildings or structures accessory to any of the permitted uses herein in accordance with the provisions of this By-law..

**6.1.2 REGULATIONS FOR RESIDENTIAL USES**

**6.1.2.1 Minimum lot area**

- 6.1.2.1.1 Public water and sanitary sewers: 550 sq. m.
- 6.1.2.1.2 Public water supply and private sewage disposal system: 1150 sq. metres
- 6.1.2.1.3 Private water supply and private sewage disposal system: 4047 sq. metres

**6.1.2.2 Minimum lot frontage**

- 6.1.2.2.1 Public water and sanitary sewers: 18 metres; In the case of a corner lot, the minimum lot frontage shall be 22 metres;
- 6.1.2.2.2 Public water supply and private sewage disposal system: 24 metres;
- 6.1.2.2.3 Private water supply and septic tank: 45 metres.

**6.1.2.3 Minimum dwelling unit gross floor area: 100 sq. metres;**



## SECTION 6 – ZONE PROVISIONS

### 6.1 - Low Density Residential Type 1 (R1) Zone

6.1.2.4 Minimum ground floor area (where more than 1 storey): 70 sq. metres;

6.1.2.5 Maximum lot coverage (all buildings): 35 percent;

6.1.2.6 Maximum height of buildings: 11 metres;

6.1.2.7 Minimum landscaped open space: 30 percent

6.1.2.8 Maximum number of dwelling houses on a lot: 1

6.1.2.9 Maximum number of dwelling units on a lot: 1

6.1.2.10 Minimum yard

6.1.2.10.1 Front or rear yard depth: 7.6 Metres

6.1.2.10.2 Interior side yard width: 2.0 Metres

6.1.2.10.3 Exterior side yard width: 4.0 Metres

#### 6.1.3 REGULATIONS FOR NON-RESIDENTIAL USES

Regulations for single family dwelling houses as set out in 6.1.2 shall apply to non-residential uses, excluding 6.1.2.1, 6.1.2.2, 6.1.2.3, 6.1.2.4, 6.1.2.8, 6.1.2.9.

#### 6.1.4 REGULATIONS FOR DETACHED ACCESSORY BUILDINGS

6.1.4.1 Exterior side yard width: 4.0 Metres  
(2016-86)

6.1.4.2 Interior side yard width: 1.0 Metres

6.1.4.3 Rear yard depth: 1.0 Metres  
(2016-86)

#### 6.1.5 REGULATIONS FOR HOME OCCUPATIONS

**Refer to Section 4.8**

#### 6.1.6 REGULATIONS FOR OFF-STREET PARKING

**Refer to Section 4.15**

#### 6.1.7 SPECIAL PROVISIONS

6.1.7.1 Where a dwelling which existed at the time of the passing of this By-law is located on a lot in a R1 Zone, such dwelling and lot shall be deemed to comply with all the requirements of the R1 Zone.

6.1.7.2 Where a dwelling which existed at the time of the passing of this By-law is located on a lot in a R1 Zone, such dwelling may be extended, enlarged or improved provided:

6.1.7.2.1 The yards existing at the time of the passing of this By-law are not reduced

**SECTION 6 – ZONE PROVISIONS**  
**6.1 - Low Density Residential Type 1 (R1) Zone**

in depth, and where any such yards are larger in depth than the minimum required by this By-law, such yards may be reduced to the minimum yards required by this By-law;

6.1.7.2.2 Such dwelling continues to be used in the same manner and for the same purpose it was used on the date of the passing of this By-law.

6.1.7.3 Minimum Setback from Centre Line of Street

6.1.7.3.1 Provincial highway: 26.0 metres

6.1.7.3.2 County road or collector: 21.0 metres

6.1.7.3.3 Township road: 17.7 metres

**R1-1** (Included in subsection 5.19)  
(3062) 5.19 Notwithstanding the provisions of Sections 7.116.5, 7.117.1, 4.13, 6.1.2.1.3 and 6.1.2.2.3 to the contrary, on that part of Lot 3, Concession 5, east of main street, north of Harmony Road and west of the Moira river, in the Hamlet of Foxboro shown as R1-1 on Schedule A2 the following special provisions shall apply in addition to all other applicable provisions of this by-law:

5.19.1 Minimum lot area

5.19.1.1 Private water supply and private sewage disposal system:  
1.0 hectares

5.19.2 Minimum lot frontage

5.19.2.1 Private water supply and septic tank: 247 metres

5.19.3 Front lot line

5.19.3.1 Notwithstanding the provisions of Sections 4.13, 7.116.5 and 7.117.1 of this By-law to the contrary the front lot line and lot frontage for lands zoned R1-1 shall be determined utilizing the line abutting the road allowance of Main Street as the front lot line even though the lands situated between R1-1 Zone and the subject front lot line are zoned H (Hazard).

**R1-2** (Included as subsection 5.40)  
(3103) 5.40 Notwithstanding the provisions of Sections 6.1.2.1.3, 6.1.2.2.3, 6.1.7.3.2, and 4.4 to the contrary on that part of Lot 1, Concession 2 shown as R1-2 on schedule A1 as amended, the following special provisions of this By-laws;

5.40.1 Minimum lot area

5.40.1.1 Private water supply and private sewage disposal system:

**SECTION 6 – ZONE PROVISIONS**  
**6.1 - Low Density Residential Type 1 (R1) Zone**

1855 square metres

5.40.2 Minimum lot frontage

5.40.2.1 Private water supply and septic tank: 24 metres

5.40.3 Minimum setback from centre line of street, county road or collector: 17.7 metres

**R1-3** (Included as subsection 5.41)  
(3103) 5.41 Notwithstanding the provisions of Sections 6.1.2.2.3, 6.1.1.3, and 4.1.3 to the contrary, on that part of Lot 1, Concession 3 shown as R1-3 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.41.1 Minimum lot frontage

5.41.1.1 Private water supply and septic tank: 6 metres

5.41.2 Accessory uses

5.41.2.1 Notwithstanding the provisions of Section 6.1.1.3 of this By-law to the contrary, the existing building on the lands zoned R1-3 shall be considered a building or structure accessory to uses permitted within the R1-3 zone and shall be subject to all other applicable provisions of this By-law.

5.41.3 Accessory buildings, structures and uses lot coverage and height

5.41.3.1 Notwithstanding the provisions of Section 4.1.3 of this By-law to the contrary, the total lot coverage of all accessory buildings and structures, except swimming pools, shall not exceed 12 percent of the lot area, nor shall the height of any accessory building or structure exceed 5 metres.

**R1-4** (Included as subsection 5.53)  
(3117) 5.53 Notwithstanding the provisions of Sections 6.1.2.1.3 and 6.1.2.2.3 to the contrary, on that part of Lot 1, Concession 6 shown as R1-4 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.53.1 Minimum lot area: 1448 square metres

5.53.2 Minimum lot frontage: 33 metres

**R1-5** (Included in subsection 5.54)  
(3117) 5.54 Notwithstanding the provisions of Sections 6.1.2.1.3 and 6.1.2.2.3 to the contrary, on that part of Lot 1, Concession 6 shown as R1-5 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.54.1 Minimum lot area: 1448 square metres

**SECTION 6 – ZONE PROVISIONS**  
**6.1 - Low Density Residential Type 1 (R1) Zone**

5.54.2 Minimum lot frontage: 28 metres

**R1-6** (Included in subsection 5.69)  
(3186) 5.69 Notwithstanding the provisions of Sections 6.1.2.1.3 and 6.1.2.2.3 to the contrary, on that part of Lot 2, Concession 6 shown as R1-6 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.69.1 Minimum lot area: 1,414.4 square metres

5.69.2 Minimum lot frontage: 26.51 metres

**R1-7** (Included in subsection 5.97)  
(3335) 5.97 Notwithstanding the provisions of Section 6.1.2.2.1, to the contrary on that part of Lot 5, Concession 3, in the Township of Thurlow shown as R1-7 on Schedule A1, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.97.1 Minimum lot frontage: 17.63 metres (57.83 feet)

**R1-8** (Included in subsection 5.104)  
(3428) 5.104 Notwithstanding the provisions of Sections 6.1.2.1.3, 6.1.2.2.3, 6.1.2.10.1, 6.1.7.3.2 to the contrary on the part of Lots 2 and 3, Concession 5, in the Township of Thurlow shown as R1-8 on Schedule A2, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.104.1 Minimum lot area: 526 square metres(.13 acres)

5.104.2 Minimum lot frontage: 15.6 metres (51 feet)

5.104.3 Minimum front yard setback: 6.1 metres (20 feet)

5.104.4 Minimum setback from centerline of a Township Road: 16.2 metres (53 feet)

**R1-9** (Included in subsection 5.106)  
(3467) 5.106 Notwithstanding the provisions of Sections 6.1.2.1.3, 6.1.2.2.3, and 6.1.2.10.2, to the contrary, on that part of Lot 1, Concession 5, shown as R1-9 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.106.1 Minimum lot area: 791 square metres (8,512 square feet)

5.106.2 Minimum lot frontage: 17.1 metres (56 feet)

5.106.3 Minimum interior side yard width: 0

**SECTION 6 – ZONE PROVISIONS**  
**6.1 - Low Density Residential Type 1 (R1) Zone**

**R1-10** (Included in subsection 5.107)  
(3467) 5.107 Notwithstanding the provisions of Sections 6.1.2.1.3, 6.1.2.2.3, and 6.1.2.10.2, to the contrary, on that part of Lot 1, Concession 5, shown as R1-10 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.107.1 Minimum lot area: 748 square metres (8,056 square feet)
- 5.107.2 Minimum lot frontage: 16.2 metres (53 feet)
- 5.107.3 Minimum interior side yard width: 0

**R1-11** (Included in subsection 5.108)  
(3467) 5.108 Notwithstanding the provisions of Sections 6.1.2.1.3, 6.1.2.10.2, and 6.1.1.1 to the contrary, on that part of Lot 1, Concession 5, shown as R1-11 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.108.1 Minimum lot area: 2,370 square metres (.59 acres)
- 5.108.2 Minimum rear yard depth: 3.66 metres (12 feet);
- 5.108.3 Permitted uses
  - 5.108.3.1 Notwithstanding the provisions of Section 6.1.1.1 of this By-law to the contrary, the existing commercial sign business shall be permitted use within the R1-11 Zone.

**R1-12** (Included in subsection 5.143)  
(3643) 5.143 Notwithstanding the provisions of Section 6.1.2.10.1 to the contrary on that part of Lots 5, 6 and 7, Concession 3, as shown as R1-12 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.143.1 Minimum setback from the pipeline right-of-way: 10 metres (32.8 feet)

**R1-13** (Included in subsection 5.154)  
(3680) 5.154 Notwithstanding the provisions of Section 6.1.2.2.3 to the contrary, on that part of Lot 2, Concession 6, in the Township of Thurlow as shown as R1-13 on Schedule A2 as amended, the following special provisions shall apply, in addition to all other applicable provisions of this By-law:

- 5.154.1 Minimum lot frontage: 29 Metres (95 feet)
- 5.154.2 Minimum front yard setback: 91.4 metres (300 feet)

**SECTION 6 – ZONE PROVISIONS**  
**6.1 - Low Density Residential Type 1 (R1) Zone**

**R1-14**

(98-136) File No.: B-77-591  
Part of Park Lot 1, Registered Plan 124, Part of Lot 6, Concession 3, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.1.7.4 Notwithstanding the provisions of Sections 6.1.2.1.1, 6.2.2.1, 6.1.2.10.1 and 6.1.2.10.2 on that part of Park Lot 1, Registered Plan 124, part of Lot 6, Concession 3, City of Belleville, shown as R1-14 the following restrictions shall apply:

- 6.1.7.4.1 Minimum lot area: 380 square metres
- 6.1.7.4.2 Minimum lot frontage: 12 metres
- 6.1.7.4.3 Minimum interior side yard width:
  - a) Where no garage is attached to, or is built as an integral part of the main building, on one side 2.4 metres on the other side 1.2 metres plus .6 metres for each additional or partial storey above one storey.
  - b) Where a garage or carport is attached to, or is built as an integral part of the main building.
    - i) Where a garage or carport is attached or built
      - Where there is no living accommodation above the garage or carport, 1.2 metres
      - Where there is a living accommodation above such garage or carport, 1.2 metres plus .6 metres for each additional or partial storey above one storey.
    - ii) On the other side 1.2 metres plus .6 metres for each additional or partial storey above one storey
- 6.1.7.4.4 Minimum rear yard setback for all lots which abut the Trans Northern Pipeline easement: 10 metres

**R1-15**

(98-137) File No.: B-77-589  
Lots 12 and 13, Registered Plan No. 223, (Ashley Street, Foxboro) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.1.7.5 Notwithstanding the provisions of Sections 6.1.2.1.3, 6.1.2.2.3, 6.1.2.10.1, 6.1.2.10.2, and 6.1.7.3.3, on that part of Lots 12 and 13, Plan 223, Part Lots 12 and 13, Plan 223, part of Lot 1, Concession 5, City of Belleville shown as R1-15, the following restrictions shall apply:

- 6.1.7.5.1 Minimum lot area: 1818 square metres
- 6.1.7.5.2 Minimum lot frontage: 26.8 metres
- 6.1.7.5.3 Minimum front yard setback: 5 metres
- 6.1.7.5.4 Minimum setback from the centre line of Township road: 14.9 metres
- 6.1.7.5.5 Minimum interior side yard setback from the South property line: 1.2 metres

**R1-16**

(98-138) File No.: B-77-590  
Part of Lot 14, Registered Plan No. 223, formerly Township of Thurlow, now

**SECTION 6 – ZONE PROVISIONS**  
**6.1 - Low Density Residential Type 1 (R1) Zone**

City of Belleville, County of Hastings

- 6.1.7.6 Notwithstanding the provisions of Sections 6.1.2.1.3, 6.1.2.2.3, 6.1.2.10.1, 6.1.2.10.2, and 6.1.7.3.3, on that part of Lot 14, Plan 223, Pt. Lot 1, Concession 5, City of Belleville shown as R1-16, the following restrictions shall apply:
  - 6.1.7.6.1 Minimum lot area: 773 square metres
  - 6.1.7.6.2 Minimum lot frontage: 12.2 metres
  - 6.1.7.6.3 Minimum front yard setback: nil
  - 6.1.7.6.4 Minimum interior side yard setback from the south property boundary: .5 metres
  - 6.1.7.6.5 Minimum interior side yard setback from north property boundary: .3 metres
  - 6.1.7.6.6 Minimum setback from the centreline of a Township road: 9.2 metres

**R1-17**  
(99-150)

6.1.7.7 Amended by By-Law 2005-188 to replace the first paragraph with the following:

(2005-188)

6.1.7.7 Notwithstanding the provisions of Subsections 6.1.2.1.1, 6.1.2.2.1, 6.1.2.5, 6.1.2.10.1 and 6.1.2.10.2, within the area zoned R1-17, the minimum lot area shall be 465 square metres, the minimum lot frontage shall be 15 metres, the maximum lot coverage shall be 40 percent, the minimum front yard depth shall be 6.0 metres and the minimum interior side yard width shall be 1.2 metres.

**R1-17-h HOLDING PROVISIONS:**

(99-150) i) *File No.: B-77-619*  
*Part of Lots 1 and 2, Concession 3, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

6.1.7.7 Amended by By-Law 2005-188 to re-word the second paragraph and add subsection (f)

(2005-188)

6.1.7.7 FURTHERMORE the removal of the 'holding (h)' zone symbol from the R1-17-h zone shall only be granted when the following conditions have been addressed to the satisfaction of the City of Belleville:

- a) The subject property is to be serviced with municipal water and sewer services to the satisfaction of the Belleville Utilities Commission and the municipality, and the owner will be required to enter into a cost sharing agreement for the construction of these services to the satisfaction of the municipality.
- b) A stormwater management plan for the subject property must be completed and approved by all applicable review agencies which must generally conform to the recommendations of the Upper No Name Creek

**SECTION 6 – ZONE PROVISIONS**  
**6.1 - Low Density Residential Type 1 (R1) Zone**

Stormwater Management Study. The owner shall be required to enter into a cost sharing agreement for the design and construction of the stormwater management works to the satisfaction of the City.

- c) Development shall not proceed until such time as the City of Belleville completes a Master Servicing Plan for the Cannifton Secondary Plan Area.
- d) A Traffic Impact Study shall be completed for all lands south of Maitland Drive to address the requirement for the turning lanes, signalization, etc.
- e) A subdivision agreement shall be registered against the subject property in accordance with the provisions of the Planning Act.
- (2005-188) f) Development shall not proceed for those lots that have a ground elevation of higher than 110 metres until an adequate water supply can be provided to the satisfaction of the City of Belleville.

(2007-130) (NOTE TO FILE: By-Law Number 2007-130, passed July 16, 2007, removed the "h" holding symbol **from the lands described as** Part of Lots 1 and 2, Concession 3, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

(2011-83) (NOTE TO FILE: By-Law Number 2011-83, passed April 26, 2011, removed the "h" holding symbol **from the lands described as** 33 Cloverleaf Drive, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

(2012-93) ii) *File No: B-77-911*  
*Part of Park Lots 1 and 2, part of Lots 2 and 3, north west of road leading to Third Concession, part of Lot 7 on the west side of gravel road, Registered Plan 124, (Maitland Drive-Farnham Road Area) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

6.1.7.7 Amended by By-Law 2012-93 to add the following paragraph:  
(2012-93) Notwithstanding the provisions of Subsection 6.1, within the area zoned R1-17-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 the demonstration of stormwater management, the construction of a permanent sanitary sewer outlet to Millennium Drive and the preparation of a watermain servicing report to confirm adequate supply and pressure all to the satisfaction of the City of Belleville.

(2017-17) (NOTE TO FILE: By-Law Number 2017-17, passed January 9, 2017, removed the “h” holding symbol from the lands described as Phase 3 of Heritage Park Subdivision, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings)



**SECTION 6 – ZONE PROVISIONS**  
**6.1 - Low Density Residential Type 1 (R1) Zone**

- (2017-143)(NOTE TO FILE: By-Law Number 2017-143, passed July 10, 2017, removed the “h” holding symbol from the lands described as Phase 4 of Heritage Park Subdivision, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings)
  
- (2018-78) (NOTE TO FILE: By-Law Number 2018-78, passed May 28, 2018, removed the “h” holding symbol from the lands described as Phase 5 of Heritage Park Subdivision, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings)
  
- (2019-116)(NOTE TO FILE: By-Law Number 2019-116, passed June 10, 2019, removed the “h” holding symbol from the lands described as Phase 6 of Heritage Park Subdivision, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings)

**R1-18**

(2000-92) File No.: B-77-648-S  
Part of Lot 7, Concession 3, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.1.7.8 Notwithstanding the provisions of Section 6.1.2.2.1 within the area zoned R1-18, the minimum lot frontage shall be 15 metres.

**R1-19**

(2001-94) File No.: B-77-671  
Part of Lots 27, 28, and 40, Registered Plan No. 223, (Ashley Street, Foxboro), formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.1.7.9 Notwithstanding the provisions of Section 6.1.2.2.3, within the area zoned R1 -19, the minimum lot frontage shall be 28 metres.

**R1-20**

(2003-143) File No.: B-77-736  
Part of Lots 1,2,3,4,5,6,7 and Lot 8, Registered Plan 124, Concession 3, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.1.7.10 Notwithstanding provisions of Subsections 6.1.2.1.1, 6.1.2.2.1, 6.1.2.5, 6.1.2.10.1 and 6.1.2.10.2, within the area zoned R1-20 the following provisions shall apply:

- (i) Lot area (minimum): 450 sq m
- (ii) Lot frontage (minimum): 15.0 m
- (iii) Front yard depth (minimum): 6.0 m
- (iv) Lot coverage –single storey only: 38% (maximum)
- (v) Minimum setback for a dwelling from a pipeline right-of-way: 10 m
- (vi) Interior side yard width (minimum)
  - a) Where no garage or carport is attached to, or is built as an integral part of the main building, on one side 2.4 m. on the other side 1.2 m. plus 0.6 m. for each additional or partial

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storey above one storey.

- b) Where a garage or carport is attached to, or is built as an integral part of the main building
  - i) On the side where the garage or carport is attached or built
    - aa) Where there is no living accommodation above such garage or car port, 1.0 m.
    - bb) Where there is living accommodation above such garage or carport, 1.0 m. plus 0.6 m for each additional or partial storey above the garage or carport.
  - ii) On the other side 1.2 m. plus 0.6 m. for each additional or partial storey above one storey.

**R1-20-h HOLDING PROVISIONS:**

(2006-190) i) *File No.: B-77-800  
Part of Park Lots 1 and 2, part of Lots 2 and 3, north west of road leading to third Concession, part of Lot 7 on the west side of gravel road, Registered Plan 124,  
(Farnham Road – Heritage Park Estates) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

6.1.7.10 Amended by By-Law 2006-190 to add the following paragraph:  
(2006-190) Notwithstanding the provisions of Subsection 6.1, within the area zoned R1-20-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 sufficient water supply and pressure is available to service the development to the satisfaction of the City of Belleville.

(2008-215) (NOTE TO FILE: By-Law Number 2008-215, passed December 8, 2008, removed the "h" holding symbol **only from the lands described** as part of Lots 2 and 3, north west of road leading to third Concession, part of Lot 7 on the west side of gravel road, Registered Plan No. 124, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

**R1-21**

(2006-151) File No.: B-77-798  
Lots 3, 4, 5 and 6 and part of Lots 2 and 97, Registered Plan No. 278 (23-31 Cannifton Road), formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.1.7.11 Notwithstanding the provisions of Subsection 6.1.2.10.1, within the area zoned R1-21 the minimum front yard depth shall be 6.0 metres and the

**SECTION 6 – ZONE PROVISIONS**  
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minimum setback from the 1:100 year flood plain of the Moira River shall be 7.5 metres.

**R1-22**

(2006-193)

6.1.7.12 Amended by By-Law 2009-108 to replace the first paragraph

(2009-108)

6.1.7.12 Amended by By-Law 2011-24 to replace in its entirety with the following:

(2011-24) File No.: B-77-896

Part of Lots 1 and 2, Concession 3, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.1.7.12 Notwithstanding the provisions of Subsections 6.1.2.2.1, 6.1.2.5, 6.1.2.10.1 and 6.1.2.10.2, within the area zoned R1-22 the minimum lot frontage shall be 18 metres, including for a corner lot, the maximum lot coverage for single storey dwellings only shall be 37%, the minimum front yard depth shall be 6.0 metres, and, for a corner lot only, the minimum interior side yard width shall be 1.2 metres, and, for attached garages, the minimum interior side yard width shall be 1.2 metres.

**R1-22-h HOLDING PROVISIONS:**

(2006-193) i) *File No.: B-77-806*  
*Plan 21R-17781, Part 7, part of Lots 1 and 2, Concession 3, (Maitland Drive – Settlers Ridge) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

(2009-108) ii) *File No.: B-77-863*  
*Plan 21R-17781, Part 7, part of Lots 1 and 2, Concession 3, (Maitland Drive – Settlers Ridge) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

(2006-193) Notwithstanding the provisions of Subsection 6.1.1, within the area zoned R1-22-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this by-law. The h – holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that sufficient water and pressure is available to service the development, and that a sanitary sewer servicing strategy, Stormwater Management Report, Hydrogeological Report and a Geotechnical Report have been prepared all to the satisfaction of the City of Belleville.

*\*The above properties had ‘h’ holds removed based on the above provision.*

(2009-77) (NOTE TO FILE: By-Law Number 2009-77, passed May 11, 2009, removed ‘h’-holding symbol on this property)

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**6.1 - Low Density Residential Type 1 (R1) Zone**

(2010-102)(NOTE TO FILE: By-Law Number 2010-102, passed June 14, 2010, removed ‘h’ holding symbol on this property)

**R1-23**

(2006-193) File No.: B-77-806  
Plan 21R-17781, Part 7, part of Lots 1 and 2, Concession 3, (Maitland Drive – Settlers Ridge) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.1.7.13 Notwithstanding the provisions of Subsections 6.1.2.1.1, 6.1.2.2.1, 6.1.2.10.1, 6.1.2.5 and 6.1.2.10.2, within the area zoned R1-23 the following shall apply:

- (i) Lot area (minimum): 408 sq m
- (ii) Lot frontage (minimum): 12.8 m
- (iii) Front yard depth (minimum): 6.0 m
- (iv) Lot coverage (maximum): 40%
- (v) Interior side yard width (minimum): 1.2 m

**R1-23-h HOLDING PROVISIONS:**

(2006-193) i) *File No.: B-77-806  
Plan 21R-17781, Part 7, part of Lots 1 and 2, Concession 3, (Maitland Drive – Settlers Ridge) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

(2006-193)  
6.1.7.13 Notwithstanding the provisions of Subsection 6.1.1, within the area zoned R1-23-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this by-law. The h - holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that sufficient water supply and pressure is available to service the development, and that a sanitary sewer servicing strategy, Stormwater Management Report, Hydrogeological Report and a Geotechnical Report have been prepared all to the satisfaction of the City of Belleville.

(2009-77) (NOTE TO FILE: By-Law Number 2009-77, passed May 11, 2009, removed ‘h’-holding symbol on this property)

(2010-102)(NOTE TO FILE: By-Law Number 2010-102, passed June 14, 2010, removed ‘h’ holding symbol on this property)

(2012-93) ii) *File No.: B-77-911  
Part of Park Lots 1 and 2, part of Lots 2 and 3, north west of road leading to third Concession, part of Lot 7 on the west side of gravel road, Registered Plan 124, (Maitland Drive- Farnham Road Area) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

**SECTION 6 – ZONE PROVISIONS**

**6.1 - Low Density Residential Type 1 (R1) Zone**

6.1.7.13 Amended by By-law 2012-93 to add the following paragraph:  
(2012-93) Notwithstanding the provisions of Subsection 6.1, within the area zoned R1-23-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 the demonstration of stormwater management, the construction of a permanent sanitary sewer outlet to Millennium Drive and the preparation of a watermain servicing report to confirm adequate supply and pressure all to the satisfaction of the City of Belleville.

(2017-17) (NOTE TO FILE: By-Law Number 2017-17, passed January 9, 2017, removed the “h” holding symbol from the lands described as Phase 3 of Heritage Park Subdivision, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings)

(2017-143)(NOTE TO FILE: By-Law Number 2017-143, passed July 10, 2017, removed the “h” holding symbol from the lands described as Phase 4 of Heritage Park Subdivision, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings)

(2018-78) (NOTE TO FILE: By-Law Number 2018-78, passed May 28, 2018,, removed the “h” holding symbol from the lands described as Phase 5 of Heritage Park Subdivision, former Township of Thurlow, now City of Belleville, County of Hastings)

**R1-24**

(2007-135) File No.: B-77-829  
545 Ashley Street, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.1.7.14 Notwithstanding the provisions of Subsections 6.1.2.2.3 and 6.1.2.10, within the area zoned R1-24 the location of the main building existing on the date of the passage of this By-Law is recognized subject to a minimum lot frontage of 27 metres.

**R1-25**

(2011-108) File No.: B-77-997  
Part 2, Plan 21R-21822, part of Lot 7, Concession 3, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.1.7.15 Notwithstanding the provisions of Subsections 6.1.2.1.1, 6.1.2.2.1, and 6.1.2.10.2, within the area R1-25, the following requirements shall apply:

- (i) Lot area (minimum): 470 m<sup>2</sup>
- (ii) Lot frontage (minimum): 13.5 m
- (iii) Interior side yard width (minimum): 1.2 m

## **SECTION 6 – ZONE PROVISIONS**

### **6.1 - Low Density Residential Type 1 (R1) Zone**

#### **R1-26**

(2012-94) File No.: B-77-913

Part of Park Lot 3, Registered Plan 124 and Block 37, Plan 21M-214, (347 and 361 Farnham Road / Chelsea Court) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.1.7.16 Notwithstanding the provisions of Subsections 6.1.2.1.1, 6.1.2.2.1, 6.1.2.5, 6.1.2.10.1 and 6.1.2.10.2, within the area zoned R1-26 the provisions of Subsection 6.1.7.10 shall apply, save and except for a minimum lot frontage of 12 metres.

## **SECTION 6 – ZONE PROVISIONS**

### **6.2 – Low Density Residential Type 2 (R2) Zone**

#### **6.2 LOW DENSITY RESIDENTIAL TYPE 2 (R2) ZONE**

##### **6.2.1 PERMITTED USES**

No person shall within a Low Density Residential Type 2 (R2) Zone use any land or erect, alter or use any building or structure except as permitted hereunder:

##### **6.2.1.1 Residential uses**

6.2.1.1.1 All uses permitted in the Low Density Residential Type 1 (R1) Zone

6.2.1.1.2 Semi-detached dwelling house

6.2.1.1.3 Duplex dwelling house

6.2.1.1.4 A converted dwelling house with a maximum of two dwelling units

##### **6.2.1.2 Non-residential uses**

Uses, buildings or structures accessory to any of the permitted uses in accordance with the provisions of this By-law.

##### **6.2.1.3 Accessory uses**

Uses, buildings or structures accessory to any of the permitted uses in accordance with the provisions of this By-law.

#### **6.2.2 REGULATIONS FOR LOW DENSITY RESIDENTIAL TYPE 1 USES**

All regulations for residential uses permitted in the Low Density Residential Type 1 (R1) Zone as set out in 6.1 of this By-law shall also apply to these uses within the Low Density Residential Type 2 (R2) Zone.

#### **6.2.3 REGULATIONS FOR SEMI-DETACHED, DUPLEX AND PERMITTED CONVERTED DWELLING HOUSE**

##### **6.2.3.1 Minimum lot area**

6.2.3.1.1 Semi-detached dwelling house: 325 sq. metres

6.2.3.1.2 Duplex or converted dwelling house: 650 sq. metres

##### **6.2.3.2 Minimum lot frontage**

6.2.3.2.1 Semi-detached dwelling house: 10.5 metres

6.2.3.2.2 Duplex or converted dwelling house: 21 metres

6.2.3.3 Minimum dwelling unit area: 83 sq. metres

6.2.3.4 Maximum lot coverage (all buildings): 35 percent

## **SECTION 6 – ZONE PROVISIONS**

### **6.2 – Low Density Residential Type 2 (R2) Zone**

- 6.2.3.5 Maximum height of building: 11 metres
- 6.2.3.6 Minimum landscaped open space: 30 percent
- 6.2.3.7 Maximum number of dwelling houses per lot: 1
- 6.2.3.8 Maximum number of dwelling units per dwelling house:
  - 6.2.3.8.1 Semi-detached: one dwelling unit
  - 6.2.3.8.2 Duplex: two dwelling units
- 6.2.3.9 Density

In areas designated “Residential” in the Official Plan NOT MORE than 25% of the dwelling units in any plan of subdivision shall be semi-detached or duplex dwelling units.
- 6.2.3.10 Minimum yards
  - 6.2.3.10.1 Front or rear yard depth: 7.6 metres
  - 6.2.3.10.2 Interior side yard depth: 2.0 metres
  - 6.2.3.10.3 Interior side yard depth (for side not attached): 4.0 metres
- 6.2.3.11 Minimum set back from centre line of street
  - 6.2.3.11.1 Provincial highway: 26 metres
  - 6.2.3.11.2 County of collector road: 21 metres
  - 6.2.3.11.3 Township road: 17.7 metres
- 6.2.3.12 Regulations for non-residential use
  - 6.2.3.12.1 Regulations for residential uses as set out in 6.2.3 shall apply, where applicable to non-residential uses.
- 6.2.3.13 Regulations for detached accessory buildings
  - 6.2.3.13.1 Exterior side yard width: 4.0 metres
  - 6.2.3.13.2 Interior side yard width: 1.0 metres  
(2016-86)
  - 6.2.3.13.3 Rear yard depth: 1.0 metres  
(2016-86)
- 6.2.3.14 Minimum services all permitted uses (excluding existing uses)
  - 6.2.3.14.1 An adequate municipal water supply
  - 6.2.3.14.2 An adequate municipal sewer service



## SECTION 6 – ZONE PROVISIONS

### 6.2 – Low Density Residential Type 2 (R2) Zone

6.2.3.15 Regulations for home occupations

Refer to Section 4.8

6.2.3.16 Regulations for off-street parking

Refer to Section 4.15

#### 6.2.4 SPECIAL PROVISIONS

(99-152)

**R2-1** (Included in subsection 5.126)

(3591) 5.126 Notwithstanding the provisions of Section 6.2.3.1.2 to the contrary on that part of Lot 17, Concession 1, in the Township of Thurlow shown as R2-1 on Schedule A3 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.126.1 Minimum dwelling unit gross floor area for the upper unit:  
73.57 square metres (792 square feet)

5.126.2 Minimum dwelling unit gross floor area for the lower unit: 67.6  
square metres (728 square feet).

**R2-2** (Included in subsection 5.139)

(3641) 5.139 Notwithstanding the provisions of Section 6.2.3.2.1 to the contrary, on that part of Lot 6, Concession 3, described as part 1, Plan 21R-13359, in the Township of Thurlow as shown as R2-2 on Schedule A1, as amended the following special provisions of this By-law:

5.139.1 Minimum lot frontage per unit: 10.13 metres (33.23 feet)

**R2-3** (Included in subsection 5.140)

(3644) 5.140 Notwithstanding the provisions of Section 6.2.3.2 to the contrary on that part of Lots 5, 6 & 7, Concession 3, in the Township of Thurlow as show as R2-3 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.140.1 Minimum lot frontage – semi-detached dwelling house: 9.7  
metres (31.8 feet) per unit

5.140.2 Minimum lot frontage – Duplex: 19.4 metres (63.7 feet).

**R2-4**

**R2-4-h** (Included in subsection 5.198)

(3902) 5.198 Notwithstanding the provisions of Sections 6.1.2.1.1, 6.1.2.2.1, 6.2.3.1.1, 6.2.3.1.2, 6.2.3.2.1, 6.2.3.2.2, 6.2.3.10, to the contrary on that part of Lots 5, 6 & 7, Concession 3, in the Township of Thurlow, shown as R2-4 and R2-4-h on Schedule A, attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law: (In accordance with

## SECTION 6 – ZONE PROVISIONS

### 6.2 – Low Density Residential Type 2 (R2) Zone

subdivision plan 12T-90001)

- 5.198.1 Minimum lot area for a single detached residential dwelling unit: 380 square metres
- 5.198.2 Minimum lot frontage for a single detached residential dwelling unit: 12 metres
- 5.198.3 Minimum lot area for a semi-detached residential dwelling unit: 285 square metres per unit
- 5.198.4 Minimum lot frontage for a semi-detached residential dwelling unit: 9 metres per unit
- 5.198.5 Minimum lot area for duplex dwelling: 570 square metres
- 5.198.6 Minimum lot frontage for a duplex dwelling: 18 metres
- 5.198.7 Minimum setback for a structure from a pipeline right-of-way: 10 metres

- R2-5** (Included in subsection 5.200)  
(2000-108) 5.200 Notwithstanding the provisions of Sections 6.1.2.1.1, 6.1.2.2.1, 6.1.2.5, 6.1.2.10.1, 6.1.2.10.2, 6.1.2.10.3, within the area zoned R2-5, the following special provisions shall apply to single unit detached dwellings as follows:

Minimum lot area (municipal water and sanitary sewers): 365sq.m  
Minimum lot frontage (municipal water and sanitary sewers): 12m  
Maximum lot coverage: 40%  
Minimum front yard depth: 3.6m  
Minimum interior side yard width: 1.2m  
Minimum rear yard depth: 7.5m

#### **R2-5-h** HOLDING PROVISIONS

- (2000-108) *i) File No.: B-77-653  
Part of Lots 1 and 2, Concession 3, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

- (2007-81) *ii) File No.: B-77-819  
Part of Lots 1 and 2, Concession 3, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

- (Included in subsection 5.200)  
5.200 Notwithstanding the provisions of Subsection 6.2.1.1.1, within the area zoned R2-5-h, no person shall erect or occupy any building or structure or use any building or structure and land for any purposes, other than the use that existed on the date of the passing of this By-Law. The h — holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that the following

## SECTION 6 – ZONE PROVISIONS

### 6.2 – Low Density Residential Type 2 (R2) Zone

has been addressed:

- (a) The subject property is to be serviced with municipal water and sewer services to the satisfaction of the Belleville Utilities Commission and the municipality, and the owner will be required to enter into a cost sharing agreement for the construction of these services to the satisfaction of the municipality.
- (b) A stormwater management plan for the subject property must be completed and approved by all applicable review agencies which must generally conform to the recommendations of the Upper NoName Creek Stormwater Management Study. The owner shall be required to enter into a cost sharing agreement for the design and construction of the stormwater management works to the satisfaction of the City.
- (c) Development shall not proceed until such time as the City of Belleville completes a Master Servicing Plan for the Cannifton Secondary Plan Area.
- (d) A Traffic Impact Study shall be completed for all lands south of Maitland Drive to address the requirement for turning lanes, signalization, etc.
- (e) A subdivision agreement shall be registered against the subject property in accordance with the provisions of the Planning Act.
- (f) Development shall not proceed for those lots that have a ground elevation of higher than 110 metres until an adequate water supply can be provided to the satisfaction of the City of Belleville.

(2003-164) (NOTE TO FILE: By-Law Number 2003-164, passed September 8, 2003, removed the "h" holding symbol only from the lands described as Part of Lots 1 to 21, Registered Plan 21M-182, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

(2004-152) (NOTE TO FILE: By-Law Number 2004-152, passed October 25, 2004, removed the "h" holding symbol only from the lands described as Part of Lots 1 to 15, Registered Plan 21M-195, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

(2005-83) (NOTE TO FILE: By-Law Number 2005-83, passed May 9, 2005, removed the "h" holding symbol only from the lands described as Part of Lot 2, Concession 3, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

## SECTION 6 – ZONE PROVISIONS

### 6.2 – Low Density Residential Type 2 (R2) Zone

- (2012-93)      *iii) File No.: B-77-911*  
*Part of Park Lots 1 & 2, part of Lots 2 & 3, north west of road leading to third Concession, part of Lot 7 on the west side of gravel road, Registered Plan 124, (Maitland Drive - Farnham Road area) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

(Included in subsection 5.200)

5.200      Notwithstanding the provisions of Subsection 6.2, within the area zoned R2-5-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 the demonstration of stormwater management, the construction of a permanent sanitary sewer outlet to Millennium Drive and the preparation of a watermain servicing report to confirm adequate supply and pressure all to the satisfaction of the City of Belleville.

(2017-17) (NOTE TO FILE:      By-Law Number 2017-17, passed January 9, 2017, removed the “h” holding symbol from the lands described as Phase 3 of Heritage Park Subdivision, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings)

(2017-143)(NOTE TO FILE:      By-Law Number 2017-143, passed July 10, 2017, removed the “h” holding symbol from the lands described as Phase 4 of Heritage Park Subdivision, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings)

(2018-78) (NOTE TO FILE:      By-Law Number 2018-78, passed May 28, 2018,, removed the “h” holding symbol from the lands described as Phase 5 of Heritage Park Subdivision, former Township of Thurlow, now City of Belleville, County of Hastings)

(2019-116) (NOTE TO FILE:      By-Law Number 2019-116, passed June 10, 2019,, removed the “h” holding symbol from the lands described as Phase 6 of Heritage Park Subdivision, former Township of Thurlow, now City of Belleville, County of Hastings)

**R2-7**      (Included in subsection 5.217)

(3992)      5.217      Notwithstanding the provisions of Section 6.2.3.2.2 to the contrary on that part of Lot 8, Concession 3, in the Township of Thurlow shown as R2-7 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.217.1      Minimum lot frontage: 18 metres

5.217.2      Minimum interior side yard setback: 1.829 metres

**R2-8**      (Included in subsection 5.218)

## SECTION 6 – ZONE PROVISIONS

### 6.2 – Low Density Residential Type 2 (R2) Zone

- (3994) 5.218 Notwithstanding the provisions of Section 6.2.3.1.1 to the contrary on that part of Lots 5 & 6, Concession 3, in the Township of Thurlow as shown as R2-8 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.218.1 Minimum lot frontage: 9.1 metres

#### **R2-8**

- (99-152) File No.: B-77-620  
Parts 1 and 2, Plan 21R-18713, 124 - 138 Cannifton Rd. North, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.2.4.1 Notwithstanding the provisions of Sections 4.15.12, 6.2.3.1.2, 6.2.3.2.2, 6.2.3.10.3 and 7.16. within the area zoned R2-8, the following shall apply:

- a) Two parking spaces shall be permitted in a driveway
- b) Minimum lot area for a duplex dwelling shall be: 420 m<sup>2</sup>
- c) Minimum lot frontage for a duplex dwelling shall be: 10.5 m
- d) Minimum interior side yard depth shall be 0.6m on one side and 2.0 m on the other side and
- e) A dwelling unit may be constructed greater than 0.5 m below finished grad

#### **R2-9**

- (99-152) File No.: B-77-620  
Parts 1 and 2, Plan 21R-18713, 124 - 138 Cannifton Rd. North, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.2.4.2 Notwithstanding the provisions of Section 4.15.12, 6.1.2.1.1, 6.1.2.2.1 and 6.1.2.10.2 within the area zoned R2-9, the following shall apply:

- a) Two parking spaces shall be permitted in a driveway
- b) Minimum lot area for a detached single unit dwelling shall be 357 m<sup>2</sup>
- c) Minimum lot frontage for a single unit dwelling shall be 9.1 m
- d) Minimum interior side yard depth shall be 1.2 m plus 0.6 m for each additional or partial storey above one storey

#### **R2-10**

- (99-152) File No.: B-77-620  
Parts 1 and 2, Plan 21R-18713, 124 - 138 Cannifton Rd. North, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.2.4.3 Notwithstanding the provisions of Section 4.15.12, 6.1.2.1.1, 6.1.2.2.1 and 6.1.2.10.2 within the area zoned R2-10, the following shall apply:

- a) Two parking spaces shall be permitted in a driveway
- b) Minimum lot area for a detached single unit dwelling shall be 420 m<sup>2</sup>

## SECTION 6 – ZONE PROVISIONS

### 6.2 – Low Density Residential Type 2 (R2) Zone

- c) Minimum lot frontage for a single unit dwelling shall be 10.5 m
- d) Minimum interior side yard depth shall be 1.2 m plus 0.6 m for each additional or partial storey above one storey

#### **R2-h**

(2010-02) File No.: B-77-875  
152 Cannifton Road North, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.2.4.4 Notwithstanding the provisions of Subsection 6.2.1, within the area zoned R2-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this by-law. The h – holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that a grading and drainage plan has been submitted to the satisfaction of the City of Belleville.

(2010-23) (NOTE TO FILE: By-Law Number 2010-23, passed February 8, 2010, removed the "h" holding symbol **only from the lands described** as 152 Cannifton Road North, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

#### **R2-11**

(2014-37) File No.: B-77-954  
Part of Lot 5, Concession 3, formerly in the Township of Thurlow (Heritage Park Phase 2), now in the City of Belleville, County of Hastings

6.2.4.5 Notwithstanding the provisions of Subsections 6.1.2.1.1, 6.1.2.2.1, 6.1.2.5, 6.1.2.10.1 and 6.1.2.10.2, within the area zoned R2-11, the following provisions shall apply to single detached dwellings as follows:

- (i) Lot area (minimum): 365.0 m<sup>2</sup>
- (ii) Lot frontage (minimum): 12m
- (iii) Lot coverage (maximum): 40%
- (iv) Front yard depth (minimum): 3.6m
- (v) Interior side yard width (minimum): 1.2m
- (vi) Rear yard depth (minimum): 7.0m

#### **R2-12**

(2014-118) File No.: B-77-958  
38 Cannifton Road North, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.2.4.6 Notwithstanding the provisions of Subsection 6.1.2.2.1, within the area zoned R2-12 the minimum lot frontage for a single family dwelling shall be 17.3 metres.

#### **R2-13**

(2016-191) File No.: B-77-1010

## **SECTION 6 – ZONE PROVISIONS**

### **6.2 – Low Density Residential Type 2 (R2) Zone**

20 Cannifton Road North, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

- 6.2.4.7 Notwithstanding the provisions of Subsection 6.2.3.2.1, within the area zoned R2-13 the minimum lot frontage on Lywood Street for a semi-detached dwelling shall be 10 metres.

#### **R2-13-h HOLDING PROVISION**

(2016-191) File No.: B-77-1010

20 Cannifton Road North, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

- 6.2.4.7 Notwithstanding the provisions of Subsection 6.2, within the area zoned R2-13-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 Development Agreement has been entered into, which, among other things, would include a Lot Grading and Drainage Plan, an MTO Building and Land Use Permit, confirmation of servicing and the establishment of proper access to the property.

#### **R2-14**

(2017-142) Files No.: B-77-1029 & B-77-1033

(2017-200) 130 & 132 Lywood Street, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

(2017-142)

- 6.2.4.8 Amended by By-law 2017-200 by adding wording so that it reads as follows:

(2017-200)

- 6.2.4.8 Notwithstanding the provisions of Subsection 6.2.3.2.1, within the area zoned R2-14 the minimum lot frontage for a semi-detached dwelling shall be 17.8 metres or 8.9 metres per unit and the minimum lot frontage for a duplex dwelling shall be 16 metres. In addition, the minimum permitted interior side yard width shall be 1.2 metres.

## **SECTION 6 – ZONE PROVISIONS**

### **6.3 – Medium Density Residential (R3) Zone**

#### **6.3 MEDIUM DENSITY RESIDENTIAL (R3) ZONE**

##### **6.3.1 PERMITTED USES**

No person shall within a Medium Density Residential (R3) Zone use any land or erect, alter or use any building or structure except as permitted hereunder:

##### **6.3.1.1 Residential uses**

6.3.1.1.1 All uses permitted in the Low Density Residential Type 2 (R2) Zone

6.3.1.1.2 Triplex dwelling house

6.3.1.1.3 Fourplex dwelling house

6.3.1.1.4 Converted dwelling house

6.3.1.1.5 Boarding, lodging or rooming house

##### **6.3.1.2 Non-residential uses**

Public uses or utilities in accordance with the provisions of this By-law.

##### **6.3.1.3 Accessory uses**

Uses, buildings or structures accessory to any of the permitted uses and in accordance with the provisions in this By-law.

#### **6.3.2 REGULATIONS FOR RESIDENTIAL USES PERMITTED IN THE LOW DENSITY RESIDENTIAL TYPE 2 (R2) ZONE**

All regulations for residential uses permitted in the Low Density Residential Type 2 (R2) Zone as set out in 6.2 of this By-law shall also apply to these uses within the Medium Density Residential (R3) Zone.

#### **6.3.3 REGULATIONS FOR TRIPLEX, FOURPLEX, AND CONVERTED DWELLING HOUSES AND FOR BOARDING, LODGING OR ROOMING HOUSES**

##### **6.3.3.1 Minimum lot area**

6.3.3.1.1 Triplex or converted dwelling house with 3 units: 836 sq. metres

6.3.3.1.2 Fourplex or converted dwelling house with 4 units: 1114 sq. metres

6.3.3.1.3 Boarding, lodging or rooming house: 925 sq. metres

##### **6.3.3.2 Minimum lot frontage**

6.3.3.2.1 Triplex or converted dwelling with 3 units: 24 metres

6.3.3.2.2 Fourplex, converted dwelling house, boarding, lodging or rooming house: 30 metres



## **SECTION 6 – ZONE PROVISIONS**

### **6.3 – Medium Density Residential (R3) Zone**

- 6.3.3.3 Minimum guest room area
  - 6.3.3.3.1 Triplex or fourplex dwelling house: 83 sq. metres per unit
  - 6.3.3.3.2 Converted dwelling house
    - 6.3.3.3.2.1 Bachelor unit: 42 sq. metres
    - 6.3.3.3.2.2 One bedroom unit: 55 sq. metres
    - 6.3.3.3.2.3 Two bedroom unit: 70 sq. metres
    - 6.3.3.3.2.4 Three bedroom unit: 83 sq. metres
- 6.3.3.4 Minimum guest room area
  - 6.3.3.4.1 Boarding, lodging or rooming house: 14.0 sq. metres
- 6.3.3.5 Maximum lot coverage (all buildings): 35 percent
- 6.3.3.6 Maximum height of building: 11 metres
- 6.3.3.7 Minimum landscaped open space: 30 percent
- 6.3.3.8 Maximum number of dwelling houses per lot: 1
- 6.3.3.9 Maximum number of dwelling units or guestrooms per dwelling house
  - 6.3.3.9.1 Triplex: 3 dwelling units
  - 6.3.3.9.2 Fourplex: 4 dwelling units
  - 6.3.3.9.3 Converted: 4 dwelling units
  - 6.3.3.9.4 Boarding, lodging or rooming: 4 dwelling units
- 6.3.3.10 Density
  - In areas designed residential in the Official Plan, not more than 5 percent of the dwelling units shall be in the form of triplex or fourplex dwelling units or boarding, lodging or rooming house.
- 6.3.3.11 Minimum yards
  - 6.3.3.11.1 Front or rear yard: 7.6 metres
  - 6.3.3.11.2 Exterior side yard: 3.0 metres
  - 6.3.3.11.3 Interior side yard: 4.0 metres
- 6.3.3.12 MINIMUM SET BACK FROM CENTRE LINE OF STREET

## **SECTION 6 – ZONE PROVISIONS**

### **6.3 – Medium Density Residential (R3) Zone**

- 6.3.3.12.1 Provincial highway: 26 metres
- 6.3.3.12.2 County or collector road: 21 metres
- 6.3.3.12.3 Township road: 17.7 metres
- 6.3.3.13 Regulations for non-residential uses
  - Regulations for residential uses as set out in 6.3.3 shall apply, where applicable, to non-residential uses.
- 6.3.3.14 Regulations for detached accessory buildings
  - 6.3.3.14.1 Exterior side width: 4.0 metres
  - 6.3.3.14.2 Interior side yard width: 1.0 metres (2016-86)
  - 6.3.3.14.3 Rear yard depth: 1.0 metres (2016-86)
- 6.3.3.15 Minimum services all permitted uses (excluding existing uses)
  - 6.3.3.15.1 An adequate municipal water supply
  - 6.3.3.15.2 An adequate municipal sewer service
- 6.3.3.16 Regulations for home occupations
  - Refer to Section 4.8
- 6.3.3.17 Regulations for off-street parking
  - Refer to Section 4.15

## **SECTION 6 – ZONE PROVISIONS**

### **6.4 – High Density Residential (R4) Zone**

#### 6.4 HIGH DENSITY RESIDENTIAL (R4) ZONE

##### 6.4.1 PERMITTED USES

No person shall within a High Density Residential (R4) Zone use any land or erect, alter or use any building or structure except as permitted hereunder:

##### 6.4.1.1 Residential uses

6.4.1.1.1 All uses permitted in the Medium Density Residential (R3) Zone

6.4.1.1.2 Row dwelling house

6.4.1.1.3 Apartment dwelling house

##### 6.4.1.2 Non-residential uses

Public uses or municipal utilities in accordance with the provisions of 4.17 as set forth in this By-law.

##### 6.4.1.3 Accessory uses

Uses, buildings or structures accessory to any of the foregoing permitted uses specified under 6.4.1.1 or 6.4.1.2 hereof and in accordance with the provisions of 4.1 as set forth in this By-law

#### 6.4.2 REGULATIONS FOR RESIDENTIAL USES PERMITTED IN THE MEDIUM DENSITY RESIDENTIAL (R3) ZONE

All regulations for residential uses permitted in the Medium Density Residential (R3) Zone as set out in 6.3 of this By-law shall also apply to these uses within the High Density Residential (R4) Zone.

#### 6.4.3 REGULATIONS FOR ROW OR APARTMENT DWELLING HOUSE

##### 6.4.3.1 Minimum lot area

##### 6.4.3.1.1 Row dwelling house

The minimum lot area shall be the sum of the areas for each dwelling unit as follows:

6.4.3.1.1.1 Dwelling unit with one wall attached: 232 sq. metres

6.4.3.1.1.2 Dwelling unit with more than one wall attached: 105 sq. metres

##### 6.4.3.1.2 Apartment dwelling house

6.4.3.1.2.1 Bachelor dwelling unit: 70 sq. metres

6.4.3.1.2.2 1 bedroom: 100 sq. metres

## **SECTION 6 – ZONE PROVISIONS**

### **6.4 – High Density Residential (R4) Zone**

6.4.3.1.2.3 2 bedroom: 140 sq. metres

6.4.3.1.2.4 More than 2 bedrooms plus: 46 sq. metres per bedroom

#### 6.4.3.2 Minimum lot frontage

##### 6.4.3.2.1 Row dwelling house

6.4.3.2.1.1 Interior lot: 6 metres

6.4.3.2.1.2 Corner or exterior lot: 10 metres

##### 6.4.3.2.2 Apartment dwelling house: 30 metres

#### 6.4.3.3 Minimum dwelling unit area

##### 6.4.3.3.1 Row dwelling unit: 83 sq. metres

##### 6.4.3.3.2 Apartment dwelling unit

6.4.3.3.2.1 Bachelor: 42 sq. metres

6.4.3.3.2.2 1 bedroom: 55 sq. metres

6.4.3.3.2.3 2 bedroom: 70 sq. metres

6.4.3.3.2.4 Each additional bedroom above 2 bedrooms: 9 sq. metres

#### 6.4.3.4 Maximum lot coverage

6.4.3.4.1 Row dwelling house: 30 percent

6.4.3.4.2 Apartment dwelling house: 33 percent

#### 6.4.3.5 Maximum height building: 11 metres

#### 6.4.3.6 Minimum landscaped open space

6.4.3.6.1 Row dwelling house: 30 percent

6.4.3.6.2 Apartment dwelling house without balconies: 30 percent

6.4.3.6.3 Apartment dwelling house with balconies: 20 percent

#### 6.4.3.7 Minimum yards

6.4.3.7.1 Front yard depth: 7.5 metres

6.4.3.7.2 Exterior side yard width

6.4.3.7.2.1 Row dwelling house: 4 metres

## **SECTION 6 – ZONE PROVISIONS**

### **6.4 – High Density Residential (R4) Zone**

6.4.3.7.2.2 Apartment dwelling house: 6 metres

6.4.3.7.3 Interior side yard width

6.4.3.7.3.1 Row dwelling house: 2 metres

6.4.3.7.3.2 Apartment dwelling house: 4.5 metres

6.4.3.7.4 Rear yard depth

6.4.3.7.4.1 Row Dwelling House: 7.5 metres

6.4.3.7.4.2 Apartment Dwelling House: 10 metres

6.4.3.8 Minimum set back from centre line of street

6.4.3.8.1 Provincial highway: 26 metres

6.4.3.8.2 County or collector road: 21 metres

6.4.3.8.3 Township road: 17.7 metres

6.4.4 REGULATIONS FOR NON-RESIDENTIAL USES

Regulations for residential uses as set out in 6.

6.4.5 REGULATIONS FOR DETACHED ACCESSORY BUILDINGS

6.4.5.1 Exterior side yard width: 4.0 metres

6.4.5.2 Interior side yard width: 1.0 metres  
(2016-86)

6.4.5.3 Rear yard depth: 1.0 metres  
(2016-86)

6.4.6 MINIMUM SERVICES ALL PERMITTED USES (EXCLUDING EXISTING USES)

6.4.6.1 An adequate municipal water supply

6.4.6.2 An adequate municipal sewer service

6.4.7 REGULATIONS FOR HOME OCCUPATIONS

**Refer to Section 4.8**

6.4.8 REGULATIONS FOR OFF-STREET PARKING

**Refer to Section 4.15**

6.4.9 SPECIAL PROVISIONS

**R4-1** (Included in subsection 5.144)

## SECTION 6 – ZONE PROVISIONS

### 6.4 – High Density Residential (R4) Zone

(3643) 5.144 Notwithstanding the provisions of Section 6.4.3.7 to the contrary on that part of Lots 5, 6 and 7, Concession 3, as shown as R4-1 on Schedule A1 as amended, the following special provisions apply in addition to all other applicable provisions of this By-law:

5.144.1 Minimum setback from the pipeline right-of-way: 10 metres (32.8 feet)

#### R4-2

(2006-193)

6.4.9.1 Amended by By-law 2010-19 to replace the first paragraph

(2010-19) File No.: 8-77-876

Part of Lot 2, Concession 3, (Maitland Drive - Settlers Ridge) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.4.9.1 Notwithstanding the provisions of Subsections 6.4.1.1, 6.4.3.2, 6.4.3.1.1, 6.4.3.7.1, 6.4.3.7.4.1, 6.4.3.7.3.1, 6.4.3.7.2.1 and 6.4.3.4.1, within the area zoned R4-2, freehold town homes shall be a permitted use subject to the following requirements:

- (i) Lot frontage (minimum): 6.0 m
- (ii) Lot area (minimum): 185.0 m<sup>2</sup>
- (iii) Front yard depth (minimum): 6.0 m
- (iv) Rear 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): 3.0 m
- (vii) Lot coverage (maximum): 50%
- (viii) Minimum distance between parking area or driveway and main building: nil

Notwithstanding the provisions of Subsections 6.2.3.1.1, 6.2.3.10.1, 6.2.3.10.2 and 6.2.3.4, within the area zoned R4-2 the following provisions shall apply to semi-detached dwellings:

- (i) Lot area (minimum): 300.0 m
- (ii) Front yard depth (minimum): 6.0 m
- (iii) Rear yard depth: 7.5 m
- (iv) Interior side yard width (minimum): 1.2 m
- (v) Exterior side yard width (minimum): 3.0 m
- (vi) Lot coverage (maximum): 50%

#### R4-2-h HOLDING PROVISIONS

(2010-19) *i) File No.: 8-77-876  
Part of Lot 2, Concession 3, (Maitland Drive - Settlers Ridge) formerly in the  
Township of Thurlow, now in the City of Belleville, County of Hastings*

(2006-193)

6.4.9.1 Notwithstanding the provisions of Subsection 6.4.1 within the area zoned R4-2-h, no person shall erect any building or structure or use the land for any

## SECTION 6 – ZONE PROVISIONS

### 6.4 – High Density Residential (R4) Zone

purpose other than the use existing on the day of the passing of this by-law. The h- holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that sufficient water supply and pressure is available to service the development , and that a sanitary sewer servicing strategy, Storm Water Management Report, Hydrogeological Report and a Geotechnical Report have been prepared all to the satisfaction of the City of Belleville.

(2010-102) (NOTE TO FILE: By-Law Number 2010-102 passed June 14, 2010 removed 'h' - holding symbol on this property)

(2012-93) ii) *File No.: B-77-911*  
*Part of Park Lots 1 & 2, part of Lots 2 & 3, north west of road leading to Third Concession, part of Lot 7 on the west side of gravel road, Registered Plan 124, (Maitland Drive - Farnham Road area) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

6.4.9.1 Amended by By-law 2012-93 to add the following paragraph:

(2012-93)

6.4.9.1 Notwithstanding the provisions of Subsection 6.4, within the area zoned R4-2-h, no person shall erect or occupy any building or structure and land for any purposes, other than the use that existed on the date of the passing of this By-Law. The h-holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that the demonstration of stormwater management, the construction of a permanent sanitary sewer outlet to Millennium Drive and the preparation of a watermain servicing report to confirm adequate supply and pressure all to the satisfaction of the city of Belleville.

(2017-17) (NOTE TO FILE: By-Law Number 2017-17, passed January 9, 2017, removed the “h” holding symbol from the lands described as Phase 3 of Heritage Park Subdivision, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings)

(2017-143) (NOTE TO FILE: By-Law Number 2017-143, passed July 10, 2017, removed the “h” holding symbol from the lands described as Phase 4 of Heritage Park Subdivision, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings)

(2018-78) (NOTE TO FILE: By-Law Number 2018-78, passed May 28, 2018,, removed the “h” holding symbol from the lands described as Phase 5 of Heritage Park Subdivision, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings)

(2019-116) (NOTE TO FILE: By-Law Number 2019-116, passed June 10, 2019,, removed the “h” holding symbol from the lands described as Phase 6 of Heritage Park Subdivision, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings)

## SECTION 6 – ZONE PROVISIONS

### 6.4 – High Density Residential (R4) Zone

#### R4-3

(2006-193)

6.4.9.2 Amended by By-law 2010-19 to replace the first paragraph

(2010-19) File No.: 8-77-876

Part of Lot 2, Concession 3, (Maitland Drive - Settlers Ridge) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.4.9.2 Notwithstanding the provisions of Subsections 6.4.1.1, 6.4.3.2, 6.4.3.1.1, 6.4.3.7.1, 6.4.3.7.4.1, 6.4.3.7.3.1, 6.4.3.7.2.1 and 6.4.3.4.1, within the area zoned R4-3, the provisions of Subsection 6.4.9.1 shall apply, subject to a maximum number of dwelling units of 16 and a minimum rear yard depth of 6.0 m. Notwithstanding the provisions of subsections 4.7.1 and 7.117.1, within the area zoned R4-3 the minimum front on a public street shall be 7.5 m and the front lot line shall be defined as the line dividing the parcel of tied land from the principal access to the lot from the common element.

#### R4-3-h HOLDING PROVISIONS

(2010-19) *i) File No.: 8-77-876*

*Part of Lot 2, Concession 3, (Maitland Drive - Settlers Ridge) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

(2006-193)

6.4.9.2 Notwithstanding the provisions of Subsection 6.4.1, within the area zoned R4-3-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this by-law. The h- holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that sufficient water supply and pressure is available to service the development, and that a sanitary sewer servicing strategy, Stormwater Management Report, Hydrogeological Report and Geotechnical Report have been prepared all to the satisfaction of the City of Belleville.

(2010-102) (NOTE TO FILE: By-Law Number 2010-102 passed June 14, 2010 removed 'h' - holding symbol on this property.)

#### R4-4

(2006-193)

6.4.9.3 Amended by By-law 2010-19 by deleting in its entirety

(2010-19) Amended by By-law 2014-36 by creating a new subsection in its entirety

(2014-36) File No.: B-77-953

Part of Park Lots 4, 5, 6 and 7, Registered Plan 124, Part of Lot 8, Concession 3, (Caniff Mills - North) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.4.9.3 Notwithstanding the provisions of Subsections 6.4.3, 6.4.3.3.2, 6.4.3.5, 6.4.3.7.3.2 and 6.4.3.7.4.2, within the area zoned R4-4, the following provisions shall apply to apartment dwelling houses:



## SECTION 6 – ZONE PROVISIONS

### 6.4 – High Density Residential (R4) Zone

- (i) Lot area per dwelling unit (minimum): 220.0 m<sup>2</sup>
- (ii) Dwelling unit area (minimum)
  - Bachelor: 28.0m<sup>2</sup>
  - 1 Bedroom: 42.0m<sup>2</sup>
  - 2 Bedroom: 55.0m<sup>2</sup>
- (iii) Building height (maximum): 12.0 m<sup>2</sup>
- (iv) Interior side yard width (minimum): 3.0 m or one half of building height whichever is greater
- (v) Rear yard depth (minimum): 7.5 m

#### **R4-5**

(2014-36) File No.: B-77-953  
Part of Park Lots 4, 5, 6 and 7, Registered Plan 124, part of Lot 8, Concession 3, (Caniff Mills - North) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.4.9.4 Notwithstanding the provisions of Subsections 6.4.3, 6.4.3.3.2, 6.4.3.5, 6.4.3.7.3.2 and 6.4.3.7.4.2, within the area zoned R4-5, the following provisions shall apply to apartmentdwelling houses:

- (i) Lot area per dwelling unit (minimum): 110.0 m<sup>2</sup>
- (ii) Dwelling unit area (minimum)
  - Bachelor: 28.0m<sup>2</sup>
  - 1 Bedroom : 42.0m<sup>2</sup>
  - 2 Bedroom : 55.0m<sup>2</sup>
- (iii) Building height (maximum): 30.0 m<sup>2</sup>
- (iv) Interior side yard width (minimum) : 7.5 m or one half of building height whichever greater
- (v) Rear yard depth (minimum): 7.5 m or one half of building height whichever is greater

## **SECTION 6 – ZONE PROVISIONS**

### **6.5 – Rural Residential (RR) Zone**

#### **6.5 RURAL RESIDENTIAL (RR) ZONE**

##### **6.5.1 PERMITTED USES**

No person shall within a Rural Residential (RR) Zone use any land or erect, alter or use any building or structure except as permitted hereunder.

##### **6.5.1.1 Residential uses**

6.5.1.1.1 Single family dwelling house

6.5.1.1.2 Converted dwelling house

6.5.1.1.3 Group home in accordance with the provisions of 4.8

##### **6.5.1.2 Non-residential uses**

Public Uses or utilities in accordance with the provisions of this By-law..

##### **6.5.1.3 Accessory uses**

Uses, buildings or structures accessory to any of the permitted uses, in accordance with the provisions of this By-law..

##### **6.5.2 REGULATIONS FOR RESIDENTIAL USES**

6.5.2.1 Minimum lot area: 4,047 sq. metres

6.5.2.2 Minimum lot frontage: 45 metres

6.5.2.3 Minimum dwelling unit gross floor area: 100 sq. metres

6.5.2.4 Maximum lot coverage (all buildings): 20%

6.5.2.5 Maximum height of buildings: 11 metres

6.5.2.6 Minimum landscaped open space: 25%

6.5.2.7 Maximum number of dwelling houses on a lot: 1

6.5.2.8 Maximum number of dwelling units per dwelling house

6.5.2.8.1 Single family dwelling: 1 Dwelling Unit

6.5.2.8.2 Converted dwelling house: 2 Dwelling Units

6.5.2.9 Minimum yards

6.5.2.9.1 Front or rear yard depth: 15.24 metres

6.5.2.9.2 Exterior side yard width: 9.0 metres

## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

- 6.5.2.9.3 Interior side yard width: 10 percent of Lot Width to a maximum of 7.6 metres
- 6.5.2.10 Minimum setback from centre line of street
  - 6.5.2.10.1 Provincial highway: 33.6 metres
  - 6.5.2.10.2 County or collector road: 28.6 metres
  - 6.5.2.10.3 Township road: 25.0 metres
- 6.5.3 REGULATIONS FOR NON-RESIDENTIAL USE

Regulations for residential uses as set out in 6.5.2 shall apply, where applicable, to non-residential uses.
- 6.5.4 REGULATIONS FOR DETACHED ACCESSORY BUILDINGS
  - 6.5.4.1 Exterior side yard width: 9.0 metres
  - 6.5.4.2 Interior side yard width: 3.0 metres
  - 6.5.4.3 Rear yard depth: 3.0 metres
- 6.5.5 MINIMUM SERVICES
  - 6.5.5.1 A private well with an adequate supply of potable water
  - 6.5.5.2 A private sewage disposal system approved by the proper authority
- 6.5.6 REGULATIONS FOR HOME OCCUPATIONS

**Refer to Section 4.8**
- 6.5.7 REGULATIONS FOR OFF-STREET PARKING

**Refer to Section 4.15**
- 6.5.8 SPECIAL ZONE PROVISIONS
  - 6.5.8.1 A dwelling erected at the time of the passing of this By-law on a lot in a Rural Residential (RR) Zone shall both be deemed to comply with all the requirements of this By-law.
  - 6.5.8.2 A dwelling erected on a lot in a Rural Residential (RR) Zone at the time of the passing of this By-law may be extended, enlarged or altered provided:
    - 6.5.8.2.1 The yards existing at the time of the passing of the By-law are not reduced in depth.

## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

6.5.8.2.2 Yards existing at the time of the passing of this By-law which are greater than the minimums required herein may be reduced to the minimums required by this By-law.

#### RR-1

(3029) That Part of Lots 23 & 24, Concession 3, be rezoned from Rural (RU) to Rural Residential Exception Zone One (RR-1), as shown on Schedule A attached hereto.

Notwithstanding the requirements of Section 6.5.2.2, of the Rural Residential (RR) Zone of By-law No. 3014, a minimum lot frontage of 12.2 metres shall be permitted in a Rural Residential Exception Zone One (RR-1). In all other respects, the requirements of the Rural Residential (RR) Zone shall apply to the lands zoned herein.

#### RR-1

(3050) (Included in subsection 5.15)  
5.15 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary on that Part of Lot 6, Concession 9, lying to the south of the Concession Road between the Township of Thurlow and the Township of Huntingdon shown as RR-1 on Schedule A6 the minimum lot area requirement shall be 4.7 hectares and the minimum lot frontage requirement shall be 134 metres.

#### RR-2

(3079 – Repealed by By-law 3121) (Included in subsection 5.23)  
~~5.23 Notwithstanding the provisions of Sections 6.5.2.19.1 and 6.5.2.10.1 to the contrary, on that part of Lot 31, Concession 9 shown as RR-2 on Schedule A6 the minimum front and rear yard depth requirements shall be 11.5 metres (37.7 feet) and the minimum setback from the centerline of a Provincial Highway shall be 28.5 metres.~~

#### RR-3

(3074) (Included in subsection 5.27)  
5.27 Notwithstanding the provisions of Section 6.5.2.9.1 to the contrary on that part of Lot 24, Concession 6, north of the 6<sup>th</sup> Concession shown as RR-3 on Schedule A5 the minimum rear yard depth requirement shall be 30 metres.

#### RR-4

(3081) (Included in subsection 5.28)  
5.28 Notwithstanding the provisions of Section 6.5.2.1 to the contrary on the part of Lot 6, Concession 8, south of the Townsend Road shown as RR-4 on Schedule A6 the minimum lot area requirement shall be 2090 square metres.

#### RR-5

(3095) (Included in subsection 5.33)  
5.33 Notwithstanding the provisions of Section 6.5.2.9.3 to the contrary on that part of Lot 8, Concession 5, lying to the north of Harmony Road as shown as RR-5 on Schedule A2 the minimum interior side yard requirement on the west side shall be 3.5 metres.

RR-5 (Included in subsection 5.43)

## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

(3108) 5.43 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 30, Concession 8, west of Scuttlehole Road shown as RR-5 on Schedule A6 the minimum lot area requirement shall be 2000 square metres and the minimum lot frontage shall be 24 metres.

**RR-6** (Included in subsection 5.44)

(3110) 5.44 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 23, Concession 3, shown as RR-6 on Schedule A4 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.44.1 Minimum lot area: 3470 square metres

5.44.2 Minimum lot frontage: 53 metres

**RR-7** (Included in subsection 5.45)

(3110) 5.45 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 23, Concession 3, shown as RR-7 on Schedule A4 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.45.1 Minimum lot area: 3230 square metres

5.45.2 Minimum lot frontage: 52 metres

**RR-8** (Included in subsection 5.65)

(3173) 5.65 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 7, Concession 5 shown as RR-8 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.65.1 Minimum lot frontage: 44.65 metres (146.49 feet)

**RR-9** (Included in subsection 5.68)

(3174) 5.68 Notwithstanding the provisions of Section 4.7.1 to the contrary, on that part of Lot 1, Concession 8 as shown as RR-9 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.68.1 Permitted uses

Within the RR-9 Zone a building or structure may be erect on a lot having frontage on an unmaintained Township road provided that such building or structure complies with the setback provisions of this By-law.

**RR-10** (Included in subsection 5.70).

(3187) 5.70 Notwithstanding the provisions of Section 6.5.2.9.1 to the contrary the minimum front yard requirement lands zoned RR-10, being located in part of Lot 13, Concession 7, as shown on

## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

Schedule A6 as amended shall be as follows:

5.70.1 Minimum front yard depth: 30.48 metres

**RR-11** (Included in subsection 5.71)  
(3188) 5.71 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 17, Concession 5 shown as RR-11 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.71.1 Minimum lot area: 2508.3 square metres (27,000 square feet)

5.71.2 Minimum lot frontage: 36.5 metres (120 feet)

**RR-12** (Included in subsection 5.72)  
(3188) 5.72 Notwithstanding the provisions of Section 6.5.2.1 to the contrary, on that part of Lot 17, Concession 5 shown as RR-12 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.72.1 Minimum lot area: 3531.7 square metres (38,015.4 square feet)

**RR-13** (Included in subsection 5.73)  
(3193) 5.73 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on part of Lot 22, Concession 7 shown as RR-13 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.73.1 Minimum lot area: 1,946.53 sq. metres (20,954.40 sq. feet)

5.73.2 Minimum lot frontage: 40.11 metres (131.60 feet)

**RR-14** (Included in subsection 5.74)  
(3193) 5.74 Notwithstanding the provisions of Sections 6.5.2.1 to the contrary, on part of Lot 22, Concession 7 shown as RR-14 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.74.1 Minimum lot area: 3.035.14 square metres (32,673.28 square feet)

**RR-15** (Included in subsection 5.78)  
(3206) 5.78 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 7, Concession 5 shown as RR-15 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.78.1 Minimum lot frontage: 32 metres

**RR-16** (Included in subsection 5.79)

## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

(3206) 5.79 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 7, Concession 5 shown as RR-16 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.79.1 Minimum lot frontage: 32 metres

**RR-17** (Included in subsection 5.80)

(3207) 5.80 Notwithstanding the provisions of Section 6.5.2.1 to the contrary, on that part of Lot 12, Concession 4, shown as RR-17 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.80.1 Minimum lot area: 1,922.73 square metres

**RR-18** (Included in subsection 5.87)

(3252) 5.87 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 22, Concession 6, Part 1, Plan 21R-10450 shown as RR-18 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.87.1 Minimum lot area: 0.33 hectares

**RR-19** (Included in subsection 5.88)

(3270) 5.88 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 5, Concession 4 as shown as RR-19 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.88.1 Minimum lot frontage: 20.1 metres (66 feet)

**RR-21** (Included in subsection 5.90)

(3301) 5.90 Notwithstanding the provisions of Section 6.5.2.1 to the contrary on that part of Lots 30 and 31, Concession Broken Front, as shown as RR-21 on Schedule A3 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.90.1 Minimum lot area: 3,723 square metres

**RR-22** (Included in subsection 5.91)

(3301) 5.91 Notwithstanding the provisions of Section 6.5.2.9.3 to the contrary on that part of Lots 30 and 31, Broken Front Concession, as shown as RR-22 on Schedule A3 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.91.1 Minimum interior side yard width shall be nil.

**RR-23** (Included in subsection 5.93)

(3309) 5.93 Notwithstanding the provisions of Section 6.5.2.1 to the contrary

## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

on that part of Lot 7, Concession 8, in the Township of Thurlow shown as RR-23 and RR-24 on Schedule A6, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.93.1 Minimum lot area of 3,035 square metres

**RR-24** (Included in subsection 5.93)  
(3309) 5.93 Notwithstanding the provisions of Section 6.5.2.1 to the contrary on that part of Lot 7, Concession 8, in the Township of Thurlow shown as RR-23 and RR-24 on Schedule A6, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.93.1 Minimum lot area of 3,035 square metres

**RR-25** (Included in subsection 5.94)  
(3320) 5.94 Notwithstanding the provisions of Section 6.5.2.1 to the contrary on that part of Lot 13, Concession 3, in the Township of Thurlow shown as RR-25 and RR-26 on Schedule A4, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.94.1 Minimum lot area of 3,035 square metres (0.75 acres)

5.94.2 Minimum lot frontage of 37 metres (121.6 feet)

**RR-26** (Included in subsection 5.94)  
(3320) 5.94 Notwithstanding the provisions of Section 6.5.2.1 to the contrary on that part of Lot 13, Concession 3, in the Township of Thurlow shown as RR-25 and RR-26 on Schedule A4, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.94.1 Minimum lot area of 3,035 square metres (0.75 acres)

5.94.2 Minimum lot frontage of 37 metres (121.6 feet)

**RR-27** (Included in subsection 5.98)  
(3341) 5.98 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 18, Concession 2, shown as RR-27 on Schedule A4 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.98.1 Minimum lot frontage: 42.4 metres

**RR-28** (Included in subsection 5.101)  
(3350) 5.101 Notwithstanding the provisions of Section 6.5.2.1 to the contrary on that part of Lot 14, Concession 3, in the Township of Thurlow shown as RR-28 on Schedule A4, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:



## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

5.101.1 Minimum lot frontage of 35.1 metres (115 feet)

**RR-29** (Included in subsection 5.103)  
(3411) 5.103 Notwithstanding the provisions of Section 6.5.2.2, to the contrary, on that part of Lots 2 and 3, Concession 5, as shown as RR-29 on Schedule A2, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.103.1 Minimum lot frontage: 29 metres (96 feet)

(2018-34) File No.: B-77-1019  
70 Mudcat Road, formerly in the Township of Thurlow, now the City of Belleville, County of Hastings.

5.103.2 Lots within a condominium development shall be permitted to front on a private road.

**RR-30** (Included in subsection 5.111)  
(3504) 5.111 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 3, Concession 6, shown as RR-30 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.111.1 Minimum lot area: 1,295 square metres (.32 acres)

5.111.2 Minimum lot frontage: 42.5 metres (139.4 feet)

**RR-30** (Included in subsection 5.114)  
(3519) 5.114 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 6, Concession 4 in the Township of Thurlow shown as RR-30 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.114.1 Minimum lot frontage: 37.97 metres (124.63 feet)

**RR-31** (Included in subsection 5.112)  
(3504) 5.112 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 3, Concession 6, shown as RR-31 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.112.1 Minimum lot area: 1,659 square metres (.41 acres)

5.112.2 Minimum lot frontage: 23.8 metres (78.1 feet)

**RR-31** (Included in subsection 5.115)  
(3519) 5.115 Notwithstanding the provisions of Section 6.5.2.2 to the contrary, on that part of Lot 6, Concession 4 in the Township of Thurlow

## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

shown as RR-31 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.115.1 Minimum lot frontage: 38.1 metres (125 feet)

**RR-32** (Included in subsection 5.118)  
(3541) 5.118 That the subject property located on part of Lot 15, Concession 7, in the Township of Thurlow shown as RR-32 on Schedule A6, as amended be identified as being in close proximity to and area licensed and zoned to allow the extraction of aggregate resources.

**RR-33** (Included in subsection 5.119)  
(3559) 5.119 Notwithstanding the provisions of Sections 6.5.2.2 and 6.5.2.3 to the contrary on that part of Lot 23, Concession 7, in the Township of Thurlow known as RR-33 on zone map Schedule A6 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.119.1 Minimum lot frontage: 19.4 metres (63.5 feet)

5.119.2 Minimum dwelling unit gross floor area: 83.6 square metres (900 square feet)

**RR-34** (Included in subsection 5.120)  
(3559) 5.120 Notwithstanding the provisions of Sections 6.5.2.1, 6.5.2.2 and 6.5.2.3 to the contrary on that part of Lot 23, Concession 7, in the Township of Thurlow shown as RR-34 on Schedule A6 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.120.1 Minimum lot area: 2590 square metres (.64 acres)

5.120.2 Minimum lot frontage: 19.4 metres (63.5 feet)

5.120.3 Minimum dwelling unit gross floor area: 83.6 square metres (900 square feet)

**RR-35** (Included in subsection 5.121)  
(3559) 5.121 Notwithstanding the provisions of Sections 6.5.2.2 and 6.5.2.3 to the contrary on that part of Lot 23, Concession 7, shown as RR-35 on Schedule A6 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.121.1 Minimum lot frontage: 19.4 metres (63.5 feet)

5.121.2 Minimum dwelling unit gross floor area: 83.6 square metres (900 square feet)

**RR-36** (Included in subsection 5.122)

## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

- (3562) 5.122 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary on that part of Lot 23, Concession 7, in the Township of Thurlow shown as RR-36 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.122.1 Minimum lot area: 3764 square metres (.93 acres)
  - 5.122.2 Minimum lot frontage: 38.1 metres (125 feet)
- RR-37** (Included in subsection 5.123)  
(3562) 5.123 Notwithstanding the provisions of Section 6.5.2.2 to the contrary on that part of Lot 23, Concession 7, in the Township of Thurlow shown as RR-37 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.123.1 Minimum lot frontage: 38.1 metres (125 feet)
- RR-38** (Included in subsection 5.125)  
(3564) 5.125 Notwithstanding the provisions of Section 6.5.2.1 to the contrary, on that part of Lot 20, Concession 4, in the Township of Thurlow, shown as RR-38 on Schedule A5 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.125.1 Minimum lot area: 2012.7 square metres (497 acres)
- RR-39** (Included in subsection 5.134)  
(3618) 5.134 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary on that part of Lot 25, Concession 4, shown as RR-39 on Schedule A5, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.134.1 Minimum lot area: 757.2 square metres (.187 acres)
  - 5.134.2 Minimum lot frontage: 8 metres (26.25 feet)
- RR-40** (Included in subsection 5.148)  
(3656) 5.148 Notwithstanding the provisions of Sections 6.5.2.9.1 and 6.5.2.9.2 to the contrary, on that part of Lot 17, Concession 1, in the Township of Thurlow as shown as RR-40 on Schedule A3 as amended. The following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.148.1 Minimum front yard setback: 91.4 metres (300 feet)
  - 5.148.2 Minimum exterior side yard setback: 45.72 metres (150 feet)
- RR-41** (Included in subsection 5.149)  
(3659) 5.149 Notwithstanding the provisions of Sections 6.5.2.1, 6.5.2.2,

## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

6.5.2.9.1 and 6.5.2.9.3 to the contrary on that part of Block P, Plan 573, Point Anne in the Township of Thurlow shown, a RR-41 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions:

- 5.149.1 Minimum lot area: 3066 square metres (.76 acres)
- 5.149.2 Minimum lot frontage: 30.6 metres (100.35 feet)
- 5.149.3 Minimum front yard setback requirements: 14.1 metres (46.3 feet)
- 5.149.4 Minimum side yard setback for structures existing at the time this By-law is approved: 0

**RR-42** (Included in subsection 5.150)

(3659) 5.150 Notwithstanding the provisions of Sections 6.5.2.1, 6.5.2.2, 6.5.2.9.1 and 6.5.2.9.3 to the contrary on that part of Block P, Plan 573, Point Anne in the Township of Thurlow shown, a RR-42 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions:

- 5.150.1 Minimum lot area: 3112 square metres (.77 acres)
- 5.150.2 Minimum lot frontage: 30.5 metres (100 feet)
- 5.150.3 Minimum front yard setback requirements: 11.9 metres (39.1 feet)
- 5.150.4 Minimum side yard setback for structures existing at the time this By-law is approved: 0

**RR-43** (Included in subsection 5.151)

(3660) 5.151 Notwithstanding the provisions of Section 7.116.5 to the contrary on that part of Lot 6, Concession 8, in the Township of Thurlow shown as RR-43 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.151.1 Lot frontage: the lot frontage for this lot will be defined as the width of the front lot line adjacent to the road.

**RR-44** (Included in subsection 5.154)

(3668) 5.154 Notwithstanding the provisions of Sections 4.1.2 and 7.185 to the contrary on that part of Lot 8, Concession 8, in the Township of Thurlow as shown as RR-44 on Schedule A1 as amended, the following special provision applies in addition to all other applicable provisions of this By-law:

- 5.154.1 A septic system is a permitted structure in the front yard.

**RR-44** (Included in subsection 5.157)

(3704) 5.157 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to

## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

the contrary, on that part of Lot 26, Concession 9, in the Township of Thurlow as shown as RR-44 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.157.1 Minimum Lot Area: 1.3 hectares (3.2 acres)

5.157.2 Minimum lot frontage: 225.6 metres (740 feet)

**RR-45** (Included in subsection 5.158)

(3704) 5.158 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 26, Concession 9, in the Township of Thurlow as shown as RR-45 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.158.1 Minimum lot area: 2.53 ha

5.158.2 Minimum lot frontage: 171.3 metres (562 feet) on Foxton Road and 262 metres (710 feet) on Boundary Road

**RR-46** (Included in subsection 5.166)

(3715) 5.166 Notwithstanding the provisions of Section 6.5.2.1 to the contrary, on that part of Lot 5, Concession 6, in the Township of Thurlow as shown as RR-46 on Schedule A hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.166.1 Minimum lot area: .32 hectares (.79 acres)

**RR-47** (Included in subsection 5.171)

(3761) 5.171 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 23, Concession 7, in the Township shown as RR-47 on Schedule A6, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.171.1 Minimum lot area: 2125 square metres (.52 acres)

5.171.2 Minimum lot frontage: 27.4 metres (89 feet)

**RR-48** (Included in subsection 5.172)

(3761) 5.172 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary, on that part of Lot 23, Concession 7, in the Township of Thurlow on Schedule A6, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.172.1 Minimum lot area: 1665 square metres (17, 920 square feet)

5.172.2 Minimum lot frontage: 21.3 metres (70 feet)

## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

**RR-49** (Included in subsection 5.182)  
(3823) 5.182 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.9.1 to the contrary on that part of Lot 12, Concession 4 in the Township of Thurlow as shown as RR-49 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.182.1 Minimum lot area: 2231 square metres (.55 acres)

5.182.2 Minimum front yard setback: 12.9 metres (42.2 feet)

**RR-50** (Included in subsection 5.197)  
(3894) 5.197 Notwithstanding the provisions of Section 6.5.2.2 to the contrary on that part of Lot 6, Concession 4, Township of Thurlow, show as RR-50 on Schedule A attached hereto, the following special provision shall apply in addition to all of the other applicable provisions of the RR Zone established by By-Law 3014:

5.197.1 Minimum lot frontage: 20 metres (66 feet)

**RR-50** (Included in subsection 5.210)  
(3958) 5.210 Notwithstanding the provisions of Sections 4.18.2 and 7.94 to the contrary on that part of Lot 25, Concession 2, in the Township of Thurlow shown as RR-50 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.210.1 One group home may be located within 800 metres to another

5.210.2 Maximum number of residents (exclusive of staff): 5

**RR-51-h** (Included in subsection 5.211)  
(3971) 5.211 Notwithstanding the provisions of Section 6.5.2.9.1 to the contrary on that part of Lots 8 and 9, Concession 4, in the Township of Thurlow as shown as RR-51-h on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.211.1 Rear yard setback: 15.24 metres

#### HOLDING PROVISIONS

(3791) The removal of the “holding – h” Zone symbol may only be grated when the following condition has been fulfilled to the satisfaction of the Council for the Corporation of the Township of Thurlow:

1. The Ministry of the Environment and Energy has provided the Township with a letter which indicates they have no objection to the development of this parcel.

**RR-52** (Included in subsection 5.212)  
(3973) 5.212 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to

## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

the contrary on that part of Lots 6 & 7, Concession 6, in the Township of Thurlow shown as RR-52 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.212.1 Minimum lot area: 1.27 hectares

5.212.2 Minimum lot frontage: 142.5 metres

**RR-53** (Included in subsection 5.213)

(3973) 5.213 Notwithstanding the provisions of Sections 6.5.2.1 and 6.5.2.2 to the contrary on that part of Lots 6 & 7, Concession 6, in the Township of Thurlow shown as RR-53 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.213.1 Minimum lot area: .74 hectares

5.213.2 Minimum lot frontage: 52.2 metres

**RR-54** (Included in subsection 5.214)

(3974) 5.214 Notwithstanding the provisions of Sections 6.5.2.9.3 and 6.5.4.2 to the contrary on that part of Lot 20, Concession 4 in the Township of Thurlow shown as RR-54 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.214.1 Minimum interior side yard setback from the west side of the property boundary for all structures shall be: 30 metres (100 feet)

**RR-55** (Included in subsection 5.216)

(3984) 5.216 Notwithstanding the provisions of Section 6.5.1.2 to the contrary on that part of Lot 4, Concession 8 in the Township of Thurlow as shown as RR-55 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.216.1 A kennel shall be prohibited from operating on the subject properties.

**RR-56**

(98-134) File No.: B-77-587  
Part of lot 3, Concession 6, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.5.8.3 Notwithstanding the provisions of Sections 6.5.2.9.2, 6.5.2.10.2 and 6.5.4.2, on that Part of Lot 3, Concession 6, City of Belleville shown as RR-56, the following special provisions shall apply:

6.5.8.3.1 Minimum front yard setback: 11.67 metres

## SECTION 6 – ZONE PROVISIONS

### 6.5 – Rural Residential (RR) Zone

6.5.8.3.2 Minimum setback from the centre line of a former county road: 25 metres

6.5.8.3.3 Minimum rear yard setback for the dwelling: 7.62 metres

6.5.8.3.4 Minimum east side interior side yard setback for a detached accessory structure: .3 metres

#### **RR-57**

(98-135) File No.: B-77-588  
982 Blessington Road, formerly the Township of Thurlow, now the City of Belleville, County of Hastings.

6.5.8.4 Notwithstanding the provisions of Section 6.5.2.9.1 and 6.5.2.10.2 on that part of Lot 21, Concession 4, City of Belleville, within the area zoned RR-57 the following special provisions shall apply.

6.5.8.4.1 Minimum front yard setback: 4.6 metres

6.5.8.4.2 Minimum setback from the centreline of a former county road: 19 metres

#### **RR-58**

(99-66) File No.: B-77-611-S  
Part Lot 26, Concession 3, (1274 Casey Road) formerly Township of Thurlow, now City of Belleville, County of Hastings

6.5.9.1 Notwithstanding and in addition to the provisions of Section 6.5.2, for the lands zoned RR-58, a minimum 15 m setback shall be provided between any building and the edge of the Hazard Zone.

#### **RR-59**

(2001-140) File No.: B-77-674  
Part of Lot 18, Broken Front Concession, (Elmwood Drive/North Side of Old Highway #2) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.5.9.2 Notwithstanding and in addition to the provisions of Section 6.5.1, within the area zoned RR-59, a single unit dwelling in association with a motor vehicle sales establishment, containing no more than twelve (12) vehicles at any one time, shall be permitted.

#### **RR-60**

(2001-145) File No.: B-77-667  
Part of Lots 16 and 17, Concession Broken Front, (Ox Point/Point Anne) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.5.9.3 Notwithstanding the provisions of Sections 6.5.1.1, 6.5.2.2, 6.5.2.9.3 and 4.7.1, for the lands zoned RR-60, one (1) single unit dwelling shall be permitted on the existing lot on an existing right-of-way, the dwelling shall be setback a minimum of 200 m from the licensed quarry, the minimum lot frontage requirement shall not apply and the minimum side yard width shall be 7.5 m.



## **SECTION 6 – ZONE PROVISIONS**

### **6.5 – Rural Residential (RR) Zone**

#### **RR-61**

(2004-91) File No.: B-77-749  
Part of Lot 27, Concession 7, (107 Hall Settlement Road) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.5.9.4 Notwithstanding the provisions of Subsection 6.5.2.9.1, within the area zoned RR-61 the minimum front yard depth shall be 91 metres.

#### **RR-62**

(2004-91) File No.: B-77-749  
Part of Lot 27, Concession 7, (107 Hall Settlement Road) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.5.9.5 Notwithstanding the provisions of Subsection 6.5.2.9.1, within the area zoned RR-62 the minimum front yard depth shall be 99 metres.

#### **RR-63**

(2004-91) File No.: B-77-749  
Part of Lot 27, Concession 7, (107 Hall Settlement Road) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.5.9.6 Notwithstanding the Agricultural Code of Practice provisions of this By-Law (MDS I), and the provisions of Subsection 6.5.2.9.1, within the area zoned RR-63 the dwelling existing on the date of the passing of this By-Law shall have a minimum front yard depth of 12 metres.

#### **RR-64**

(2006-183) File No.: B-77-805  
Part of Lots 15 and 16, Concession 8, (Willet Road/Bethel Road) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.5.9.7 Notwithstanding the provisions of Subsection 6.5.2.1, within the area zoned RR-64 the minimum lot area shall be 2,575 square metres.

#### **RR-65**

(2007-3) File No.: B-77-809  
Part of Lot 11, Concession 5, (Harmony Road) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.5.9.8 Notwithstanding the provisions of Subsections 6.5.2.1 and 6.5.2.2, within the area zoned RR-65 the minimum lot area shall be 3,800 square metres and the minimum lot frontage shall be 37 metres.

#### **RR-66**

(2007-219) File No.: B-77-832  
369 Farnham Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.5.9.9 Notwithstanding the provisions of Subsection 6.5.2.1, within the area zoned RR-66 the minimum lot area shall be 2,787 square metres.

#### **RR-67**

(2009-47) File No.: B-77-857  
290 Hoskin Road, part of Lot 25, Concession 1, formerly in the Township of

## **SECTION 6 – ZONE PROVISIONS**

### **6.5 – Rural Residential (RR) Zone**

Thurlow, now in the City of Belleville, County of Hastings

- 6.5.9.10 Notwithstanding the provisions of Subsection 6.5.2.1, within the area zoned RR-67 the minimum lot area shall be 1,000 square metres.

#### **RR-68**

2017-77 File No.: B-77-1018

Part of Lot 1, Concession 3, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

- 6.5.9.11 Notwithstanding the provisions of Subsections 4.1.2, 4.1.3 and 6.5.1.1.4, within the area zoned RR-68 an accessory building comprising a maximum height of 8.5 metres is permitted to locate in the exterior side yard. Moreover, a home occupation located in the said accessory building shall comprise a maximum of 30 percent of the gross floor area of the residential dwelling unit and shall permit a maximum of four (4) employees the use of which is limited to offices, meeting room and storage/printing space associated with a home construction business.

## **SECTION 6 – ZONE PROVISIONS**

### **6.6 – Seasonal Residential (SR) Zone**

#### 6.6 SEASONAL RESIDENTIAL (SR) ZONE

##### 6.6.1 PERMITTED USES

No person shall within a Seasonal Residential (SR) Zone use any land, alter or use any building or structure except as permitted hereunder.

##### 6.6.1.1 Residential uses

6.6.1.1.1 Single family seasonal dwelling house

6.6.1.1.2 Private cabin

6.6.1.1.3 Group home in accordance with the provisions of 4.1

##### 6.6.1.2 Non-residential uses

Public uses or utilities in accordance with the provisions of this By-law.

##### 6.6.1.3 Accessory uses

Uses, buildings or structures accessory to any of the permitted uses in accordance with the provisions of 4.1 or this By-law..

##### 6.6.2 REGULATIONS FOR RESIDENTIAL USES

6.6.2.1 Minimum lot area: 2,787 sq. metres

6.6.2.2 Minimum lot frontage: 36.5 metres

6.6.2.3 Minimum dwelling unit gross floor area: 65 sq. metres

6.6.2.4 Maximum lot coverage (all buildings): 25%

6.6.2.5 Maximum height of building: 11 metres

6.6.2.6 Minimum landscaped open space: 35%

6.6.2.7 Maximum number of dwelling houses on a lot: 1

##### 6.6.2.8 Minimum yards

6.6.2.8.1 Front yard (from street or right-of-way): 7.5 metres

##### 6.3.2.8.2 Rear yard depth

6.6.2.8.2.1 From water edge: 30.5 metres

6.6.2.8.2.2 Other: 7.5 metres

6.6.2.8.3 Exterior side yard width: 9.0 metres

## SECTION 6 – ZONE PROVISIONS

### 6.6 – Seasonal Residential (SR) Zone

- 6.6.2.8.4 Interior side yard width: 10% of lot width to a maximum of 7.5 metres
- 6.6.2.9 Minimum setback from centre line of street
  - 6.6.2.9.1 Provincial highway: 26 metres
  - 6.6.2.9.2 County of arterial road: 21 metres
  - 6.6.2.9.3 Township road: 17.7 metres
- 6.6.3 REGULATIONS FOR NON-RESIDENTIAL USE

Regulations for residential uses as set out in 6.6.2 shall apply, where applicable, to non-residential uses.
- 6.6.4 REGULATIONS FOR DETACHED ACCESSORY BUILDINGS
  - 6.6.4.1 Exterior side yard width: 9.0 metres
  - 6.6.4.2 Interior side yard width: 3.0 metres
  - 6.6.4.3 Rear yard depth
    - 6.6.4.3.1 From waters edge: 0 metres
    - 6.6.4.3.2 Other: 3.0 metres
- 6.6.5 MINIMUM SERVICES
  - 6.6.5.1 A private well with an adequate supply of potable water
  - 6.6.5.2 A private sewage disposal system approved by the proper authority
- 6.6.6 REGULATIONS FOR OFF-STREET PARKING

**Refer to Section 4.15**
- 6.6.7 SPECIAL ZONE PROVISIONS
  - 6.6.7.1 A Seasonal dwelling erected at the time of the passing of this By-law on a lot in a Seasonal Residential (SR) Zone, both the dwelling and the lot shall be deemed to comply with all the requirements of this By-law.
  - 6.6.7.2 A Seasonal dwelling erected at the time of the passing of this By-law on a lot in a Seasonal Residential (SR) Zone may be extended, enlarged or altered provided:
    - 6.6.7.2.1 The yards existing at the time of the passing of the By-law are not reduced in depth.
    - 6.6.7.2.2 Yards existing at the time of the passing of this By-law which are greater than the maximum requirements herein may be reduced to the minimums

## **SECTION 6 – ZONE PROVISIONS**

### **6.6 – Seasonal Residential (SR) Zone**

required by this By-law.

- SR-1** (Included in subsection 5.42)  
(3107) 5.42 Notwithstanding the provisions of Section 6.6.2.8.1 to the contrary, on that part of Lot 30, Concession 8 east of the Moira River shown as SR-1 on Schedule A6 to the following special provisions shall apply in addition to all other applicable provisions of this By-law:

#### 5.42.1 REGULATIONS FOR RESIDENTIAL USES

##### 5.42.1.1 Minimum yards

5.42.1.1.1 Front yard depth (from waters edge): 30.5 metres

#### 5.42.2 SPECIAL ZONE PROVISIONS

5.42.2.1 No development shall be permitted below an elevation of 120.0 metres G.S.C.

## **SECTION 6 – ZONE PROVISIONS**

### **6.7 – Estate Residential (ER) Zone**

#### **6.7 ESTATE RESIDENTIAL (ER) ZONE**

##### **6.7.1 PERMITTED USES**

No person shall within an Estate Residential (ER) Zone use any land or erect, alter or use any building or structure except as permitted hereunder.

##### **6.7.1.1 Residential uses**

6.7.1.1.1 Single family dwelling house

6.7.1.1.2 Group home in accordance with the provisions of 7.94

##### **6.7.1.2 Non-residential uses**

Public uses or utilities in accordance with the provisions of this By-law.

##### **6.7.2 REGULATIONS FOR RESIDENTIAL USES**

6.7.2.1 Minimum lot area: 4047 sq. metres

6.7.2.2 Minimum lot frontage: 45 metres

6.7.2.3 Minimum dwelling unit gross floor area: 167 sq. metres

6.7.2.4 Minimum ground floor area (where more than 1 storey): 111.5 sq. metres

6.7.2.5 Maximum lot coverage: 20 percent

6.7.2.6 Maximum building height: 11 metres

6.7.2.7 Minimum landscaped open space: 35 percent

6.7.2.8 Maximum number of dwelling houses on a lot: 1 dwelling unit

6.7.2.9 Maximum number of dwelling units on a lot: 1 dwelling unit

##### **6.7.2.10 Minimum yards**

6.7.2.10.1 Front depth: 22.8 metres

6.7.2.10.2 Rear depth: 7.6 metres

6.7.2.10.3 Exterior Side Width: 7.6 metres

6.7.2.10.4 Interior Side Width: 7.6 metres

##### **6.7.2.11 Minimum setback from centre line of street**

6.7.2.11.1 Provincial highway: 41.2 metres

6.7.2.11.2 County or arterial road: 36.2 metres

## SECTION 6 – ZONE PROVISIONS

### 6.7 – Estate Residential (ER) Zone

6.7.2.11.3 Township road: 32.9 metres

#### 6.7.3 REGULATIONS FOR NON-RESIDENTIAL USE

Regulations for residential uses as set out in 6.7.2 shall apply where applicable to non-residential uses.

#### 6.7.4 REGULATIONS FOR DETACHED ACCESSORY BUILDINGS

6.7.4.1 Exterior side yard width: 9.0 metres

6.7.4.2 Interior side yard width: 3.0 metres

6.7.4.3 Rear yard depth: 3.0 metres

#### 6.7.5 MINIMUM SERVICES

6.7.5.1 A private well with an adequate supply of potable water.

6.7.5.2 A private sewage disposal system approved by the appropriate authority.

#### 6.7.6 REGULATIONS FOR OFF-STREET PARKING

Refer to Section 4.15

#### 6.7.7 SPECIAL PROVISIONS

(98-118)

(98-164)

**ER-1** (Included in subsection 5.32)

(3094)

5.32 Notwithstanding the provisions of Section 6.7.2.1 to the contrary, on that part of Lots 4 and 5, Concession 6 north of County Road No. 5 (Rosedale Avenue) shown as ER-1 on Schedule A2 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

##### 5.32.1 REGULATIONS FOR RESIDENTIAL USE

5.32.1.1 Minimum lot area: 3800 square metres

5.32.1.2 Minimum lot frontage: 42 metres

5.32.1.3 Minimum dwelling unit gross floor area: 133 square metres

**ER-4** (Included in subsection 5.52)

(3116)

5.52 Notwithstanding the provisions of Sections 6.7.2.2 to the contrary, on that part of Lot 16, Concession 1 and part of road allowance between Concession 1 and Broke Front Concession, shown as ER-4 on Schedule A3 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.52.1 Regulations for residential uses

## SECTION 6 – ZONE PROVISIONS

### 6.7 – Estate Residential (ER) Zone

5.52.1.1 Minimum lot frontage: 38 metres

**ER-5** (Included in subsection 5.56)  
(3124) 5.56 Notwithstanding the provisions of Sections 6.7.2.3 and 6.7.2.4 to the contrary, on that part of Lot 17, Concession 6 shown as ER-5 on Schedule A5 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.56.1 Regulations for residential uses

5.56.1.1 Minimum dwelling unit gross floor area: 133 square metres (1431.6 square feet)

5.56.1.2 Minimum ground floor area (where more than 1 storey): 99.75 square metres (1073.8 square feet)

**ER-6** (Included in subsection 5.64)  
(3167) 5.64 Notwithstanding the provisions of Section 6.7.2.2 to the contrary, on that part of Lot 4, Concession 5 shown as ER-6 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.64.1 Minimum lot frontage: 20.11 metres (66 feet)

**ER-7** (Included in subsection 5.85)  
(3241) 5.85 Notwithstanding the provisions of section 6.7.2.2 to the contrary, on that part of Lot 5, Concession 9, shown as ER-7 on Schedule A6, as amended the following special provision shall apply in addition to all other applicable provisions of this By-law:

5.85.1 Minimum lot frontage: 41 metres (135 feet)

**ER-8** (Included in subsection 5.88)  
(3277) 5.88 Notwithstanding the provisions of Sections 4.13, 7.116.5, 7.117.1 and 6.7.2.2 to the contrary, on that part of Lot 4, Concession 5, as shown as ER-8 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.88.1 Front lot line

5.88.1.1 Notwithstanding the provisions of Sections 4.13, 7.116.5, and 7.117.1 of this By-law to the contrary the front lot line and lot frontage for lands zoned ER-8 shall be determined utilizing the line abutting the road allowance of Old Mill Road as the front lot line even though the lands situated between the ER-8 Zone and the subject front lot line are zoned H (Hazard)

5.88.2 Minimum lot frontage: 20.12 metres



## SECTION 6 – ZONE PROVISIONS

### 6.7 – Estate Residential (ER) Zone

- ER-9** (Included in subsection 5.89)  
(3298) 5.89 Notwithstanding the provisions of Section 6.7.2.2 to the contrary on that part of Lot 2, Concession 6, in the Township of Thurlow shown as ER-9 on Schedule A2, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.89.1 Minimum lot frontage: 44.5 metres
- ER-10** (Included in subsection 5.135)  
(3638) 5.135 Notwithstanding the provisions of Sections 6.7.2.2 and 6.7.2.10.2 to the contrary on that part of Lot 17, Concession Broken Front and Concession 1, shown as ER-10 on Schedule A3, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.135.1 Minimum lot frontage: 38 metres (124.7 feet)
- 5.135.2 Minimum rear yard setback: 30 metres (98.4 feet)
- ER-11** (Included in subsection 5.136)  
(3638) 5.136 Notwithstanding the provisions of Sections 6.7.2.2 and 6.7.2.10.2 to the contrary on that part of Lot 17, Concession Broken Front and Concession 1, shown as ER-11 on Schedule A3, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.136.1 Minimum lot frontage: 39 metres (128 feet)
- 5.136.2 Minimum rear yard setback: 30 metres (98.4 feet)
- ER-12** (Included in subsection 5.137)  
(3638) 5.137 Notwithstanding the provisions of Section 6.7.2.2 to the contrary, on that Part of Lot 17, Concession Broken Front and Concession 1, shown as “ER-12” on Schedule “A3”, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law;
- 5.137.1 Minimum Lot Frontage:: 38 metres (124.7 feet)
- ER-13** (Included in subsection 5.138)  
(3638) 5.138 Notwithstanding the provisions of Section 6.7.2.2 to the contrary on that part of Lot 17, Concession Broken Front and Concession 1, shown as ER-13 on Schedule A3 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.138.1 Minimum lot frontage: 33 metres (108.3 feet)
- ER-14** (Included in subsection 5.161)  
(3706) 5.161 Notwithstanding the provisions of Sections 6.7.2.1 and 6.7.2.2 to the contrary on that part of Lot 4, Concession 5, in the Township

## SECTION 6 – ZONE PROVISIONS

### 6.7 – Estate Residential (ER) Zone

of Thurlow shown as ER-14 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.161.1 Minimum lot area: 2493 square metres (.616 acres)

5.161.2 Minimum lot frontage: 30.48 metres (100 feet)

**ER-15** (Included in subsection 5.162)

(3706)

5.162 Notwithstanding the provisions of Sections 6.7.2.1 and 6.7.2.2 to the contrary on that part of Lot 4, Concession 5, in the Township of Thurlow shown as ER-15 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.162.1 Minimum lot area: 2833 square metres (.7 acres)

5.162.2 Minimum lot frontage: 41.7 metres (136.9 feet)

**ER-18** (Included in subsection 5.183)

(3825)

5.183 Notwithstanding the provisions of Sections 6.7.1.1, 4.8.3 and 4.8.4 to the contrary, on that part of Lot 4, Concession 5, in the Township of Thurlow shown as ER-18 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.183.1 A home occupation shall be permitted within a parcel zoned ER-18.

5.183.2 One person, not resident in the dwelling on a lot zoned ER-18 shall be permitted to work within the home occupation.

5.183.3 No more than 50% of the gross floor area of the dwelling may be used for the home occupation. The home occupation shall be permitted within an accessory structure on a lot zoned ER-18.

Notwithstanding the provisions of Sections 6.7.1.1 and 4.8 of By-law 3014, as amended on the lands to be zoned as ER-18, which lands are described above, a home occupation is allowed for under an ER-18 Zone, shall be permitted as a Temporary Use without a residence on the property for a period of not more than three (3) years from the date of the passing of this By-law. Upon the expiration of this three (3) year period the home occupation as allowed for under the ER-18 Zone may only continue if the business owner/manager lives in a single unit dwelling on the subject property.

**ER-19**

(98-118)

File No.: B-77-586

Block A, Plan 1887, part of Lot 5, Concession 5, (38 Old Mill Road, Foxboro), formerly in the Township of Thurlow, now in the City of Belleville, County of

## SECTION 6 – ZONE PROVISIONS

### 6.7 – Estate Residential (ER) Zone

Hastings

- 6.7.7.1 Notwithstanding and in addition to the provisions of Section 6.7.1.1 to the contrary, on Block A, Plan 1887, part of Lot 5, Concession 5, City of Belleville, formerly in the Township of Thurlow, shown as ER-19 on Schedule A attached hereto a Bed and Breakfast establishment shall be added to the list of permitted uses. (Maximum 3 bedrooms may be used for the accommodation of overnight guests).

#### ER-19

OMB Files: Z 940076, Z 940085  
Order dated April 17, 1996  
Thurlow Zoning File 4/94

(Included in subsection 5.190)

5.190 Notwithstanding the provisions of Section 6.7.2.10.2 to the contrary on that part of Lot 14, Concession 7, in the Township of Thurlow shown as ER-19 on Schedule A attached hereto, the following special provisions shall apply in addition to all of the other applicable provisions of the ER Zone as established by By-law 3014:

- 5.190.1 Minimum setback for all buildings and structures from a lot line which abuts property zoned or designated "Prime Agriculture" shall be 45.7 metres.

#### ER-19-h HOLDING PROVISIONS

(2004-193) *File No.: B-77-763*

*Part of Lot 20, Registered Plan 21M-175, and part of Lot 14, Concession 7, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

- 6.7.7.2 Notwithstanding the provisions of Subsection 6.7.1 of this By-Law, within the area zoned ER-19-h and ER-21-h, no person shall erect any building or structure or use any building, structure or land for any purpose, other than the uses that existed on the day of the passage of this By-Law. The "h" holding symbol shall be removed in accordance with Section 36 of the Planning Act, R.S.O., 1990, as amended, provided that the concerns of Quinte Conservation with respect to the hydrogeological investigation report dated March 2004 and submitted by Geo-Logic Inc. have been satisfactorily addressed.

(2005-123) (NOTE TO FILE: By-Law Number 2005-123, passed June 27, 2005, removed the "h" holding symbol **only from the lands described as** part of Lot 20, Registered Plan 21M-175 and part of Lot 14, Concession 7, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

#### ER-20

(98-164) File No.: B-77-598

Part of Lot 4, Concession 5, (170 Mudcat Road), formerly in the Township of

## SECTION 6 – ZONE PROVISIONS

### 6.7 – Estate Residential (ER) Zone

Thurlow, now in the City of Belleville, County of Hastings

- 6.7.7.1. Notwithstanding the provisions of section 6.7.2.2 within the area zoned ER-20, the minimum lot frontage shall be 33 metres.

#### ER-20

OMB Files: Z 940076, Z 940085

Order dated April 17, 1996

Thurlow Zoning File 4/94

(Included in subsection 5.191)

- 5.191 Notwithstanding the provisions of Sections 6.7.2.1., 6.7.2.2., 6.7.2.10.2 to the contrary on that part of Lot 14, Concession 7, in the Township of Thurlow shown as ER-20 on Schedule A attached hereto, the following special provisions shall apply in addition to all of the other applicable provisions of the ER Zone as established by By-Law 3014:

5.191.1 The minimum lot area and frontage requirements for all lots within the ER-20 Zone shall be as detailed on Schedule B of this By-Law.

5.191.2 The minimum rear yard setback for lots in an ER-20 Zone shall be: 45.7 metres for lots 22, and 23. The minimum rear yard setback for lots 24 and 25 shall be 7.6 metres.

[Schedule B goes on to list area and frontage requirements as follows: Lot 22, 1.27 hectares, 88.5 metres; Lot 23, 1.34 hectares, 90.2 metres; Lot 24, 2.29 hectares, 90.2 metres; and Lot 25, 0.88 hectares, 29.3 metres.]

#### ER-21

(2004-193) File No.: B-77-763

Part of Lot 20, Registered Plan 21M-175, and part of Lot 14, Concession 7, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

- 6.7.7.2 Notwithstanding the provisions of Subsection 6.7.2.2, within the area zoned ER-21 the minimum lot frontage shall be 40 metres.

#### ER-21-h HOLDING PROVISIONS

(2004-193) *File No.: B-77-763*

*Part of Lot 20, Registered Plan 21M-175, and part of Lot 14, Concession 7, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

- 6.7.7.2 Notwithstanding the provisions of Subsection 6.7.1 of this By-Law, within the area zoned ER-19-h and ER-21-h, no person shall erect any building or structure or use any building, structure or land for any purpose, other than the uses that existed on the day of the passage of this By-Law. The "h" holding symbol shall be removed in accordance with Section 36 of the Planning Act,

## SECTION 6 – ZONE PROVISIONS

### 6.7 – Estate Residential (ER) Zone

R.S.O., 1990, as amended, provided that the concerns of Quinte Conservation with respect to the hydrogeological investigation report dated March 2004 and submitted by Geo-Logic Inc. have been satisfactorily addressed.

(2005-123) (NOTE TO FILE: By-Law Number 2005-123, passed June 27, 2005, removed the "h" holding symbol **only from the lands described as** part of Lot 20, Registered Plan 21M-175 and part of Lot 14, Concession 7, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

#### **ER-22**

(2011-93) File No.: B-77-888

Part of Lot 11, Concession 5, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.7.7.3 Notwithstanding the provisions of Subsection 6.7.1, within the area zoned ER-22, a maximum of 17 single detached vacant land condominium units shall be permitted subject to a minimum distance of 7.6 metres from any boundary of the ER-22 zone for all main and accessory buildings. For the purpose of this Zone, a 'Lot' as defined in Subsection 7.116 shall mean a unit in a vacant land plan of condominium established pursuant to the Condominium Act.

Notwithstanding the provisions of Subsection 4.7.1, within the area zoned ER-22 condominium units shall be permitted to front on a common elements condominium private road.

Notwithstanding the provisions of Subsections 6.7.2. and 6.7.4, only the provisions of Subsections 6.7.2.3, 6.7.2.4, 6.7.2.5, 6.7.2.6 and 6.7.2.7 shall apply within the area zoned ER-22.

## **SECTION 6 – ZONE PROVISIONS**

### **6.8 – Mobile Home Residential (MHR) Zone**

#### 6.8 MOBILE HOME RESIDENTIAL (MHR) ZONE

OMB File # R880022

##### 6.8.1 PERMITTED USES

No person shall within a Mobile Home (MHR) Zone use any land or erect, alter or use any building or structure except as permitted hereunder.

##### 6.8.1.1 Residential uses

###### 6.8.1.1.1 Mobile home park

###### 6.8.1.1.2 Mobile home dwelling house certified by the Canadian Standards Association.

###### 6.8.1.1.3 Home occupation in accordance with the provisions of 4.8 of this By-law.

##### 6.8.1.2 Non-residential uses

###### 6.8.1.2.1 Public uses or utilities in accordance with the provisions of 4.17 or this By-law.

###### 6.8.1.2.2 Sales office and display area for the sale of new and used mobile home dwellings.

###### 6.8.1.2.3 Convenience and service store to serve the needs of the mobile home park residents.

##### 6.8.1.3 Accessory uses

Uses, buildings or structures accessory to any of the permitted uses in accordance with the provisions of 4.1 of this By-law

#### 6.8.2 REGULATIONS FOR RESIDENTIAL USES

##### 6.8.2.1 Mobile home park

###### 6.8.2.1.1 Minimum lot area: 4.0 Ha.

###### 6.8.2.1.2 Minimum lot frontage: 100.0 metres

###### 6.8.2.1.3 Minimum landscaped open space: 10 percent

###### 6.8.2.1.4 Minimum planting strip width (side & rear): 3 metres

###### 6.8.2.1.5 Minimum road way width

###### 6.8.2.1.5.1 One-way traffic: 6 metres

###### 6.8.2.1.5.2 Two-way traffic: 7.3 metres

##### 6.8.2.2 Mobile home dwelling site

## **SECTION 6 – ZONE PROVISIONS**

### **6.8 – Mobile Home Residential (MHR) Zone**

- 6.8.2.2.1 Minimum site area: 372 sq. metres
- 6.8.2.2.2 Minimum site frontage
  - 6.8.2.2.2.1 Interior site: 13.7 metres
  - 6.8.2.2.2.2 Exterior (corner) site: 16 metres
- 6.8.2.2.3 Minimum dwelling unit gross floor area: 67 sq. metres
- 6.8.2.2.4 Maximum lot coverage: 35 percent
- 6.8.2.2.5 Maximum height of buildings: 5.4 metres
- 6.8.2.2.6 Minimum landscaped open space: 30 percent
- 6.8.2.2.7 Maximum number of mobile home dwelling houses on site: 1
- 6.8.2.2.8 Maximum number of dwelling units on a site: 1
- 6.8.2.2.9 Minimum yards
  - 6.8.2.2.9.1 Front yard depth: 4.5 metres
  - 6.8.2.2.9.2 Rear yard depth: 3.0 metres
  - 6.8.2.2.9.3 Exterior side yard width: 4.0 metres
  - 6.8.2.2.9.4 Interior side yard width: 2.0 metres
- 6.8.3 REGULATIONS FOR NON-RESIDENTIAL USES

Regulations for residential uses as set out in 6.8.2 shall, apply where applicable, to non-residential uses.
- 6.8.4 REGULATIONS FOR DETACHED ACCESSORY BUILDINGS
  - 6.8.4.1 Exterior side yard: 4.0 metres
  - 6.8.4.2 Interior side yard: 1.5 metres
  - 6.8.4.3 Rear yard: 1.5 metres
- 6.8.5 REGULATIONS FOR HOME OCCUPATIONS

**Refer to Section 4.8**
- 6.8.6 REGULATIONS FOR OFF-STREET PARKING

**Refer to Section 4.15**
- 6.8.7 MINIMUM SERVICES ALL PERMITTED USES

## **SECTION 6 – ZONE PROVISIONS**

### **6.8 – Mobile Home Residential (MHR) Zone**

- 6.8.7.1 An adequate piped potable water system.
- 6.8.7.2 An adequate private sewage disposal system approved by the appropriate authority.
- 6.8.7.3 An adequate storm drainage system approved by the Council.
- 6.8.7.4 All roadways shall be paved and constructed to the satisfaction of the Council.



## **SECTION 6 – ZONE PROVISIONS**

### **6.11 – Highway Commercial (C1) Zone**

#### 6.11 HIGHWAY COMMERCIAL (C1) ZONE

##### 6.11.1 PERMITTED USES

No person shall within a Highway Commercial (C1) Zone use any land or erect, alter or use any building or structure except as permitted or required herein.

##### 6.11.1.1 Residential uses

6.11.1.1.1 Single family dwelling house for the owner, manager or employee of the permitted non-residential use.

6.11.1.1.2 Dwelling units in part of a non-residential building secondary to the non-residential use.

##### 6.11.1.2 Non-residential uses

##### 6.11.1.2.1 With municipal water and sewer services

6.11.1.2.1.1 Convention centre

6.11.1.2.1.2 Hotel

6.11.1.2.1.3 Laundry or dry cleaning establishment

6.11.1.2.1.4 Motor vehicle car wash automatic

6.11.1.2.1.5 Retail commercial establishment including shopping centre.

##### 6.11.1.2.2 Non-residential uses with private wells and sewage systems

6.11.1.2.2.1 Auction sales' barn and flea market

6.11.1.2.2.2 Bank, trust company or credit union

6.11.1.2.2.3 Builders supply outlet

6.11.1.2.2.4 Business, administrative and professional offices

6.11.1.2.2.5 Convenience store

6.11.1.2.2.6 Eating establishment including drive-in or take-out

6.11.1.2.2.7 Food super market

6.11.1.2.2.8 Funeral home

6.11.1.2.2.9 Garden centre

6.11.1.2.2.10 Hardware store

## **SECTION 6 – ZONE PROVISIONS**

### **6.11 – Highway Commercial (C1) Zone**

6.11.1.2.2.11 Home-furnishings & appliance store (including paint & wallpaper store)

6.11.1.2.2.12 Lumber yard retail or wholesale

6.11.1.2.2.13 Motel not exceeding 50 rooms

6.11.1.2.2.14 Motor vehicle sales, repair and servicing (including gasoline sales)

6.11.1.2.2.15 Place of amusement, entertainment or recreation

6.11.1.2.2.16 Public use or utility

6.11.1.2.2.17 Recreational vehicle (including marine) sales, repair and service

6.11.1.2.2.18 Retail commercial establishment in compliance with 6.11.1.8.4 hereof

6.11.1.2.2.19 Veterinarian clinic

6.11.1.2.2.20 Workshop

#### 6.11.1.3 Accessory uses

Uses, buildings and structures accessory to any of the permitted uses in accordance with 4.1 of the By-law

#### 6.11.1.4 REGULATIONS FOR RESIDENTIAL USES

The regulations for residential uses as specified in 6.1 and 6.5 hereof for serviced and unserviced development shall apply within the Highway Commercial (C1) Zone. In addition, the following requirements shall apply:

##### 6.11.1.4.1 Minimum separation

Where a dwelling house is erected or any building or structure is altered or used as a dwelling house, such dwelling house shall not be located closer than:

6.11.1.4.1.1 Three (3) metres from a permitted non-residential use other than a motor vehicle repair or servicing shop.

6.11.1.4.1.2 Seven-point-five (7.5) metres from a motor vehicle repair or servicing shop.

##### 6.11.1.4.2 Secondary use

The residential uses permitted on a lot in a Highway Commercial (C1) Zone shall be secondary and incidental to the non-residential use of the lot.

## **SECTION 6 – ZONE PROVISIONS**

### **6.11 – Highway Commercial (C1) Zone**

- 6.11.1.4.3 Dwelling units in a non-residential building
  - 6.11.1.4.3.1 Maximum number of dwelling units: 4
  - 6.11.1.4.3.2 Dwelling unit area
    - 6.11.1.4.3.2.1 Bachelor: 42 sq. metres
    - 6.11.1.4.3.2.2 One bedroom: 55 sq. metres
    - 6.11.1.4.3.2.3 Two bedrooms: 70 sq. metres
    - 6.11.1.4.3.2.4 More than two bedrooms: 9 sq. metres for each bedroom above three bedrooms
- 6.11.1.5 REGULATIONS FOR NON-RESIDENTIAL USES
  - 6.11.1.5.1 Minimum lot area:
    - 6.11.1.5.1.1 Municipal services: None
    - 6.11.1.5.1.2 Private services: 2,322 sq. metres
  - 6.11.1.5.2 Minimum lot frontage:
    - 6.11.1.5.2.1 Municipal services: None
    - 6.11.1.5.2.2 Private services: 40 metres
  - 6.11.1.5.3 Minimum ground floor area:
  - 6.11.1.5.4 Maximum lot coverage: 50 Percent
  - 6.11.1.5.5 Maximum height of buildings: 11 metres
  - 6.11.1.5.6 Minimum landscaped open space:
  - 6.11.1.5.7 Minimum yards
    - 6.11.1.5.7.1 Front yard depth
      - 6.11.1.5.7.1.1 Principal building: 12 metres
      - 6.11.1.5.7.1.2 Pump Island: 4.5 metres
    - 6.11.1.5.7.2 Exterior side yard width
      - 6.11.1.5.7.2.1 Principal building: 12 metres
      - 6.11.1.5.7.2.2 Pump island: 4.5 metres
    - 6.11.1.5.7.3 Interior side yard width: 6 metres

## **SECTION 6 – ZONE PROVISIONS**

### **6.11 – Highway Commercial (C1) Zone**

6.11.1.5.7.4 Interior side yard width abutting a residential zone: 9 metres

6.11.1.5.7.5 Rear yard depth: 7.5 metres

6.11.1.5.7.6 Rear yard depth abutting a residential zone: 10 metres

#### 6.11.1.5.8 Driveways

6.11.1.5.8.1 Maximum width at front property line: 9 metres

6.11.1.5.8.2 Minimum separation between driveways: 7.5 metres

#### 6.11.1.5.9 Setback from centre line of street:

6.11.1.5.9.1 Provincial highway: 30.4 metres

6.11.1.5.9.2 County or collector road: 25.4 metres

6.11.1.5.9.3 Township road: 22.1 metres

6.11.1.5.9.4 Where a service road is a requirement, an additional setback of 12.2 metres shall be provided.

#### 6.11.1.6 REGULATIONS FOR DETACHED ACCESSORY BUILDINGS

6.11.1.6.1 Exterior side yard width: 12 metres

6.11.1.6.2 Interior side yard width: 3 metres

6.11.1.6.3 Rear yard depth: 3 metres

#### 6.11.1.7 REGULATIONS FOR OFF-STREET PARKING

**Refer to Section 4.15**

#### 6.11.1.8 SPECIAL PROVISIONS

6.11.1.8.1 Planting strips and screens yard

Where the interior side or rear of a lot in a Highway Commercial (C1) Zone abuts a Residential Zone, the requirements of 4.16 of this By-law shall apply.

6.11.1.8.2 Open storage

The open storage of materials other than cars, trucks or vehicles and supplies shall be permitted only to the rear of the front yard.

6.11.1.8.3 Assembly

The assembly of components which are part of a permitted use shall be permitted provided such assembly is secondary.

## SECTION 6 – ZONE PROVISIONS

### 6.11 – Highway Commercial (C1) Zone

#### 6.11.1.8.4 Services

Where municipal water and/or sewer services are not available, commercial uses shall be restricted to those uses of a “dry” nature only. Uses of a dry nature shall mean those in which water is not necessary to provide a service or goods to the client group. These uses will not result in the need for water supply or sewage disposal system, beyond those requirements normally considered necessary for the personal use of employees. Furthermore, the number of employees shall not exceed the capacity of individual, on-site services in terms of both water supply and sewage disposal.

#### 6.11.1.8.5 Boutique

An individual free standing small scale boutique-like retail store such as a jewellery store or a dress shop is not permitted in the Highway Commercial (C1) Zone. The inclusion of such uses is permitted in conjunction with other retail uses in a larger scale mall type development.

#### **C1-2** (3776)

(Included in subsection 5.174)

5.174 Notwithstanding the provisions of Section 6.11.1.2 to the contrary on that part of Lot 22, Concession Broken Front, in the Township of Thurlow shown as C1-2 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.174.1 Permitted non-residential commercial uses shall be restricted to a bake shop.

#### **C1-3-h** (3791)

(Included in subsection 5.178)

5.178 Notwithstanding the provisions of Section 6.11.1.2.2 to the contrary, on that part of Lot 3, Concession 4, in the Township of Thurlow shown as C1-3-h on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.178.1 The non-residential uses with private wells and sewage systems shall be restricted to the following:

Business, administrative or professional offices; motor vehicle sales, repair and servicing (including gasoline sales); builders supply outlet; auction sales barn or flea market; funeral home; home furnishings and appliance store; place of amusement entertainment or recreation; public use or utility; recreational vehicle (including marine) sales, repair and service; retail commercial establishment (in compliance with 6.11.1.8.4 of By-law 3014)

#### HOLDING PROVISIONS

The removal of the “holding –h” zone symbol may only be granted when the following conditions have been addressed to the satisfaction of the

## SECTION 6 – ZONE PROVISIONS

### 6.11 – Highway Commercial (C1) Zone

Council for Township of Thurlow:

- a) That a satisfactory stormwater management plan has been completed and approved by the township.
- b) That a satisfactory site plan control agreement has been executed.
- c) That formal approval has been granted for an adequate sewage disposal system on the subject property.

(2010-111) (NOTE TO FILE: By-Law Number 2010-111, passed June 28, 2010, removed the "h" holding symbol **from the lands described as** 203 Sunningdale Drive, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings. Back-up info in File B-77-851.)

**C1-4** (Included in subsection 5.179)  
(3793) 5.179 Notwithstanding the provisions of Section 6.11.1.2.2 to the contrary on that part of Lot 4, Concession 3, in the Township of Thurlow shown as C1-4 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.179.1 The following uses are prohibited in a C1-4 Zone:

Garden centre; motor vehicle sales repair and servicing; food super market; motel; eating establishment with a total square footage in excess of 60.4 square metres (650 square feet)

**C1-6**  
(2004-92) File No.: B-77-750  
Part of Lot 3, Concession 4, (19 Vermilyea Road) formerly in the Township of Thurlow, now City of Belleville, County of Hastings

6.11.1.8.6 Notwithstanding the provisions of Subsection 6.11.1.2, within the area zoned C1-6 a general contractors office and workshop shall be the only permitted use.

**C1-7**  
(2007-55) File No.: B-77-814  
Northwest corner of Highway #62 and Cloverleaf Drive (now Millennium Parkway), formerly in the Township of Thurlow, now City of Belleville, County of Hastings

6.11.1.8.7 Notwithstanding the provisions of Subsections 6.11.1.2.1, 4.15.4, 4.15.12.1 and 6.11.1.5.5, within the area zoned C1-7 a large-format home improvement store with accessory attached garden centre shall be a permitted use, in addition to the permitted uses of Subsection 6.11.1, subject to a maximum ingress/egress width of 26.9 metres, a minimum parking space dimension of 2.75 metres by 5.5 metres and a maximum height of 15.2 metres for a parapet sign on the front façade.

**C1-8**

## SECTION 6 – ZONE PROVISIONS

### 6.11 – Highway Commercial (C1) Zone

(2010-129) File No.: B-77-884

Southeast corner of Sidney Street North and Cloverleaf Drive, part of Lots 26 and 27, Registered Plan 22, (900 Sidney Street North), formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.11.1.8.8 Notwithstanding the provisions of Subsection 6.11.1.2, within the area zoned C1-8 the permitted uses shall be limited to a business, administrative and professional office, a retail commercial establishment and a convenience store.

#### **C1-h**

(2008-35) File No.: B-77-836

Part of Lot 3, Concession 2, (Millennium Parkway), formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.11.1.8.8 Amended by By-law 2014-112 to delete in its entirety May 30, 2014

#### **C1-9**

OMB ORDER DATED MAY 30, 2014

(2014-112) File No.: B-77-923

Part of Lot 3, Concession 2, (Northwest Quadrant of Highway #62 & Provincial Highway #401 Millennium Parkway) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.11.1.8.9 Within the area zoned C1-9, a casino shall be a permitted use in addition to those uses permitted by Subsection 6.11.1. For the purpose of this By-Law a casino shall mean a gaming facility approved by the Ontario Lottery and Gaming Corporation but does not include any other use or activity otherwise defined or classified in this By-Law.

#### **C1-9-h** HOLDING PROVISION

(2014-112) i) *File No.: B-77-923*

*Part of Lot 3, Concession 2, (Northwest Quadrant of Highway #62 & Provincial Highway #401 Millennium Parkway) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

6.11.1.8.9 Notwithstanding the permitted uses of the C1-9 Zone, within the area zoned C1-9-h no person shall erect or occupy any building or structure or use land for any purpose, other than the use that existed on the day of the enactment of this By-Law. The 'h' holding symbol shall be removed from the C1-9-h Zone, in accordance with Section 36 of the Planning Act R.S.O. 1990, as amended, provided that the following are addressed:

- That it has been demonstrated to the satisfaction of the City of Belleville that the lands have been legally merged in title and that a traffic impact study has been completed;
- That a scoped hydrogeological assessment of the site be undertaken to assess the impact on the water supply of local wells. This would entail establishing which properties remain privately serviced and a review of the development with respect to potential impact on these properties; and

## SECTION 6 – ZONE PROVISIONS

### 6.11 – Highway Commercial (C1) Zone

- For the purpose of this By-Law, a casino shall not be a permitted use unless final approval has been given by the Ontario Lottery and Gaming Corporation for a casino on the subject lands.

#### **C1-10**

(2014-71) File No.: B-77-959  
6835 Highway 62, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.11.1.8.10 Notwithstanding the provisions of Subsection 6.11.1.2, within the area zoned C1-10 a personal service shop, a medical clinic, a day nursery and a flea market shall be permitted uses in addition to the uses permitted by Subsection 6.11.1.2.

#### **C1-11**

(2016-192) File No.: B-77-1011  
Part of Lot 3, Concession 3, Township of Thurlow, Now City of Belleville, County of Hastings

6.11.1.8.11 Notwithstanding the provisions of Subsection 6.11.1.2 and Subsection 6.11.1.5.2.2, within the area zoned C1-11 an auto parts warehouse shall be a permitted use, in addition to the uses permitted by Subsection 6.11.1.2., subject to a minimum lot frontage of 5 metres.

#### **C1-12**

(2016-192) File No.: B-77-1011  
Part of Lot 3, Concession 3, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.11.1.8.12 Notwithstanding the provisions of Subsection 6.11.1.2, within the area zoned C1-12 a day nursery shall be a permitted use, in addition to the uses permitted by Subsection 6.11.1.2.

#### **C1-13**

OMB File No.: PL170508  
(2017-76) File No.: B-77-1003  
970 Highway 37, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.11.1.8.13 Notwithstanding and in addition to the provisions of subsection 6.11.1.2, within the area zoned C1-13, a commercial storage facility with a maximum of 76 units shall be a permitted use.

The commercial storage units and privacy fence shall be subject to a minimum front yard setback of 16 m.

The storage area shall occupy a maximum of 33% of the property.

#### HOLDING PROVISION

Pursuant to Section 36 of the *Planning Act*, R.S.O. 1990, c.P.13, as



## **SECTION 6 – ZONE PROVISIONS**

### **6.11 – Highway Commercial (C1) Zone**

amended, this amending By-law shall apply a holding provision for those lands zoned C1-13 Highway Commercial as set out in Sections 1 and 2 of this By-law by introducing the “H” holding symbol as a suffix to the proposed zone. The holding provision, which shall preclude development of the subject lands as permitted by the amended Zone C1-13, shall not be removed until such time as the following conditions have been completed:

- a) site plan approval is received under Section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, which will address, among other items, issues of the size and type of containers used for storage, privacy fencing, screening and buffering.

## **SECTION 6 – ZONE PROVISIONS**

### **6.12 – Rural Commercial (C2) Zone**

#### 6.12 RURAL COMMERCIAL (C2) ZONE

##### 6.12.1 PERMITTED USES

###### 6.12.1.1 Residential uses

6.12.1.1.1 Single family dwelling house in association with a non-residential use

6.12.1.1.2 Dwelling unit in part of a non-residential building

6.12.1.1.3 Home occupation

###### 6.12.1.2 Non-residential uses

6.12.1.2.1 Auction barn

6.12.1.2.2 Convenience or retail store

6.12.1.2.3 Eating establishment

6.12.1.2.4 Farm implement sales & supply depot

6.12.1.2.5 Farmers market

6.12.1.2.6 Farm produce retail outlet

6.12.1.2.7 Flea market

6.12.1.2.8 Motor vehicle, sales, service and supply shop

6.12.1.2.9 Nursery or garden centre

6.12.1.2.10 Personal service shop

###### 6.12.1.3 Accessory uses

Uses, buildings and structures accessory to any of the permitted uses in accordance with the provisions of this By-law..

###### 6.12.1.4 REGULATIONS FOR RESIDENTIAL USES

The regulations for residential uses as required in 6.5 of this By-law shall apply within the Rural Commercial (C2) Zone. In addition, the following requirements shall apply:

###### 6.12.1.4.1 Minimum separation

Where a dwelling house is erected or any building or structure is altered or used as a dwelling house, such dwelling house shall not be located closer than:

## **SECTION 6 – ZONE PROVISIONS**

### **6.12 – Rural Commercial (C2) Zone**

6.12.1.4.1.1 3 metres from a permitted non-residential use other than a motor vehicle service and supply shop.

6.12.1.4.1.2 7.5 metres from a motor vehicle service and supply shop.

#### 6.12.1.4.2 Secondary use

The residential uses permitted on a lot in a Rural Commercial (C2) Zone shall be incidental and secondary to the non-residential use of the lot. A single family dwelling house shall be occupied only by the owner or manager or caretaker of the non-residential use.

#### 6.12.1.4.3 Dwelling units in a non-residential building

6.12.1.4.3.1 A maximum of two (2) dwelling units shall be permitted in a non-residential building.

#### 6.12.1.4.3.2 Dwelling unit area (minimum)

6.12.1.4.3.2.1 Bachelor: 42 sq. metres

6.12.1.4.3.2.2 One bedroom: 55 sq. metres

6.12.1.4.3.2.3 Two bedrooms: 70 sq. metres

6.12.1.4.3.2.4 More than two bedrooms: 9 sq. metres per bedroom above 2 bedrooms

#### 6.12.1.5 REGULATIONS FOR NON-RESIDENTIAL USES

6.12.1.5.1 Minimum lot area: 2,322 sq. metres

6.12.1.5.2 Minimum lot frontage: 40 metres

6.12.1.5.3 Minimum ground floor area: no minimum

6.12.1.5.4 Maximum lot coverage: 50 percent

6.12.1.5.5 Maximum height of buildings: 11 metres

6.12.1.5.6 Minimum landscaped open space: 10 percent

#### 6.12.1.5.7 Minimum yards

##### 6.12.1.5.7.1 Front yard depth

6.12.1.5.7.1.1 Principal building: 12 metres

6.12.1.5.7.1.2 Pump island: 4.5 metres

##### 6.12.1.5.7.2 Exterior side yard width

## SECTION 6 – ZONE PROVISIONS

### 6.12 – Rural Commercial (C2) Zone

6.12.1.5.7.2.1 Principal building: 12 metres

6.12.1.5.7.2.2 Pump island: 4.5 metres

6.12.1.5.7.3 Interior side yard width

6.12.1.5.7.3.1 Interior side yard abutting Residential Zone: 9 metres

6.12.1.5.7.4 Rear yard depth

6.12.1.5.7.4.1 Rear yard abutting Residential Zone: 10 metres

6.12.1.5.8 Driveways

6.12.1.5.8.1 Maximum width: 9 metres

6.12.1.5.8.2 Minimum separation between driveways: 7.5 metres

6.12.1.6 REGULATIONS FOR DETACHED ACCESSORY BUILDINGS

6.12.1.6.1 Exterior side yard: 12 metres

6.12.1.6.2 Interior side yard: 3 metres

6.12.1.6.3 Rear yard: 3 metres

6.12.1.7 REGULATIONS FOR OFF-STREET PARKING

**Refer to Section 4.15**

6.12.1.8 SPECIAL PROVISIONS

6.12.1.8.1 Planting strips and screens

Where the interior side or rear lot line of a lot within a Rural Commercial (C2) Zone abuts a Residential Zone, the requirements of 4.16 of this By-law shall apply.

**C2-2** (Included in subsection 5.209)

(3957) 5.209 Notwithstanding the provisions of Sections 6.12.1.1 and 6.12.1.2 to the contrary on that part of Lot 13, Concession 5, in the Township of Thurlow shown as C2-2 on Schedule A attached hereto the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.209.1 Two single unit dwellings shall be the maximum permitted

5.209.2 Permitted non-residential uses shall be restricted to:

- Personal riding arena
- Commercial tack shop
- Commercial farm supply outlet

## SECTION 6 – ZONE PROVISIONS

### 6.12 – Rural Commercial (C2) Zone

**C2-3** BY-LAW FOR LEGGE - PENDING

**C2-4**

(2000-167) File No.: B-77-650

Part Lot 25, Concession 7, 4 Denyes Road, formerly in the Township of Thurlow, City of Belleville, County of Hastings

6.12.1.8.2 Notwithstanding the provisions of Sections 6.12.1.5.7.4.1., 6.5.2.1, 6.5.2.9.1, 6.5.2.10.1 within the area zoned C2 - 4, the following special provisions shall apply:

Minimum rear yard depth for a non-residential use when the rear yard abuts a Residential Zone shall be: 4.5 m.

Minimum lot area for a residential use shall be: 3,100 sq. m.

Minimum front yard depth for a residential use shall be: 7.1 m.

Minimum setback from a Provincial Highway shall be: 7.1 m.

## **SECTION 6 – ZONE PROVISIONS**

### **6.13 – General Commercial (C3) Zone**

#### 6.13 GENERAL COMMERCIAL (C3) ZONE

##### 6.13.1 PERMITTED USES

No person shall within a General Commercial (C3) Zone use any land or erect, alter or use any building or structures except as permitted hereunder.

6.13.1.1 Dwelling unit in part of a non-residential building except as relates to 6.13.1.2.11 hereunder.

6.13.1.1.2 Home occupation

6.13.1.2 NON-residential uses

6.13.1.2.1 Assembly hall, place of entertainment or recreation

6.13.1.2.2 Administrative, business or professional office

6.13.1.2.3 Bank, trust company or other financial institution

6.13.1.2.4 Bus depot

6.13.1.2.5 Clinic

6.13.1.2.6 Day nursery

6.13.1.2.7 Dry cleaner establishment

6.13.1.2.8 Funeral home

6.13.1.2.9 Hotel

6.13.1.2.10 Laundry, including coin-operated laundry

6.13.1.2.11 Motor vehicle repair & service including gasoline bar

6.13.1.2.12 Outside Display & Storage of Goods & Materials as part of a permitted use herein

6.13.1.2.13 Parking lot

6.13.1.2.14 Printing or publishing establishment

6.13.1.2.15 Private club

6.13.1.2.16 Public use in accordance with 4.17 of this By-law

6.13.1.2.17 Retail commercial establishment

6.13.1.2.18 Service shop including personal service

6.13.1.2.19 Taxi stand

## **SECTION 6 – ZONE PROVISIONS**

### **6.13 – General Commercial (C3) Zone**

#### 6.13.1.2.20 Uses permitted in the Community Facility (CF) Zone

#### 6.13.1.3 Accessory uses

Uses, buildings and structures accessory to any of the permitted uses in accordance with the provisions of this By-law..

#### 6.13.1.4 REGULATIONS FOR RESIDENTIAL USES

The regulations for residential uses specified in 6.1 shall apply within the General Commercial (C3) Zone. In addition, the following requirements shall apply.

##### 6.13.1.4.1 Secondary use

The residential uses permitted on a lot in a General Commercial (C3) Zone shall be secondary and incidental to the non-residential use of the lot.

##### 6.13.1.4.2 Dwelling Units in non-residential buildings

6.13.1.4.2.1 Maximum number of dwelling units: 4

6.13.1.4.2.2 Dwelling unit area: minimum

6.13.1.4.2.2.1 Bachelor: 42 sq. metres

6.13.1.4.2.2.2 One bedroom: 55 sq. metres

6.13.1.4.2.2.3 Two bedrooms: 70 sq. metres

6.13.1.4.2.2.4 More than two bedrooms: 9 sq. metres for each bedroom above two bedrooms

##### 6.13.1.5 REGULATIONS FOR NON-RESIDENTIAL USES

6.13.1.5.1 Minimum lot area: 1,500 sq. metres plus 1,500 sq. metres per dwelling unit

6.13.1.5.2 Minimum lot frontage: 30 metres

6.13.1.5.3 Minimum ground floor area: none

6.13.1.5.4 Maximum lot coverage: 50 percent

6.13.1.5.5 Maximum height of building: 11 metres

6.13.1.5.6 Minimum landscaped open space: none

6.13.1.5.7 Minimum yards

6.13.1.5.7.1 Front yard depth

## SECTION 6 – ZONE PROVISIONS

### 6.13 – General Commercial (C3) Zone

6.13.1.5.7.1.1 Principal building: nil or 12 metres

6.13.1.5.7.1.2 Pump island: 4.5 metres

6.13.1.5.7.2 Exterior side yard width

6.13.1.5.7.2.1 Principal building: nil or 12 metres

6.13.1.5.7.2.2 Pump island: 4.5 metres

6.13.1.5.7.3 Interior side yard width: nil or 6 metres

6.13.1.5.7.4 Interior side yard abutting Residential Zone: 9 metres

6.13.1.5.7.5 Rear yard depth: 7.5 metres

6.13.1.5.7.6 Rear yard depth abutting Residential Zone: 10 metres

6.13.1.5.8 Driveways

6.13.1.5.8.1 Maximum width at front property line: 9 metres

6.13.1.5.9 Setback from centre line of street

6.13.1.5.9.1 Provincial highway: 30.4 metres

6.13.1.5.9.2 County road or collector road: 12.8 metres

6.13.1.5.9.3 Township road: 9.2 metres

6.13.1.6 REGULATIONS FOR OFF-STREET PARKING

**Refer to Section 4.15**

6.13.1.7 SPECIAL PROVISIONS

6.13.1.7.1 Planting strips and screens

**Refer to Section 4.16**

6.13.1.7.2 Open storage

The open storage of materials and supplies immediately available for sale shall be permitted in any yard on a lot in a General Commercial (C3) Zone.

OMB File No. R880022

**C3-1** (Included in subsection 5.10)

5.10 That part of Lot 8, Concession 3 lying to the west of Cannifton Road shown as C3-1 on Schedule A1 shall be limited to the use as a used furniture retail establishment only.



## SECTION 6 – ZONE PROVISIONS

### 6.13 – General Commercial (C3) Zone

**C3-1** (Included in subsection 5.26)  
(3076) 5.26 Notwithstanding the provisions of Sections 6.13.1, 6.13.1.5.1 and 6.13.1.5.2 to the contrary, on that part of Lot 4, Concession 3 shown as C3-1 on Schedule A1 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

#### 5.26.1 PERMITTED USES

5.26.1.1 Administrative, business or professional office

#### 5.26.2 REGULATIONS FOR NON-RESIDENTIAL USES

5.26.2.1 Minimum lot area: 935 square metres

5.26.2.2 Minimum lot frontage: 15 metres

OMB File No. R880022

**C3-2** (Included in subsection 5.11)  
5.11 That part of Lot 7, Plan 278 lying to the east of Centre Street shown as C3-2 on Schedule A1 shall be limited to the use as a refrigeration equipment and appliance sales, service and repair establishment only.

OMB File No. R880022

**C3-3** (Included in subsection 5.12)  
5.12 That part of Lot 7, Concession 4 lying to the east of River Road shown as C3-3 on Schedule A1 shall be limited to the use as a retail sales established for used household appliances.

**C3-3** (Included in subsection 5.105)  
(3428) 5.105 Notwithstanding the provisions of Sections 6.13.1.5.1, 6.13.1.5.7.1.1, 6.13.1.5.9.3, 6.13.1.5.7.3 to the contrary on that part of Lots 2 and 3, Concession 5, in the Township of Thurlow shown as C3-3 on Schedule A2, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.105.1 Minimum lot area: 2,023.5 square metres (.5 acres)

5.105.2 Minimum front yard setback for the principal building: 7.3 metres (24 feet)

5.105.3 Minimum setback from the centerline of the Township Road for the principal building: 16.5 metres (54 feet)

5.105.4 Minimum side yard setback for a detached accessory building abutting a Residential zone: 1.08 metres (3.5 feet)

## SECTION 6 – ZONE PROVISIONS

### 6.13 – General Commercial (C3) Zone

OMB File No. R880022

**C3-4** (Included in subsection 5.13)  
5.13 That part of Lot 17, Concession 4 lying to the north of County Road No. 6 shown as C3-4 on Schedule A5 shall be limited to the use as a real estate sales office only.

**C3-4** (Included in subsection 5.109)  
(3469) 5.109 Notwithstanding the provisions of Section 6.13.1.1 and 6.13.1.2 to the contrary, on that part of Lots 1 and 2, Concession 6, in the Township of Thurlow shown as C3-4 on Schedule A2 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.109.1 Residential uses permitted: none

5.109.2 The following non-residential uses WILL NOT be permitted on lands zoned Special General Commercial-4 (C3-4):

Assembly halls; place of entertainment or recreation; day nursery; hotel; private club; or uses currently permitted within the Community Facility (CF) Zone.

**C3-5** (Included in subsection 5.124)  
(3561) 5.124 Notwithstanding the provisions of Section 6.13.1.2 to the contrary, on that part of plan 278 as shown as C3-5 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.124.1 Permitted non-residential uses shall include a take-out restaurant within a permanent structure.

OMB File No. R880022

**C3-5** (Included on subsection 5.31)  
5.31 That part of Lot 2, Concession 6 shown as C3-5 on Schedule A2 may, in addition to the uses permitted in a C3 Zone, be used for the following:

- (i) A storage warehouse
- (ii) Open storage for dry fertilizer blending and manufacturing
- (iii) A retail garden centre
- (iv) A gasoline bar
- (v) Petroleum and propane storage
- (vi) A grain elevator and associated activities
- (vii) Building supplies
- (viii) Feed mill
- (ix) Bulk chemical storage
- (x) Liquid fertilizer storage

## SECTION 6 – ZONE PROVISIONS

### 6.13 – General Commercial (C3) Zone

**C3-6** (Included in subsection 5.165)  
(3713) 5.165 Notwithstanding the provisions of Section 6.13.1.2 to the contrary on that part of Lot 2, Concession 5, in the Township of Thurlow shown as C3-6 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions:

(3713)

5.165.1 Amended by By-law 2004-191 to replace in its entirety

(2004-191) File No: B-77-762

Lot 13, The Lane Lying South of Lot 13, Registered Plan No. 167 and Lot "A", Registered Plan No. 223, Village of Foxboro, formerly in the Township of Thurlow, (496 Ashley Street), now the City of Belleville, County of Hastings.

5.165.1 The permitted non-residential uses of the C3-6 zone shall be limited to a flower shop, beauty salon, professional office and a small engine sales and service business of outdoor power equipment.

**C3-7** (Included in subsection 5.193)  
(3892) 5.193 Notwithstanding the provisions of Sections 6.13.1.2, 6.13.1.5.2 and 6.13.1.5.7.4 to the contrary on that part of Lot 1, Concession 5, Township of Thurlow (Parts 1, 2 and 3, Plan 21R-17196) shown as C3-7 on Schedule A attached hereto the following special provisions shall apply in addition to all of the other applicable provisions of the C3 Zone as established by By-law 3014:

5.193.1 Permitted non-residential uses:

- Administrative, business and professional office
- Day nursery
- Retail commercial establishment
- Group home
- Clinic
- Personal service shop

5.193.2 Minimum lot frontage: 28 metres (92 feet)

5.193.3 Minimum exterior side yard setback (north lot line): 15 metres (49 feet)

**NOTE: Due to an ancient oversight C3-7 has been used twice. Please see **Subsection 5.180** in its entirety for additional amendment.**

**C3-8** (Included in subsection 5.194)  
(3892) 5.194 Notwithstanding the provisions of Sections 6.13.1.2, and 6.13.1.5.2 to the contrary on that part of Lot 1, Concession 5, Township of Thurlow (Parts 4, 5 and 6, Plan 21R-17196) shown as C3-8 on Schedule A attached hereto the following

## SECTION 6 – ZONE PROVISIONS

### 6.13 – General Commercial (C3) Zone

special provisions shall apply in addition to all of the other applicable provisions of the C3 Zone as established by By-law 3014:

- 5.194.1 Permitted non-residential uses:
- Administrative, business and professional office
  - Day nursery
  - Retail commercial establishment
  - Group home
  - Clinic
  - Personal service shop

5.194.2 Minimum lot frontage: 28 metres (92 feet)

**C3-9** (Included in subsection 5.195)

(3892) 5.195 Notwithstanding the provisions of Section 6.13.1.5.2 to the contrary on that part of Lot 1, Concession 5, Township of Thurlow as shown C3-9 on Schedule A attached hereto the following special provisions shall apply in addition to all of the other applicable provisions of the C3 Zone as established by By-law 3014:

5.195.1 Minimum lot frontage: 27 metres (89 feet)

**C3-10** (Included in subsection 5.198)

(3893) 5.198 Notwithstanding the provisions of Sections 6.13.1.2 and 6.13.1.5.1 to the contrary on that part of Lot 2, Concession 5, Township of Thurlow, shown as C3-10 on Schedule A attached hereto, the following special provisions shall apply in addition to all of the other applicable provisions of the C3 zone established by By-law 3014:

5.198.1 Non-residential use permitted in addition to all of the other non-residential uses in the C3 Zone: restaurant (including take-out)

5.198.2 Minimum lot area: 1983 square metres (.49 acres)

**C3-11**

(98-137) File No.: B-77-589

Lots 12 and 13, Plan 223, Pt. Lot 1, Concession 5, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.13.1.7.3 Notwithstanding the Provisions of Section 6.13.1.5.7.4 on that part of Lots 12 and 13, Plan 223, part of Lot 1, Concession 5, City of Belleville, shown as C3-11, the following restrictions shall apply:

6.13.1.7.3.1 Minimum interior side yard setback from the north property boundary: 3.65 metres

## SECTION 6 – ZONE PROVISIONS

### 6.13 – General Commercial (C3) Zone

#### **C3-11**

(98-163) File No.: B-77-597  
Part of Lots 12 and 13, Registered Plan No. 223, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.13.1.7.4 Notwithstanding and in addition to the provisions of Section 6.13.1.2 within the area zoned C3-11, a cabinet makers shop, and related showroom shall be permitted use.

#### **C3-12**

(2004-137) File No.: B-77-757  
Part of Lot 1, Concession 6, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.13.1.7.4 (a) Notwithstanding the provisions of Subsection 5.109.2, within the area zoned C3-12 a motor vehicle dealership and lot shall be a permitted use in addition to the uses of Subsection 6.13.1.2 permitted by Subsection 5.109.2. For the purpose of this By-Law a motor vehicle dealership and lot shall mean a building and associated area of land the purpose of which is for the display or sale, or both, of new and/or used motor vehicles that are in a licensable condition, but does not include a wrecking or salvage yard or scrap yard.

#### **C3-12-h HOLDING PROVISIONS**

(2004-137) *i) File No.: B-77-757  
Part of Lot 1, Concession 6, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

6.13.1.7.4 (b) Notwithstanding the provisions of Subsection 6.13.1.2, within the area zoned C3-12-h no person shall erect or occupy any building or structure or use and 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 site plan control approval in accordance with Section 41 of the Planning Act, R.S.O., as amended, has been granted to the satisfaction of the municipality.

#### **C3-13**

(2005-46) File No.: B-77-768  
Part of Lots 5 and 6, Registered Plan No. 124, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.13.1.7.5 The permitted non-residential uses of the C3-13 zone shall be limited to a convenience store, an administrative, business or professional office and a retail commercial establishment.

#### **C3-14**

(2007-150) File No.: B-77-826  
Part of Lot 2, Concession 6, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

## **SECTION 6 – ZONE PROVISIONS**

### **6.13 – General Commercial (C3) Zone**

6.13.1.7.6 Notwithstanding the provisions of Subsection 6.13.1.2, within the area zoned C3-14, mini-storage units shall be permitted, in addition to the uses of Subsection 6.13.1.2 permitted by Subsection 5.109.2.

(2011-35)

6.13.1.7.7 Amended by By-law 2012-201

(2012-201)

6.13.1.7.7 Amended by By-law 2014-05 by deleting it in its entirety and replacing it with the following:

#### **C3-15**

(2014-05) File No.: B-77-951

Part of Lot 2, Concession 6, (580 Ashley Street), formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.13.1.7.7 Notwithstanding the provisions of Subsection 6.13.1.2, within the area zoned C3-15, an eating establishment and a veterinarian clinic shall be permitted uses, in addition to the uses of Subsections 5.31 and 6.13.1.2.

Notwithstanding the provisions of Subsections 4.15.6 and 4.16.3, within the area zoned C3-15, the parking area's driveway/aisle shall be separated from the south property line by a minimum 1.0 metre wide landscaped strip.

#### **C3-16**

(2018-143) File No.: B-77-1055

RP 278, Part of Block B, (209 Cannifton Road North), formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.13.1.7.8 Notwithstanding the provisions of Subsection 6.13.1.2 within the area zoned C3-16, a maximum of one refreshment vehicle licensed by the City of Belleville is a permitted use. If a refreshment vehicle is the only permitted use located on the property, outside display & storage of goods and materials will not be permitted.

(2018-144) Temporary Use By-Law (expires September 10, 2019) for the purpose of allowing two storage trailers.

## **SECTION 6 – ZONE PROVISIONS**

### **6.14 – Local Commercial (C4) Zone**

#### 6.14 LOCAL COMMERCIAL (C4) ZONE

##### 6.14.1 PERMITTED USES

No person shall within a Local Commercial (C4) Zone use any land or erect, alter or use any building or structure except as permitted hereunder.

##### 6.14.1.1 Residential uses

6.14.1.1.1 A single family dwelling house

6.14.1.1.2 A dwelling unit in a portion of a non-residential building

##### 6.14.1.2 Non-residential uses

6.14.1.2.1 Convenience retail store

6.14.1.2.2 Personal service shop

6.14.1.2.3 Public use

##### 6.14.1.3 Accessory uses

Uses, building and structures accessory to any of the permitted uses in accordance with the provisions of the By-law

##### 6.14.1.4 REGULATIONS FOR RESIDENTIAL USES

The regulations for residential uses specified in 6.1 shall apply within a Local Commercial (C4) Zone. In addition, the following requirements shall apply.

##### 6.14.1.4.1 Secondary use

The residential uses permitted on a lot in a Local Commercial (C4) Zone shall be secondary and incidental to the non-residential use of the lot.

##### 6.14.1.4.2 Dwelling units in a non-residential building

6.14.1.4.2.1 Maximum number of dwelling units: 4

6.14.1.4.2.2 Dwelling unit area

6.14.1.4.2.2.1 Bachelor: 42 sq. metres

6.14.1.4.2.2.2 1 bedroom: 55 sq. metres

6.14.1.4.2.2.3 2 bedrooms: 70 sq. metres

6.14.1.4.2.2.4 More than two bedrooms: 70 sq. metres plus 9 sq. metres for each bedroom above two bedrooms

##### 6.14.1.5 REGULATIONS FOR NON-RESIDENTIAL USES

## SECTION 6 – ZONE PROVISIONS

### 6.14 – Local Commercial (C4) Zone

- 6.14.1.5.1 Minimum lot area: 1,000 sq. metres
- 6.14.1.5.2 Minimum lot frontage: 30 metres
- 6.14.1.5.3 Minimum ground floor area: N/A
- 6.14.1.5.4 Maximum lot coverage: 40 percent
- 6.14.1.5.5 Maximum height of building: 11 metres
- 6.14.1.5.6 Minimum landscaped open space: 20 percent
- 6.14.1.5.7 Minimum yards: 7 ft.
  - 6.14.1.5.7.1 Front yard depth: 10 metres
  - 6.14.1.5.7.2 Exterior side yard width: 4 metres
  - 6.14.1.5.7.3 Interior side yard width: 3 metres
  - 6.14.1.5.7.4 Interior side yard width abutting a Residential Zone: 6 metres
  - 6.14.1.5.7.5 Rear yard depth: 7.5 metres
  - 6.14.1.5.7.6 Rear yard depth abutting a Residential Zone: 10 metres
- 6.14.1.5.8 Driveways
  - 6.14.1.5.8.1 Maximum width at property line: 9 metres
  - 6.14.1.5.8.2 Minimum separation between driveways: 7.5 metres
- 6.14.1.5.9 Setback from centre line of street
  - 6.14.1.5.9.1 Provincial highway: N/A
  - 6.14.1.5.9.2 County or collector road: 22.8 metres
  - 6.14.1.5.9.3 Township road: 19.2 metres
- 6.14.1.6 REGULATIONS FOR OFF-STREET PARKING
  - Refer to Section 4.15
- 6.14.1.7 SPECIAL PROVISIONS
  - 6.14.1.7.1 Planting strips and screens

Where the interior side yard or rear yard of a lot in a Local Commercial (C4) Zone abuts a residential zone the requirements of 4.16 shall apply.



## **SECTION 6 – ZONE PROVISIONS**

### **6.14 – Local Commercial (C4) Zone**

#### 6.14.1.7.2 Open storage

The open storage of material and supplies shall be prohibited in any yard on a lot in a Local Commercial (C4) Zone.

## **SECTION 6 – ZONE PROVISIONS**

### **6.15 – General Industrial (M1) Zone**

#### 6.15 GENERAL INDUSTRIAL (M1) ZONE

##### 6.15.1 PERMITTED USES

No person shall within a General Industrial (M1) Zone use any land or erect, alter or use any building or structure except as permitted or required herein.

##### 6.15.1.1 Residential uses

6.15.1.1.1 Single family dwelling house in association with a non-residential use

6.15.1.1.2 Dwelling unit in part of a non-residential building

##### 6.15.1.2 Non-Residential uses

6.15.1.2.1 Assembly, fabricating, manufacturing or processing plants

6.15.1.2.2 Builders supply

6.15.1.2.3 Bulk storage

6.15.1.2.4 Contractors yard

6.15.1.2.5 Equipment, including farm equipment, rental, sales and service

6.15.1.2.6 Feed mill or seed cleaning plant

6.15.1.2.7 Lumber yard, sawmill or planning mill

6.15.1.2.8 Machine or welding shop

6.15.1.2.9 Motor vehicle body shop

6.15.1.2.10 Motor vehicle repair garage

6.15.1.2.11 Parking lot

6.15.1.2.12 Printing or publishing establishment

6.15.1.2.13 Public works depot

6.15.1.2.14 Retail Sales, in conjunction with and secondary to an approved non-residential use

6.15.1.2.15 Truck terminal

6.15.1.2.16 Warehouse

6.15.1.2.17 Wholesale establishment

6.15.1.2.18 Workshop

## **SECTION 6 – ZONE PROVISIONS**

### **6.15 – General Industrial (M1) Zone**

#### 6.15.1.3 Accessory Uses

Uses buildings and structures accessory to any of the permitted uses in accordance with 4.1 of this By-law

#### 6.15.1.4 REGULATIONS FOR RESIDENTIAL USES

The regulations for residential uses specified in 6.5 shall apply within the General Industrial (M1) Zone. In addition, the following requirements shall apply:

##### 6.15.1.4.1 Minimum separation

Where a dwelling house is erected on any building or structure is altered or used as a dwelling house, such dwelling house shall not be located closer than 7.5 metres to a motor vehicle body shop or repair garage or 3.0 metres to any other permitted non-residential use.

##### 6.15.1.4.2 Secondary use

The residential uses permitted on a lot in a General Industrial (M1) Zone shall be secondary and incidental to the permitted non-residential use of the lot and shall be for the sole use of the owner, manager or other employee of the non-residential use.

##### 6.15.1.4.3 Dwelling unit in a non-residential building

6.15.1.4.3.1 Maximum number of dwelling units: 1

6.15.1.4.3.2 Dwelling unit area:

6.15.1.4.3.2.1 Bachelor: 42 sq. metres

6.15.1.4.3.2.2 Two bedrooms: 70 sq. metres

6.15.1.4.3.2.3 More than two bedrooms: 70 sq. metres plus 9 sq. metres for each additional bedroom

#### 6.15.1.5 REGULATIONS FOR NON-RESIDENTIAL USES

6.15.1.5.1 Minimum lot area: 2800 sq. metres

6.15.1.5.2 Minimum lot frontage: 45 metres

6.15.1.5.3 Minimum ground floor area: none

6.15.1.5.4 Maximum lot coverage: 50 percent

6.15.1.5.5 Maximum height of building: subject to federal air space restrictions

6.15.1.5.6 Minimum landscaped open space: 5 percent

## SECTION 6 – ZONE PROVISIONS

### 6.15 – General Industrial (M1) Zone

- 6.15.1.5.7 Minimum yards
  - 6.15.1.5.7.1 Front yard depth: 15 metres
  - 6.15.1.5.7.2 Exterior side yard width: 15 metres
  - 6.15.1.5.7.3 Interior side yard width: 3 metres
  - 6.15.1.5.7.4 Interior side yard width abutting a residential zone: 15 metres
  - 6.15.1.5.7.5 Rear yard depth: 12 metres
  - 6.15.1.5.7.6 Rear yard depth abutting a Residential Zone: 15 metres
- 6.15.1.5.8 Driveways
  - 6.15.1.5.8.1 Maximum width at property line: 9 metres
  - 6.15.1.5.8.2 Minimum separation between driveways: 7.5 metres
- 6.15.1.5.9 Setback from centre line of street
  - 6.15.1.5.9.1 Provincial highway: 33 metres
  - 6.15.1.5.9.2 County or collector road: 28 metres
  - 6.15.1.5.9.3 Township road: 25 metres
- 6.15.1.6 REGULATIONS FOR DETACHED ACCESSORY BUILDINGS
  - 6.15.1.6.1 Exterior side yard width: 15 metres
  - 6.15.1.6.2 Interior side yard width: 3 metres
  - 6.15.1.6.3 Rear yard: 12 metres
  - 6.15.1.6.4 Yard abutting a Residential Zone: 15 metres
- 6.15.1.7 REGULATIONS FOR OFF-STREET PARKING
  - Refer to Section 4.15
- 6.15.1.8 REGULATIONS FOR LOADING SPACES
  - Refer to Section 4.11
- 6.15.1.9 SPECIAL PROVISIONS
  - 6.15.1.9.1 Planting strips or screens

Where the interior side or rear yard of a lot in a General Industrial (M1) Zone abuts a Residential Zone, the requirements of 4.16 of this By-law

## SECTION 6 – ZONE PROVISIONS

### 6.15 – General Industrial (M1) Zone

shall apply.

#### 6.15.1.9.2 Open storage

The outside display and storage of goods and materials where such are accessory and incidental to a permitted non-residential use is permitted in any yard or a lot in a General Industrial (M1) Zone except that in no circumstance shall such display or storage encroach upon the landscaped open space required herein.

#### 6.15.1.9.3 Property abutting railway

Where a lot or portion thereof abuts a railway right-of-way no interior side or rear yard shall be required along that portion of such lot line which so abuts the railway right-of-way.

#### 6.15.1.9.4 Gate house

A gate house shall be permitted in the front or side yard or in the area between the street line and the required set back of a lot in a General Industrial (M1) Zone.

#### 6.15.1.9.5 Services

Where municipal water and/or sewer services are not available, industrial and commercial uses shall be restricted to those uses of a “dry” nature only. Uses of a dry nature shall mean those in which water is not necessary in the manufacturing, processing and/or fabrication of goods and materials, or those in which water is not necessary to provide a service or goods to the client group. These uses will not result in the need for water supply or sewage disposal systems, beyond those requirements normally considered necessary for the personal use of employees. Furthermore, the number of employees shall not exceed the capacity of individual, on-site services in terms of both water supply and sewage disposal.

#### **M1-1** (Included in subsection 5.1)

(2003-41) 5.1 Notwithstanding the provisions of Section 6.15.1.2 within the area zoned M1-1 the permitted uses shall be restricted to a contractor’s yard and mini-storage facility.

#### **M1-2** (Included in subsection 5.2)

5.2 That part of Lot 2, Concession 2 lying to the south of Cloverleaf Drive shown as M1-2 on Schedule A1 shall be limited to the use as a warehouse for swimming pool supplies only.

OMB File No. R880022

#### **M1-3** (Included in subsection 5.3)

5.3 That Part of Lot 2, Concession 3 lying to the north of Cloverleaf Drive shown as M1-3 on Schedule A1 shall be limited to the use as a sales, repair and body work garage for

## SECTION 6 – ZONE PROVISIONS

### 6.15 – General Industrial (M1) Zone

automobiles, trucks, tractors, motorcycles and snowmobiles within the existing building only.

OMB File No. R880022

**M1-4** (Included in subsection 5.4)

5.4 The part of Lot 1, Concession 2 lying to the south of Cloverleaf Drive shown as M1-4 on Schedule A1 shall be limited to the use as Grader Equipment Rentals only.

OMB File No. R880022

**M1-5** (Included in subsection 5.5)

5.5 The part of Lot 1, Concession 3 shown as M1-5 on Schedule A1 shall be limited to the use as a storage facility for well drilling equipment.

**M1-6** (Included in subsection 5.6)

5.6 That part of Lot 26, Concession 7 lying to the west of Scuttlehole Road shown as M1-6 on Schedule A6 shall be limited to the use as a trucking establishment

**M1-7** (Included in subsection 5.7)

5.7 That part of Lot 19, Concession 4 lying to the west of Bethany Side Road shown as M1-7 on Schedule A5 shall be limited to the use as a storage facility for tree service equipment only.

**M1-8** (Included in subsection 5.8)

5.8 That part of Lot 7, Concession 2 lying to the south of Black Diamond Road shown as M1-8 on Schedule A1 shall be limited to the use as a metal foundry and casting establishment only.

**M1-9** (Included in subsection 5.9)

5.9 That part of Lot 26, Concession 3 lying to the north of the Third Concession Road shown as M1-9 on Schedule A4 shall be limited to the use as a facility for the storage of electrical equipment only.

**M1-10** (Included in subsection 5.14)

5.14 That part of Lot 11, Concession 4 lying to the west of Ritz Road shown as M1-10 on Schedule A5 shall be limited to the use as a storage facility for trucks only.

**M1-11** (Included in subsection 5.16)

(3047) 5.16 That part of Lot 10, Concession 4, lying to the east of Highway No. 37 shown as M1-11 on Schedule A5 shall be used in accordance with the following special provisions in addition to the other relevant provisions of the M1 Zone; specifically:

5.16.1 Notwithstanding Section 1.9 of this By-law to the contrary the lot frontage for the lands zoned M1-11 may be determined utilizing the line forming the western boundary of the subject lot line even through the lands situated

## SECTION 6 – ZONE PROVISIONS

### 6.15 – General Industrial (M1) Zone

between the M1-11 Zone and the subject front lot line are zoned C1 (Highway Commercial).

- 5.16.2 Notwithstanding Section 1.9 of this By-law to the contrary a 4.57 metre right-of-way across the adjacent C1 (Highway Commercial) Zone may be utilized for the purposes of a driveway required by Section 6.15.1.5.8 of this by-law provided the lands zoned M1-11 and the adjacent lands zoned C1 are owned by the same individual.
- 5.16.3 Notwithstanding Section 1.9 of this By-law to the contrary a 4.57 metre right-of-way across the adjacent C1 (Highway Commercial) Zone may be utilized for the purposes of access required by Section 4.11.7 of this By-law to a loading or unloading space provided the lands zoned M1-11 and the adjacent lands zoned C1 are owned by the same individual.
- 5.16.4 Notwithstanding Section 1.9 of this By-law to the contrary a 4.57 metre right-of-way across the adjacent C (Highway Commercial) Zone may be utilized for the purposes of ingress and egress required by Section 4.15.4 of this by-law to parking provided the lands zoned M1-11 and the adjacent lands zoned C1 are owned by the same individual.
- 5.16.5 Notwithstanding Section 6.15.1.5.7.1 of this By-law to the contrary the minimum front yard shall be 0 metres provided the lands zoned M1-11 and the adjacent lands zoned C1 are owned by the same individual.

**M1-12**  
(3111)

(Included in subsection 5.46)

5.46 Notwithstanding the provisions of Sections 6.15.1.5.2, 6.15.1.5.7.1, 6.15.1.5.7.2, 6.15.1.5.7.5, 6.15.1.5.9.2, 6.15.1.5.8.3 and 7.185 to the contrary, on that part of Lot 4, Concession 3, (Part 1, Plan 21R-2703), shown as M1-12 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.46.1 Minimum lot frontage: 41 metres
- 5.46.2 Minimum yards
  - 5.46.2.1 Front yard depth: 12 metres
  - 5.46.2.2 Exterior side yard width: 12 metres
  - 5.46.2.3 Rear yard depth: 5 metres
- 5.46.3 Setback from centre line of street

## SECTION 6 – ZONE PROVISIONS

### 6.15 – General Industrial (M1) Zone

5.46.3.1 County of collector road: 22 metres

5.46.3.2 Township road: 17 metres

5.46.4 Notwithstanding the text of 7.185 to the contrary, for the purposes development on lands zoned M1-12, a private sewage disposal system shall not be considered as a structure.

**M1-13** (Included in subsection 5.49)

(3113) 5.49 Notwithstanding the provisions of Section 6.15, on that part of Lot 9, Concession 3, shown as M1-13 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.49.1 Permitted uses

5.49.1.1 Non-residential uses

5.49.1.1.1 Driveway

5.49.2 Regulations for non-residential uses

5.49.2.1 Minimum lot area: 3065 square metres

5.49.2.2 Minimum lot frontage: 20.11 metres

**M1-14** (Included in subsection 5.50)

(3114) 5.50 Notwithstanding the provisions of Sections 4.13, 6.16.1.4.2, 7.116.5 and 7.117.1 of this By-law to the contrary, the front lot line and lot frontage for lands zoned M1-14 shall be determined utilizing the 20.11 metre line within the M1-13 Zone abutting the Tank Farm Road, even though the lands situated between the M1-14 Zone and the subject front lot line are zoned Special General Industrial (M1-13).

OMB File No. R880022

**M1-15** (Included in subsection 5.32)

5.32

(a) In that part of Lot 25, Concession 4, shown as M1-15 on Schedule A5 (being part 2 on Plan 21R-5902 save and except the most easterly 57.5 metres thereof), notwithstanding the provisions of Section 6.15.1.2 the non-residential uses shall be limited to the following only:

- i) Assembly, fabricating, manufacture and processing of goods and materials (not including foods) together with uses buildings and structures accessory thereto including a machine shop, a welding shop, a workshop, a warehouse except a retail commercial outlet as referred to in Section 7.199, and a wholesale establishment; and



## SECTION 6 – ZONE PROVISIONS

### 6.15 – General Industrial (M1) Zone

- (2010-200)
- ii) Small engine repairs.
  - iii) Postal retail outlet.
- (b) A gatehouse shall not be permitted in the M1-15 Zone.
- (c) All assembling, fabricating, manufacturing, processing and small engine repairs within the M1-15 Zone shall be carried on only within enclosed buildings.
- (d) Outside storage and display of goods and materials shall not be permitted in the following areas of the M1-15 Zone:
- i) The most southerly 150 metres; or
  - ii) The most easterly 5 metres.
- (e) All parking shall be restricted to the area of the M1-15 Zone in which outside storage and display of goods and materials is permitted, except for the following:
- i) Parking of personal vehicles of the owners or occupiers of the residential use located in the M1-15 Zone and their family members,
  - ii) Parking of one truck used in connection with the permitted non-residential uses carried on within the M1-15 Zone;
  - iii) Parking of a maximum of 5 vehicles owned or used by employees of the said permitted non-residential uses; and
  - iv) Temporary parking of vehicles engaged in delivery to or pick up from the said permitted non-residential uses for a period of time not to exceed 24 hours in duration.
- (f) Where a lesser yard than is otherwise required in the M1 Zone exists for a building existing at the date of the passing of this By-law, such lesser yard shall be deemed to comply with the requirements of the M1-15 Zone. Any future development shall comply with the requirements of the M1 Zone.
- (g) In the M1-15 Zone, maximum lot coverage by non-residential buildings shall not exceed 1400 square metres.
- (h) In the M1-15 Zone, an earth berm shall not be included in the screen referred to in the Section 4.16.3.

**M1-16**  
(3239)

(Included in subsection 5.84)

5.84 Notwithstanding the provisions of Section 6.15.1.2 to the contrary, on that part of Lot 5, Concession 3, shown as M1-16 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.84.1 Non-residential uses may also include:
- Service oriented commercial shops

## SECTION 6 – ZONE PROVISIONS

### 6.15 – General Industrial (M1) Zone

- Business and professional offices
- Restaurants and other eating establishments
- Convenience retail
- Personal service shop
- Warehousing
- Transportation and truck terminals

**M1-17** (Included in subsection 5.102)

(3353) 5.102 Notwithstanding the provisions of Section 6.15.1.2 to the contrary on that part of Lot 5, Concession 3 and more specifically described as Part 7, Reference Plan 21R-8138 in the Township of Thurlow, shown as M1-17 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.102.1 Non-residential uses may also include:

- Business, administrative and professional offices
- Eating establishment including drive-in or take-out

**M1-18** (Included in subsection 5.113)

(3511) 5.113 Notwithstanding the provisions of Sections 6.15.1.5.2 to the contrary, on that part of Lot 9, Concession 3, in the Township of Thurlow as shown as M1-18 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.113.1 Minimum lot frontage: 20 metres (65.8 feet)

**M1-19** (Included in subsection 5.131)

(3602) 5.131 Notwithstanding the provisions of Sections 6.15.1.1 and 6.15.1.2 to the contrary on that part of Lot 25, Concession 7, in the Township of Thurlow shown as M1-19 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.131.1 Permitted uses: commercial wood working shop only

**M1-20** (Included in subsection 5.202)

(3914) 5.202 Notwithstanding the provisions of Sections 6.15.1.5.1 and 6.15.1.5.2 to the contrary on that part of Lots 4 and 5, Concession 3, Township of Thurlow shown as M1-20 on Schedule A attached hereto, the following special provisions shall apply in addition to all of the other applicable provisions of the M1 Zone established by By-law 3014:

5.202.1 Minimum lot area: approximately 2590 square metres

5.202.2 Minimum lot frontage: approximately 32.8 metres

## SECTION 6 – ZONE PROVISIONS

### 6.15 – General Industrial (M1) Zone

#### **M1-21**

(99-11)

6.15.1.10 Notwithstanding the Provisions of Section 6.15.1.2 and 6.15.1.5.2 on Part of Lot 33, Registered Plan No. 66, City of Belleville, County of Hastings, within the area zoned “M1-21” the following special provisions shall apply:

Permitted uses shall be limited to a towing storage area for motor vehicles, a motor vehicle repair garage, and a motor vehicle service and sales office.

Minimum Lot Frontage: 32 m

#### **M1-22**

(99-32)

File: B-77-599

Lots 1 - 11 and Lots 36 - 46, Part of the unnamed road allowance lying in front of Lots 1 - 11 and Lots 36 - 46, R.P.53, located in part of Lot 10, Concession 3, (245 Putman Industrial Rd.) formerly in the Township of Thurlow, now in the City of Belleville

6.15.1.11 Notwithstanding the provisions of Section 6.15.1.2, within the area zoned M1-22, the permitted use shall be limited to a buffer area which will not permit the processing or extraction of aggregate, but will permit bulk storage and a contractor's yard.

#### **M1-24**

6.15.1.9.14 Originated by By-law 2000-165

6.15.1.9.14 Amended by By-law 2005-216 to replace in its entirety

6.15.1.9.14 Amended by By-law 2009-2 to replace in its entirety with the following:

(2009-2) File No.: B-77-855

Part Lot 20, Concession 8, Plan 21R-19513, (Phillipston Road) formerly in the Township of Thurlow, now in the City of Belleville

Notwithstanding the provisions of Subsection 6.15.1.2, within the area zoned M1-24, a yard and construction waste composting facility, an indoor food waste composting facility, an indoor non-hazardous solid waste processing and transfer station and an indoor recycling facility shall be the only permitted uses subject to a minimum yard depth of 40 metres from the wetland located on the southern part of the property.

#### **M1-24-h HOLDING PROVISION**

(2000-165) File No.: B-77-655

(2005-216) File No.: B-77-780

(2009-2) i) File No.: B-77-855

*Part Lot 20, Concession 8, Plan 21R-19513, (Phillipston Road) formerly in the Township of Thurlow, now in the City of Belleville*

6.15.1.9.14 Furthermore, within the area zoned M1-24-h an indoor food waste

## SECTION 6 – ZONE PROVISIONS

### 6.15 – General Industrial (M1) Zone

composting facility, an indoor non-hazardous solid waste processing and transfer station and an indoor recycling facility shall not be permitted and the 'h' holding symbol shall not be removed until a site plan agreement has been entered into with the municipality and the Ministry of Environment have issued a Certificate of Approval.

(2015-179) (NOTE TO FILE: By-Law Number 2015-179, passed October 26, 2015, removed the "h" holding symbol **only from the lands described as** 704 Phillipston Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

#### **M1-25**

(2001-46) File No.: B-77-660-S  
Part of Lot 4, Concession 3, (291 Maitland Drive) formerly in the Township of Thurlow, now in the City of Belleville

6.15.1.9.15 Notwithstanding the provisions of Section 6.15.1.5.2, within the area zoned M1-25, the minimum lot frontage shall be 20 metres.

#### **M1-26**

(2001-95) File No.: B-77-665  
Part of Lot 12, Concession 3, (South side of Casey Road) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.15.1.9.16 Notwithstanding the provisions of Section 6.15.1.2, within the area zoned M1-26, a construction contractors yard shall be a permitted use.

Furthermore, notwithstanding and in addition to the requirements of Section 6.15.1.5.7, the minimum distance between the industrial use, including building, parking and storage areas, and an RR - Rural Residential Zone shall be 70 metres.

#### **M1-27**

(2005-218) File No.: B-77-782  
Part of Lot 2, Concession 6, (Old Madoc Road) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.15.1.9.17 Notwithstanding the provisions of Subsection 6.15.1.2, within the area zoned M1-27, the only permitted uses shall be a motor vehicle repair garage, motor vehicle body shop, equipment, including farm equipment sales and service, warehousing, truck terminal, contractors yard and nursery and landscape supply business, subject to neither sodium and/or chloride being used or stored on the subject lands.

#### **M1-28**

(2006-130) File No.: B-77-796  
Part of Lot 9, Concession 2, part of Lots 41, 42, 46 and 47, Registered Plan 66, (Putman Industrial Road) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings being Parts 6 and 9, Reference Plan 21R-20219

## SECTION 6 – ZONE PROVISIONS

### 6.15 – General Industrial (M1) Zone

6.15.1.9.18 Notwithstanding the provisions of Subsection 6.15.1.2, within the area zoned M1-28, an administrative, business or professional office, shall be a permitted use, in addition to the other uses permitted by Subsection 6.15.1.

#### **M1-28-h** HOLDING PROVISION

(2006-130) *i) File No.: B-77-796  
Part of Lot 9, Concession 2, part of Lots 41, 42, 46 and 47, Registered Plan 66,  
(Putman Industrial Road) formerly in the Township of Thurlow, now in the City  
of Belleville, County of Hastings being Parts 6 and 9, Reference Plan 21R-20219*

6.15.1.9.18 Notwithstanding the provisions of Subsection 6.15.1, within the area zoned M1-28-h, no person shall erect any building or structure or use the land for any purpose other than the uses existing on the day of the passing of the M1-28-h zone. The 'h' holding symbol shall not be removed from the M1-28-h zone until a cul-de-sac has been constructed to an engineered standard to the satisfaction of the municipality in order to establish proper frontage on a public street for the subject lands.

#### **M1-29**

(2007-82) File No.: B-77-820  
Part of Lots 3 and 4, Concession 4, (28 Farnham Road) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.15.1.9.19 Notwithstanding the provisions of Subsection 6.15.1.2, within the area zoned M1-29, motor vehicle and recreational vehicle sales shall be permitted, in addition to the other uses permitted by Subsection 6.15.1.

#### **M1-30**

(2011-5) File No.: B-77-894  
94 and 112 Latta Drive, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.15.1.9.20 Notwithstanding the provisions of Subsection 6.15.1.5.7.4, within the area zoned M1-30, the interior side yard width shall be 2.2 metres for the northerly building existing on the day of the passage of this By-Law.

#### **M1-31**

(2014-116) File No.: B-77-960  
365 Maitland Drive, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.15.1.9.21 Notwithstanding the provisions of Subsection 6.15.1.2, within the area zoned M1-31, a fitness studio shall be a permitted use, in addition to the uses permitted by Subsection 6.15.1.

#### **M1-32**

(2016-41) File No.: B-77-944  
25 Blessington Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

## SECTION 6 – ZONE PROVISIONS

### 6.15 – General Industrial (M1) Zone

6.15.1.9.22 Notwithstanding the provisions of Subsection 6.15.1, within the area zoned M1-32, the permitted uses shall be limited to a heating and plumbing shop, with the associated parking of trucks, as well as a store and lock facility.

#### **M1-33**

(2016-113) File No.: B-77-1005

86 and 93 River Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.15.1.9.23 Notwithstanding and in addition to the provisions of Subsection 6.15.1.2, within the area zoned M1-33, an assembly hall, patio, and retail commercial establishment shall be permitted.

#### **M1-34**

(2016-113)

6.15.1.9.24 Notwithstanding the provisions of Subsections 4.15.11, 4.15.12 and 6.15.1, within the area zoned M1-34, a parking lot and a private sewage disposal system associated with development in the M1-33 zone shall be the only permitted uses. The parking lot shall be subject to a minimum parking space width of 2.4 m and a minimum parking aisle width of 6.7 m.

#### **M1-33-h HOLDING PROVISION**

##### **M1-34-h**

(2016-113) *i) File No.: B-77-1005*

*86 and 93 River Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

6.15.1.9.24 Notwithstanding the provisions of Subsection 6.15.1 within the areas zoned M1-33-h and M1-34-h, no person shall use land for an assembly hall, patio, retail commercial establishment, or parking lot. The h – holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that site plan approval has been granted, and the owner has entered into a legal agreement with the adjacent land owner within the M1-34-h zone to permit the location of a portion of the required off-street parking spaces for the development on the adjacent property.

## **SECTION 6 – ZONE PROVISIONS**

### **6.16 – Extractive Industrial (M2) Zone**

#### 6.16 EXTRACTIVE INDUSTRIAL (M2) ZONE

##### 6.16.1 PERMITTED USES

No person shall within an Extractive Industrial (M2) Zone use any land or erect, alter or use any building or structure except as permitted or required herein.

##### 6.16.1.1 Residential uses

Prohibited

##### 6.16.1.2 Non-residential uses

###### 6.16.1.2.1 Pit

###### 6.16.1.2.2 Quarry

###### 6.16.1.2.3 Processing plant

###### 6.16.1.2.4 Open storage

###### 6.16.1.2.5 Farm

##### 6.16.1.3 Accessory uses

Uses, buildings and structures accessory to any of the permitted uses in accordance with 4.1 of this By-law..

##### 6.16.1.4 REGULATIONS FOR NON-RESIDENTIAL USES

###### 6.16.1.4.1 Minimum lot area: none

###### 6.16.1.4.2 Minimum lot frontage: none

###### 6.16.1.4.3 Minimum ground floor area: none

###### 6.16.1.4.4 Maximum lot coverage: none

###### 6.16.1.4.5 Maximum height of buildings: subject to federal air space restrictions

###### 6.16.1.4.6 Minimum landscaped open space: none

###### 6.16.1.4.7 Driveways

###### 6.16.1.4.7.1 Maximum width at property line: 9 metres

###### 6.16.1.4.7.2 Minimum separation between driveways: 15 metres

###### 6.16.1.4.8 Setback from centre line of street

###### 6.16.1.4.8.1 Provincial highway: 49 metres

## **SECTION 6 – ZONE PROVISIONS**

### **6.16 – Extractive Industrial (M2) Zone**

6.16.1.4.8.2 County road: 43 metres

#### **6.16.1.5 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES**

##### **6.16.1.5.1 Minimum yards**

6.16.1.5.1.1 Front yard depth: 30 metres

6.16.1.5.1.2 Exterior side yard width: 30 metres

6.16.1.5.1.3 Interior side yard width: 15 metres

6.16.1.5.1.4 Interior side yard width abutting a Residential Zone: 30 metres

6.16.1.5.1.5 Rear yard depth: 15 metres

6.16.1.5.1.6 Rear yard depth abutting a Residential Zone: 30 metres

#### **6.16.1.6 REGULATIONS FOR OFF-STREET PARKING**

**Refer to Section 4.15**

#### **6.16.1.7 SPECIAL PROVISIONS**

##### **6.16.1.7.1 Planting strips and screens**

OMB File #R880022

Where a pit or quarry is exposed to public view it shall be adequately screened by means of berms, planting strips or screens in accordance with the requirements of Section 4.16 of this By-law.

##### **6.16.1.7.2 Pit or quarry location**

OMB File #R880022

6.16.1.7.2.1 No pit or quarry shall be located closer than 50 metres to a residential use or a residential zone. Blasting shall not be permitted closer than 150 metres to an adjacent residential use or residential zone. Nothing in this subsection shall apply to a pit or quarry which was licensed and in good standing pursuant to the Pits and Quarries Control Act, R.S.O., 1980 as of the date of the passing of this By-law, so long as such pit or quarry remains licensed and in good standing.

OMB File #R880022

6.16.1.7.2.2 No pit or quarry shall be located closer than 30 metres from a lot line abutting a street.

OMB File #R880022

6.16.1.7.2.3 No pit or quarry shall be located closer than 15 metres from a lot line not abutting a street.

6.16.1.7.2.4 Amended by OMB File #R880022 to delete section in its entirety



## **SECTION 6 – ZONE PROVISIONS**

### **6.16 – Extractive Industrial (M2) Zone**

#### **M2-1**

(99-32)

File No.: B-77-599

Lots 1 - 11 and Lots 36 - 46, part of the unnamed road allowance lying in front of Lots 1 - 11 and Lots 36 - 46, R.P.53, located in part of Lot 10, Concession 3, (245 Putman Industrial Rd.) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

- 6.16.1.8 Notwithstanding and in addition to the provisions of Section 6.16.1.2, within the area zoned M2-1, an asphalt plant shall be a permitted use.

## **SECTION 6 – ZONE PROVISIONS**

### **6.17 – Waste Disposal Industrial (M3) Zone**

#### 6.17 WASTE DISPOSAL INDUSTRIAL (M3) ZONE

##### 6.17.1 PERMITTED USES

No person shall within a Waste Disposal Industrial (M3) Zone use any land or erect, alter or use any building or structure except as permitted or required herein.

##### 6.17.1.1 Residential uses

Prohibited

##### 6.17.1.2 Non-residential uses

6.17.1.2.1 Incinerator plant

6.17.1.2.2 Sanitary land fill

6.17.1.2.3 Sewage disposal plant

6.17.1.2.4 Sewage lagoon

6.17.1.2.5 Salvage yard

##### 6.17.1.3 Accessory uses

Uses, buildings and structures accessory to any of the permitted uses in accordance with 4.1 or this By-law..

##### 6.17.1.4 REGULATIONS FOR NON-RESIDENTIAL USES

6.17.1.4.1 Minimum lot area: 5 hectares

6.17.1.4.2 Minimum lot frontage: 200 metres

6.17.1.4.3 Maximum height of buildings: none

6.17.1.4.4 Minimum landscaped open space: 5 percent

6.17.1.4.5 Maximum lot coverage: 50 percent

6.17.1.4.6 Minimum yards – all buildings

6.17.1.4.6.1 Front yard depth: 60 metres

6.17.1.4.6.2 Exterior side yard width: 60 metres

6.17.1.4.6.3 Interior side yard width: 60 metres

6.17.1.4.6.4 Interior side yard abutting a Residential Zone: 90 metres

6.17.1.4.6.5 Rear yard depth: 60 metres

## SECTION 6 – ZONE PROVISIONS

### 6.17 – Waste Disposal Industrial (M3) Zone

6.17.1.4.6.6 Rear yard depth abutting a Residential Zone: 90 metres

6.17.1.4.7 Driveways

6.17.1.4.7.1 Maximum width at property line: 9 metres

6.17.1.4.7.2 Minimum separation between driveways: 30 metres

6.17.1.4.8 Setback from centre line of street

6.17.1.4.8.1 Provincial highway: 79 metres

6.17.1.4.8.2 County road: 74 metres

6.17.1.4.8.3 Township road: 71 metres

6.17.1.5 REGULATIONS FOR OFF-STREET PARKING

Refer to Section 4.15

6.17.1.6 SPECIAL PROVISIONS

6.17.1.6.1 Certificate of approval

No person shall establish, alter, enlarge or extend a permitted non-residential use in a Waste Disposal Industrial (M3) Zone unless a certificate of approval has been issued under the Environmental Protection Act.

6.17.1.6.2 Operation

Permitted non-residential uses on a lot in a Waste Disposal Industrial (M3) Zone shall be operated in accordance with the regulations made under the Environmental Protection Act.

6.17.1.6.3 Location

No permitted non-residential use on a lot in a Waste Disposal Industrial (M3) Zone shall be located closer than 150 metres to a Residential Zone.

6.17.1.6.4 Planting strips and screens

Where a lot in a Waste Disposal Industrial (M3) Zone abuts a Residential Zone the requirements of 4.16 of this By-law shall apply. In addition, a minimum width of 3 metres abutting all lot lines shall be maintained as landscaped area and shall provide visual screening of open storage areas and disposal operations.

**M3-1** (Included in subsection 5.184)

(3843) 5.184 Notwithstanding the provisions of Sections 6.17.1.1, 6.17.1.6.1, and 6.17.1.6.3 to the contrary on that part of Lot 20, Concession 8, in the Township of Thurlow shown as M3-1

## **SECTION 6 – ZONE PROVISIONS**

### **6.17 – Waste Disposal Industrial (M3) Zone**

on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.184.1 Residential uses: one single unit dwelling from the owner or manager of the salvage yard is permitted.
- 5.184.2 Non-residential uses shall be restricted to a wrecking yard.
- 5.184.3 No Certificate of Approval from the Ministry of the Environment and Energy shall be required for the salvage yard operation, however, a license from the Ministry of Transportation and the Township of Thurlow shall be required.
- 5.184.4 The limits of the legal non-conforming salvage yard shall be located no closer than 150 metres to a residential zone which was granted by Council after September 1<sup>st</sup>, 1995. All residential zones within 150 metres of the area to be zoned M3-1 shall be permitted.

## **SECTION 6 – ZONE PROVISIONS**

### **6.18 – Community Facility (CF) Zone**

#### 6.18 COMMUNITY FACILITY (CF) ZONE

##### 6.18.1 PERMITTED USES

No person shall within a Community Facility (CF) Zone use any land or erect, alter or use any building or structure except as permitted or required herein.

##### 6.18.1.1 Residential uses

6.18.1.1.1 Home for the aged

6.18.1.1.2 Single family dwelling house

6.18.1.1.3 Dwelling unit as part of a non-residential building

##### 6.18.1.2 Non-residential uses

6.18.1.2.1 Athletic field

6.18.1.2.2 Arena

6.18.1.2.3 Assembly hall

6.18.1.2.4 Cemetery

6.18.1.2.5 Community centre

6.18.1.2.6 Conservation area

6.18.1.2.7 Day care/nursery centre

6.18.1.2.8 Educational facility

6.18.1.2.9 Elderly persons centre

6.18.1.2.10 Fairgrounds

6.18.1.2.11 Golf Course

6.18.1.2.12 Government administration building & services buildings

6.18.1.2.13 Group home

6.18.1.2.14 Hospice

6.18.1.2.15 Hospital

6.18.1.2.16 Law enforcement establishment

6.18.1.2.17 Library

6.18.1.2.18 Museum

## **SECTION 6 – ZONE PROVISIONS**

### **6.18 – Community Facility (CF) Zone**

- 6.18.1.2.19 Nursing home
- 6.18.1.2.20 Park including tent & trailer park
- 6.18.1.2.21 Place of worship
- 6.18.1.2.22 Post office
- 6.18.1.2.23 Private club or fraternal lodge
- 6.18.1.2.24 Public use
- 6.18.1.2.25 School
- 6.18.1.3 Accessory uses
  - Uses, buildings and structures accessory to any of the permitted uses in accordance with 4.1 of this By-law..
- 6.18.1.4 REGULATIONS FOR RESIDENTIAL USES
  - The regulations for residential uses as specified in 6.1 and 6.5 hereof, for serviced and un-serviced development shall apply within the Community Facility (CF) Zone. In addition, the following requirements shall apply.
  - 6.18.1.4.1 Minimum separation
    - Where a dwelling house is erected or any building or structure is altered or used as a dwelling house, such dwelling house shall not be located closer than 3 metres from a permitted non-residential use.
  - 6.18.1.4.2 Dwelling units in a non-residential building
    - 6.18.1.4.2.1 Maximum number of dwelling units: 4
    - 6.18.1.4.2.2 Maximum number of dwelling units in a senior citizens home
    - 6.18.1.4.2.3 Dwelling unit area
      - 6.18.1.4.2.3.1 Bachelor: 42 sq. metres
      - 6.18.1.4.2.3.2 One bedroom: 55 sq. metres
      - 6.18.1.4.2.3.3 Two bedrooms: 70 sq. metres
      - 6.18.1.4.2.3.4 More than two bedrooms: 70 sq. metres plus 9 sq. metres above two bedrooms
- 6.18.1.5 REGULATIONS FOR NON-RESIDENTIAL USES
  - 6.18.1.5.1 Minimum lot area

## **SECTION 6 – ZONE PROVISIONS**

### **6.18 – Community Facility (CF) Zone**

- 6.18.1.5.1.1 Municipal services: none
- 6.18.1.5.1.2 Private services: 4,000 sq. metres
- 6.18.1.5.2 Minimum lot frontage
  - 6.18.1.5.2.1 Municipal services: none
- 6.18.1.5.3 Minimum ground floor area: none
- 6.18.1.5.4 Maximum lot coverage: 50 percent
- 6.18.1.5.5 Maximum height of buildings: 11 metres
- 6.18.1.5.6 Minimum landscaped open space: 30 percent
- 6.18.1.5.7 Minimum yards
  - 6.18.1.5.7.1 Front yard depth: 7.5 metres
  - 6.18.1.5.7.2 Exterior side yard width: 7.5 metres
  - 6.18.1.5.7.3 Interior side yard width: 7.5 metres
  - 6.18.1.5.7.4 Interior side yard width abutting a Residential Zone: 10 metres
  - 6.18.1.5.7.5 Rear yard depth: 7.5 metres
  - 6.18.1.5.7.6 Rear yard depth abutting a Residential Zone: 10 metres
- 6.18.1.5.8 Driveways
  - 6.18.1.5.8.1 Maximum width at property line: 9 metres
  - 6.18.1.5.8.2 Minimum separation between driveways: 15 metres
- 6.18.1.5.9 Setback from centre line of street
  - 6.18.1.5.9.1 Provincial highway: 26 metres
  - 6.18.1.5.9.2 County or collector road: 21 metres
  - 6.18.1.5.9.3 Township road: 17.6 metres
  - 6.18.1.5.9.4 Where a service road is a requirement an additional setback of 12.2 metres shall apply
- 6.18.1.5.10 REGULATIONS FOR DETACHED ACCESSORY BUILDINGS
  - 6.18.1.5.10.1 Exterior side yard width: 5 metres
  - 6.18.1.5.10.2 Interior side yard width: 5 metres

## SECTION 6 – ZONE PROVISIONS

### 6.18 – Community Facility (CF) Zone

6.18.1.5.10.3 Rear yard depth: 7.5 metres

#### 6.18.1.5.11 REGULATIONS FOR OFF-STREET PARKING

Refer to Section 4.15

#### 6.18.1.5.12 SPECIAL PROVISIONS

##### 6.18.1.5.12.1 Planting strips and screens

Where the interior side yard or rear yard of a lot in a Community Facility (CF) Zone abuts a residential zone, the requirement of 4.16 of this By-law shall apply.

##### 6.18.1.5.12.2 Single Family Dwelling

A single family dwelling house may be erected in a Community Facility (CF) Zone provided it is ancillary to a permitted non-residential use and is occupied by a person employed by the non-residential use.

OMB File No. R880022

**CF-1** (Included in subsection 5.30)

5.30 Those parts of Lots 10 & 11, Concession 5 & 6 shown as CF-1 on Schedules A2 & A5 shall be limited to use as a private shooting preserve and club house facilities.

**CF-2** (Included in subsection 5.41)

(3123) 5.41 Notwithstanding the provisions of Sections 6.18.1, 6.18.1.5 to the contrary, that part of Lot 5, Concession 3 shown as CF-2 on Schedule A1 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

##### 5.41.1 PERMITTED USES

###### 5.41.1.1 Residential uses

5.41.1.1.1 Dwelling unit as part of a non-residential building

###### 5.41.1.2 Non-residential uses

5.41.1.2.1 Retirement home

##### 5.41.2 REGULATIONS FOR NON-RESIDENTIAL USES

5.41.2.1 Minimum lot area: 1.2 hectares

5.41.2.2 Minimum lot frontage: 45 metres



## SECTION 6 – ZONE PROVISIONS

### 6.18 – Community Facility (CF) Zone

- CF-3** (Included in subsection 5.141)  
(3644) 5.141 Notwithstanding the provisions of Sections 6.18.1.1 and 6.18.1.2, to the contrary on that part of Lots 5, 6 and 7, Concession 3, in the Township of Thurlow as shown as CF-3 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.141.1 Permitted residential uses: none
- 5.141.2 Permitted non-residential uses:
- Athletic field
  - Conservation area
  - Park (excluding a tent and trailer park)
  - Public use not requiring above ground structures
- 5.141.3 Prohibited uses: those uses which require buildings and/or municipal water and sewage treatment services.
- CF-4** (Included in subsection 5.142)  
(3645) 5.142 Notwithstanding the provisions of Sections 6.18.1.1 and 6.18.1.2, to the contrary on that part of Lots 5, 6, and 7, Concession 3, in the Township of Thurlow as shown as CF-4 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.142.1 Permitted residential uses: none
- 5.142.2 Permitted non-residential uses:
- Athletic field
  - Conservation area
  - Park (Excluding a tent and trailer park)
  - Public uses not requiring above ground structures
- 5.142.3 Prohibited uses: those uses which require buildings and or municipal water and sewage treatment services.
- CF-4** (Included in subsection 5.199)  
(3902) 5.199 Notwithstanding the provisions of Sections 6.18.1.1 and 6.18.1.2, to the contrary on that part of Lots 5, 6 and 7, Concession 3, in the Township of Thurlow as shown as CF-4 on Schedule A1 as amended, the following Special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.199.1 Permitted residential uses: none
- 5.199.2 Permitted non-residential uses:
- Athletic field
  - Conservation area
  - Park (excluding a tent and trailer park)

## SECTION 6 – ZONE PROVISIONS

### 6.18 – Community Facility (CF) Zone

- Public use not requiring above ground structures

5.199.3 Prohibited uses: those uses which require buildings and/or municipal water and sanitary sewer services.

**CF-5** (Included in subsection 5.201)

(3907) 5.201 Notwithstanding the provisions of Sections 6.18.1.1 and 6.18.1.2 to the contrary on that part of Lots 1 and 2, Concession 3 in the Township of Thurlow as shown as CF-5 on Schedule A1, as amended, the following special provisions shall apply, in addition to all other applicable provisions of the By-law:

5.201.1 Permitted residential uses: none

5.201.2 Permitted non-residential uses:

- Athletic field
- Conservation area
- Park (excluding a tent and trailer park)
- Public use not requiring above ground structures

**CF-6** (Included in subsection 5.215)

(3983) 5.215 Notwithstanding the provisions of Sections 6.18.1.2 and 6.18.1.5.7.5 to the contrary on that part of Lot 6, concession 4, in the Township of Thurlow shown as CF-6 on Schedule A attached here to, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.215.1 Permitted use: crematorium

5.215.2 Rear yard setback for all cemetery plots: 91 metres (300 feet)

**CF-6**

(98-136)

File No.: B-77-591

Part of Park Lot 1, Registered Plan 124, part of Lot 6, Concession 3, formerly in the Township of Thurlow, now City of Belleville, County of Hastings

6.18.1.5.13 Notwithstanding the provisions of Sections 6.18.1.1 and 6.18.1.2 the permitted uses in the CF-6 Zone shall be restricted to the following:

Stormwater management facilities; passive park; public uses

**CF-7**

(2003-173)

File No: B-77-735

Part of Lots 9, 10, 11, Concession 5 and part of Lots 8, 10, 11, Concession 6, (Black Bear Ridge), formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.18.1.5.14 Notwithstanding provisions of Sections 6.18.1.1 and 6.18.1.2 of this By-Law, within the area zoned CF-7 the permitted uses shall be limited to golf courses, club house and pro shop, golf maintenance facilities, a golf

## SECTION 6 – ZONE PROVISIONS

### 6.18 – Community Facility (CF) Zone

teaching academy with visitor's accommodations and practice ranges.

#### CF-7-h HOLDING PROVISION

(2003-173) *i) File No: B-77-735  
Part of Lots 9, 10, 11, Concession 5 and part of Lots 8, 10, 11, Concession 6,  
(Black Bear Ridge), formerly in the Township of Thurlow, now in the City of  
Belleville, County of Hastings*

6.18.1.5.14 Notwithstanding the provisions of Sections 6.18.1.1 and 6.18.1.2 of this By-Law, within the area zoned CF-7-h, no person shall erect any building or structure or use any building, structure or land for any purpose, other than the uses that existed on the day of the passage of this By-Law. The 'h' holding symbol shall be removed in accordance with Section 36 of the Planning Act, R.S.O., 1990, as amended, provided that an Environmental Impact Study has been completed to the satisfaction of the City of Belleville in consultation with Quinte Conservation.

(2004-41) **(NOTE TO FILE:** By-Law Number 2004-41 passed April 13, 2004 removed 'h - holding' symbol on this property.)

#### CF-8

(2003-173) File No: B-77-735  
Part of Lots 9, 10, 11, Concession 5 and part of Lots 8, 10, 11,  
Concession 6, (Black Bear Ridge), formerly in the Township of Thurlow,  
now in the City of Belleville, County of Hastings

6.18.1.5.15 Notwithstanding the provisions of Sections 6.18.1.1 and 6.18.1.2 of this By-Law, within the area zoned CF-8, the permitted uses shall be limited to boat docking and launching facilities, tennis courts and other outdoor recreational facilities, a clubhouse including visitors accommodations and parking space ancillary thereto.

#### CF-8-h HOLDING PROVISION

(2003-173) *i) File No: B-77-735  
Part of Lots 9, 10, 11, Concession 5 and part of Lots 8, 10, 11, Concession 6,  
(Black Bear Ridge), formerly in the Township of Thurlow, now in the City of  
Belleville, County of Hastings*

6.18.1.5.15 Notwithstanding the provisions of Sections 6.18.1.1 and 6.18.1.2 of this By-Law, within the area zoned CF-8-h, no person shall erect any building or structure or use any building, structure or land for any purpose, other than the uses that existed on the day of the passage of this By-Law. The 'h' holding symbol shall be removed in accordance with Section 36 of the Planning Act, R.S.O., 1990, as amended, provided that an environmental impact study has been completed to the satisfaction of the City of Belleville in consultation with Quinte Conservation and that a Stage 2 Archeological Assessment has been completed to the satisfaction of the Ministry of Culture.

## SECTION 6 – ZONE PROVISIONS

### 6.18 – Community Facility (CF) Zone

#### CF-9

(2006-193) File No.: B-77-806

Plan 21R-17781, Part 7, part of Lots 1 and 2, Concession 3, (Maitland Drive – Settlers' Ridge) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.18.1.5.16 Notwithstanding the provisions of Subsection 6.18.1, within the area (2006-193) zoned CF-9, the permitted uses shall be limited to a storm water management pond and landscaped open space.

#### CF-9-H HOLDING PROVISION

(2006-193) i) *File No.: B-77-806*

*Plan 21R-17781, Part 7, part of Lots 1 and 2, Concession 3, (Maitland Drive – Settlers' Ridge) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

6.18.1.5.16 Notwithstanding the subsections 6.18.1, within the area zoned CF-9-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this By-law. The h- holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, provided that sufficient water supply and pressure is available to service the development, and a sanitary sewer servicing strategy, Stormwater Management Report, Hydrogeological Report, and a Geotechnical Report have been prepared all to the satisfaction of the City of Belleville.

(2009-77) (NOTE TO FILE: By-Law Number 2009-77 passed May 11, 2009 removed 'h' - holding symbol on this property.)

#### CF-10

(2006-193) File No.: B-77-806

Plan 21R-17781, Part 7, part of Lots 1 and 2, Concession 3, (Maitland Drive – Settlers' Ridge) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.18.1.5.17 Notwithstanding the provisions of Subsection 6.18.1, within the area zoned CF-10, the permitted uses shall be limited to a municipal park and recreational facilities.

#### CF-10-h HOLDING PROVISION

(2006-193) i) *File No.: B-77-806*

*Plan 21R-17781, Part 7, part of Lots 1 and 2, Concession 3, (Maitland Drive – Settlers' Ridge) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

6.18.1.5.17 Notwithstanding the provisions of Subsection 6.18.1, within the area zoned CF-10-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of 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,

**SECTION 6 – ZONE PROVISIONS**  
**6.18 – Community Facility (CF) Zone**

provided that sufficient water supply and pressure is available to service the development, and that a sanitary sewer servicing strategy, Stormwater Management Report, Hydrogeological Report and a Geotechnical Report have been prepared all to the satisfaction of the City of Belleville.

(2010-102) (NOTE TO FILE:

By-Law Number 2010-102 passed June 14, 2010 removed 'h' - holding symbol on this property.)

## **SECTION 6 – ZONE PROVISIONS**

### **6.19 – Prime Agriculture (PA) Zone**

#### **6.19 PRIME AGRICULTURE (PA) ZONE**

##### **6.19.1 PERMITTED USES**

No person shall within a Prime Agriculture (PA) Zone use any land or erect, alter or use any building or structure except as permitted or required herein.

##### **6.19.1.1 Residential uses**

6.19.1.1.1 Single family dwelling house

6.19.1.1.2 Group home in accordance with 4.18.2 of this By-law

6.19.1.1.3 Home occupation

6.19.1.1.4 Converted dwelling house (maximum 2 dwelling units)

##### **6.19.1.2 Non-residential uses**

6.19.1.2.1 Farm

6.19.1.2.2 Conservation uses

6.19.1.2.3 Farm Produce outlet

6.19.1.2.4 Wayside pit or quarry

##### **6.19.1.3 Accessory uses**

Uses, buildings and structures accessory to any of the permitted uses in accordance with 4.1 of this By-law..

OMB File # R880022

##### **6.19.1.4 Floor area and yard requirements for residential uses**

The floor area and yard requirements for residential uses as specified in 6.5 hereof shall apply within the Prime Agriculture (PA) Zone.

##### **6.19.1.5 REGULATIONS FOR NON-RESIDENTIAL USES**

6.19.1.5.1 Minimum lot area: 25 hectares

6.19.1.5.2 Minimum lot frontage: 100 metres

6.19.1.5.3 Maximum ground floor area: none

6.19.1.5.4 Maximum lot coverage: none

6.19.1.5.5 Maximum height of buildings: 15 metres

6.19.1.5.6 Minimum landscaped open space: none

## SECTION 6 – ZONE PROVISIONS

### 6.19 – Prime Agriculture (PA) Zone

#### 6.19.1.5.7 Minimum yards – all buildings

6.19.1.5.7.1 Front yard depth: 15 metres

6.19.1.5.7.2 Exterior side yard width: 15 metres

6.19.1.5.7.3 Interior side yard width: 7.5 metres

6.19.1.5.7.4 Rear yard depth: 7.5 metres

#### 6.19.1.5.8 Setback from centre line of street – all buildings

6.19.1.5.8.1 Provincial highway: 33.4 metres

6.19.1.5.8.2 County road: 28.4 metres

6.19.1.5.8.3 Township road: 25.1 metres

6.19.1.5.8.4 Where a service road is a requirement, an additional setback of 12.2 metres shall be provided

#### 6.19.1.6 REGULATIONS FOR HOME OCCUPATIONS

Refer to Section 4.8

#### 6.19.1.7 SPECIAL PROVISIONS

##### 6.19.1.7.1 Separation requirements

(2016-86) File No.: B-77-1001

A barn, shelter or stable for domestic animals or fowl and a feed lot or manure storage area shall be located in accordance with the MDS II formula developed by the Ontario Ministry of Agriculture, Food and Rural Affairs, or any successor thereto.

##### 6.19.1.7.2 Farm produce sales

A farm produce sales outlet shall be permitted on a lot in the Prime Agriculture (PA) Zone, provided that the majority of the produce is from the farm on which the outlet is located.

##### 6.19.1.7.3 Exception zone

On lands designated PA-1 in part of Lots 20, 21 and 22, Concession 1 an airport together with its ancillary buildings and uses shall be a permitted use.

OMB File # R880022

##### 6.19.1.7.4 Second residence on a farm

Nothing in this By-law shall prevent the erection of a second residence necessitated by the operation of a farm.

## SECTION 6 – ZONE PROVISIONS

### 6.19 – Prime Agriculture (PA) Zone

- PA-1** (Included in subsection 5.18)  
(3052) 5.18 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 4, Concession 7 shown as PA-1 on Schedule A6 the minimum lot area requirement shall be 6.0 hectares.
- PA-3** (Included in subsection 5.20)  
(3083) 5.20 Notwithstanding the provisions of Sections 4.13, 6.19.1.1, 6.19.1.5.1, 6.19.1.5.2, 7.116.5 and 7.117.1 to the contrary, on that part of Lot 11, Concession 4, south of County Road No. 6, shown as PA-3 on Schedule A5 the following special provisions shall apply in addition to all other applicable provisions of this by-law:
- 5.20.1 Permitted uses
    - 5.20.1.1 Farm
    - 5.20.1.2 Conservation uses
    - 5.20.1.3 Farm produce outlet
    - 5.20.1.4 Wayside pit or quarry
  - 5.20.2 Regulations for non-residential uses
    - 5.20.2.1 Minimum lot area: 1.3 hectares
    - 5.20.2.2 Minimum lot frontage: 87 metres
  - 5.20.3 Front lot line
    - 5.20.3.1 Notwithstanding the provisions of Sections 4.13, 7.116.5 and 7.117.1 of this By-law to the contrary the front lot line and lot frontage for lands zoned PA-3 shall be determined utilizing the line abutting the road allowance of County Road No. 6 even though the lands situated between the PA-3 Zone and the subject front lot line are zoned M (General Industrial).
- PA-4** (Included in subsection 5.21)  
(3083) 5.21 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 11, Concession 4, south of the County Road No. 6 shown as PA-4 on Schedule A5 the minimum lot area requirement shall be 9.0 hectares.
- PA-5** (Included in subsection 5.24)  
(3074) 5.24 Notwithstanding the provisions of Sections 4.13, 6.19.1.1, 6.19.1.5.1, 6.19.1.5.2, 7.116.5 and 7.117.1 to the contrary, on that part of Lot 24, Concession 6, north of the 6<sup>th</sup> Concession Road, shown as PA-5 of Schedule A5 the following special provisions shall apply in addition to all other applicable



## SECTION 6 – ZONE PROVISIONS

### 6.19 – Prime Agriculture (PA) Zone

provisions of this By-law:

#### 5.24.1 Permitted uses

5.24.1.1 Farm

5.24.1.2 Conservation uses

5.24.1.3 Farm produce outlet

5.24.1.4 Wayside pit or quarry

#### 5.24.2 Regulations for non-residential uses

5.24.2.1 Minimum lot area: 0.5 hectares

5.24.2.2 Minimum lot frontage: 52 metres

#### 5.24.3 Front lot line

5.24.3.1 Notwithstanding the provisions of Sections 4.13, 7.116.5 and 7.117.1 of this By-law to the contrary the front lot line and the lot frontage for lands zoned PA-5 shall be determined utilizing the line abutting the road allowance of the 6<sup>th</sup> Concession Road even though the lands situated between the PA-5 Zone and the subject front lot line are zoned H (Hazard) and RR (Rural Residential).

**PA-6** (Included in subsection 5.34)

(3096)

5.34 Notwithstanding the provisions of Sections 4.13, 6.19.1.5.1, 7.116.5 and 7.117.1 to the contrary, on that part of Lot 2, Concession 3 south of Sunningdale Drive shown as PA-6 on Schedule A1 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

#### 5.34.1 Regulations for non-residential uses

5.34.1.1 Minimum lot area: 6.6 hectares

5.34.1.2 Minimum lot frontage: 150 metres

#### 5.34.2 Front lot line

5.34.2.1 Notwithstanding the provisions of Sections 4.13, 7.116.5 and 7.117 of this By-law to the contrary the front lot line and lot frontage for lands zoned PA-6 shall be determined utilizing the line abutting road allowance of Sunningdale Drive, even through the lands situated between the PA-6 zone and the subject front lot line are zoned D (Development).

## SECTION 6 – ZONE PROVISIONS

### 6.19 – Prime Agriculture (PA) Zone

- PA-7** (3097) (Included in subsection 5.35)  
5.35 Notwithstanding the provisions of Section 6.19.1.4 to the contrary, on that part of Lot 19, Concession 6 south of the 6<sup>th</sup> Concession Road shown as PA-7 on Schedule A5 the minimum lot area requirement shall be 3.1 hectares and the minimum lot frontage requirement shall be 45 metres.
- PA-8** (3119) (Included in subsection 5.55)  
5.55 Notwithstanding the provisions of Section 6.19.1.5.1 of this By-law to the contrary, on that part of Lot 25 and 26, Concession 7 shown as PA-8 on Schedule A6 the minimum lot area requirement shall be 17.4 hectares.
- PA-9** (3133) (Included in subsection 5.57)  
5.57 Notwithstanding the provisions of Sections 4.13, 6.19.1.5.1 and 6.19.1.5.2 to the contrary, on that part of Lot 2, Concession 8 shown as PA-9 on Schedule A6 as amended, the following special provision shall apply in addition to all other applicable provisions of this By-law:
- 5.57.1 Minimum lot area: 16.18 hectares (40 acres)
  - 5.57.2 Minimum lot frontage: 45.72 metres (150 feet)
- PA-10** (3160) (Included in subsection 5.60)  
5.60 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Part Lot 3 and 4, Concession 9 shown as PA-10 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this by-law;
- 5.60.1 Minimum Lot Area: 24.28 hectares (60 acres)
- PA-11** (3162) (Included in subsection 5.61)  
5.61 Notwithstanding the provisions of Section 6.19 to the contrary, on that part of Part Lot 3, Concession 7 shown as PA-11 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.61.1 Permitted uses
    - 5.61.1.1 Single family dwelling house
    - 5.61.1.2 Licensed kennel operations
  - 5.61.2 Regulations and permitted uses
    - 5.61.2.1 Minimum lot area: 5.8 hectares (14.3 acres)
    - 5.61.2.2 Minimum lot frontage: 90 metres (295 feet)

## SECTION 6 – ZONE PROVISIONS

### 6.19 – Prime Agriculture (PA) Zone

#### 5.61.3 Minimum yards

5.61.3.1 Front yard depth: 150 metres (492.15 feet)

5.61.3.2 Exterior side yard width: 10 metres (32.81 feet)

5.61.3.3 Rear yard depth: 3 metres (9.8 feet)

#### 5.61.4 Separation requirements

5.61.4.1 A shelter or stable for domestic animals or fowl shall be located no closer than 300 metres to a kennel.

#### **PA-12** (Included in Subsection 5.62)

(3162) 5.62 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Part Lot 3, Concession 7 shown as PA-12 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.62.1 Minimum lot area: 13 hectares (32 acres)

#### **PA-13** (Included in subsection 5.66)

(3173) 5.66 Notwithstanding the provisions of Sections 4.13, 6.19.1.5.2, 7.116.5, and 7.117.1 to the contrary, on that part of Part Lot 7, Concession 5 shown as PA-13 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.66.1 Front lot line

5.66.1.2 The front lot line and lot frontage for lands zoned PA-13 shall be determined utilizing the front lot line and lot frontage of the “D” zone abutting Harmony Road as shown on Schedule A2 as amended.

5.66.2 Minimum lot frontage: 10 metres (33 feet)

#### **PA-14** (Included in subsection 5.75)

(3194) 5.75 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 4, Concession 7 shown as PA-14 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.75.1 Minimum lot area: 15.18 hectares

#### **PA-15** (Included in subsection 5.76)

(3199) 5.76 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 26, Concession 9, shown as PA-15 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable

## SECTION 6 – ZONE PROVISIONS

### 6.19 – Prime Agriculture (PA) Zone

provisions of this By-law:

5.76.1 Minimum lot area: 39 acres (15.78 ha)

**PA-16** (Included in subsection 5.77)  
(3201) 5.77 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 27, Concession 6 as shown as PA-16 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.77.1 Minimum lot area: 23.47 hectares

**PA-17** (Included in subsection 5.81)  
(3207) 5.81 Notwithstanding the provisions of Sections 6.19.1.5.1, 6.19.1.3, 6.19.7, 6.19.1.5.7.1, 6.19.1.5.7.2 and 6.19.1.5.8.2 to the contrary, on that part of Lot 12, Concession 4, shown as PA-17 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.81.1 Minimum lot area: 3.95 hectares

5.81.2 Accessory uses

5.81.2.1 The existing barn which is an accessory to the farm located on the lands zoned PA-17 shall not be utilized for the housing, shelter or as a stable for domestic animals, livestock or fowl. The existing barn shall be a permitted accessory use, however any alterations or renovations to same must comply with the setback and yard provisions of the PA Zone as contained in By-law-3014.

**PA-18** (Included in subsection 5.86)  
(3242) 5.86 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 7, Concession 8 shown as PA-18 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.86.1 Minimum lot area: 19.4 hectares (48 acres)

**PA-19** (Included in subsection 5.92)  
(3302) 5.92 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lot 30, Concession 3, in the Township of Thurlow as shown as PA-19 on Schedule A4 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.92.1 Minimum lot area: 13.36 hectares (33 acres)

## SECTION 6 – ZONE PROVISIONS

### 6.19 – Prime Agriculture (PA) Zone

- PA-20** (Included in subsection 5.95)  
(3332) 5.95 Notwithstanding the provisions of Sections 6.19.1.5.1 and 6.19.1.5.2 to the contrary, on that part of Lot 25, Concession 4, in the Township of Thurlow shown as PA-20 on Schedule A5 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.95.1 Minimum lot area: 18.6 hectares (46 acres)
- 5.95.2 The front lot line and lot frontage for lands zoned Special Prime Agriculture – 20 (PA-20) shall be determined by using the front lot line of the lands zoned Special General Industrial – 15 (M1-15), lying south of and adjacent to the lands zoned PA-20.
- PA-21** (Included in subsection 5.100)  
(3344) 5.100 Notwithstanding the provisions of Section 6.19.1.5.2 to the contrary on that part of Lots 18 and 19, Concession 2, in the Township of Thurlow shown as PA-21 on Schedule A4, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.100.1 Minimum lot frontage: 45.72 metres (150 feet)
- PA-21** (Included in subsection 5.152)  
(3674) 5.152 Notwithstanding the provisions of Sections 6.19.1.5.1 and 6.19.1.2 to the contrary, on that part of Lot 28, Concession 2, in the Township of Thurlow as shown as PA-21 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.152.1 Minimum lot area: 23 hectares (57 acres)
- 5.152.1 Permitted non-residential use: veterinary office
- PA-22** (Included in subsection 5.110)  
(3486) 5.110 Notwithstanding the provisions of Section 6.19.1.5.2 to the contrary, on that part of Lot 23, Concession 5, in the Township of Thurlow shown as PA-22 on Schedule A5, as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.110.1 Minimum lot frontage: 76.2 metres (250 feet)
- PA-23** (Included in subsection 5.116)  
(3526) 5.116 Notwithstanding the provisions of Sections 6.19.1.5.1 and 6.19.1.5.2 to the contrary on that part of Lot 4, Concession 7, shown as PA-23 the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.116.1 Lot area: 3.3 hectares (8.237 acres)

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### 6.19 – Prime Agriculture (PA) Zone

5.116.2 Lot frontage: 36.6 metres (120 feet)

**PA-24** (Included in subsection 5.129)  
(3595) 5.129 Notwithstanding the provisions of Sections 6.20.1.5.1 and 6.20.1.5.2 to the contrary, on that part of Lot 22, Concession 8, in the Township of Thurlow shown as PA-24 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.129.1 Minimum lot area: approximately .72 hectares (1.78 acres)

**PA-28** (Included in subsection 5.133)  
(3618) 5.133 Notwithstanding the provision of Sections 6.19.1.5.1 and 6.19.1.5.2 to the contrary on that part of Lot 25, Concession 4, shown as PA-28 on Schedule A5, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.133.1 Minimum lot area: 18.6 hectares (46 acres)

5.133.2 Minimum lot frontage: Nil

**PA-29** (Included in subsection 5.155)  
(3691) 5.155 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary, on that part of Lot 22, Concession 5, in the Township of Thurlow, shown as PA-29 on Schedule A5 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.155.1 Minimum lot area: 13.4 hectares (33.07 acres)

**PA-30** (Included in subsection 5.167)  
(3733) 5.167 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lot 23, Concession 2, in the Township of Thurlow shown as PA-30 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.167.1 Minimum lot area: approximately: 8.1 hectares (20 acres)

**PA-31** (Included in subsection 5.168)  
(3733) 5.168 Notwithstanding the provisions of Section 6.19.1.5.1 and Section 6.19.1.5.2 to the contrary on that part of Lot 23, Concession 2, in the Township of Thurlow shown as PA-31 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.168.1 Minimum lot area: approximately: 9.7 hectares (24 acres)

5.168.2 Minimum lot frontage: nil

## SECTION 6 – ZONE PROVISIONS

### 6.19 – Prime Agriculture (PA) Zone

- PA-32** (Included in subsection 5.170)  
(3755) 5.170 Notwithstanding the provisions of Sections 6.19.1.5.2 to the contrary on that part of Lot 22, Concession 5, in the Township of Thurlow shown as PA-32 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.170.1 Minimum lot frontage: approximately 80 metres (282 feet)
- PA-33** (Included in subsection 5.173)  
(3770) 5.173 Notwithstanding the provisions of Sections 6.19.1.2 and 6.19.1.5.1 to the contrary on that part of Lot 23, Concession 4, in the Township of Thurlow, shown as PA-33 on Schedule A as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.173.1 Non-residential uses shall include a commercial seed and feed business
- 5.173.2 Minimum lot area: 4.86 hectares (12 acres)
- PA-34** (Included in subsection 5.176)  
(3778) 5.176 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lot 6, Concession 8, in the Township of Thurlow shown as PA-34 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.176.1 Minimum lot area: 15.7 hectares (38.7 acres)
- PA-35** (Included in subsection 5.177)  
(3778) 5.177 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lot 7, Concession 8, in the Township of Thurlow shown as PA-35 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.177.1 Minimum lot area: 2 hectares (5 acres)
- PA-35** (Included in subsection 5.185)  
(3843) 5.185 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lot 20, Concession 8, in the Township of Thurlow, shown as PA-35 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.185.1 Minimum lot area: approximately 14.1 hectares (35 acres).
- PA-36** (Included in subsection 5.189)  
(3851) 5.189 Notwithstanding the provisions of section 6.19.1.5.1 to the contrary on that part of Lot 10, Concession 8, in the Township of Thurlow shown as PA-36 on Schedule A attached hereto,

## SECTION 6 – ZONE PROVISIONS

### 6.19 – Prime Agriculture (PA) Zone

the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.189.1 Minimum lot area: 18.2 hectares (45 acres)

**PA-37** (Included in subsection 5.191)

(3866) 5.191 Notwithstanding the provisions of Sections 6.19.1.2 and 6.19.1.5.1 to the contrary on that part of Lot 24, Concession 3, in the Township of Thurlow shown as PA-37 on Schedule A4 as amended the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.191.1 A farm-related auction facility is to be added to the list of permitted uses in the PA-37 Zone.

5.191.2 Minimum lot area: 6 hectares

**PA-38** (Included in subsection 5.203)

(3917) 5.203 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lot 13, Concession 5, Township of Thurlow, shown as PA-38 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the PA Zone established by By-law 3014:

5.203.1 Minimum lot area: approximately 3.3 hectares

**PA-39** (Included in subsection 5.204)

(3917) 5.204 Notwithstanding the provisions of Sections 6.19.1.5.1 and 6.19.1.5.2 to the contrary on that part of Lot 13, Concession 5, Township of Thurlow, shown as PA-39 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the PA zone established by By-law 3014:

5.204.1 Minimum lot area: approximately 15.9 hectares

5.204.2 Minimum lot frontage: approximately 24.24 metres

**PA-40** (Included in subsection 5.207)

(3942) 5.207 Notwithstanding the provisions of Sections 6.19.1.5.1, 6.19.1.5.2, and 6.19.1.7.1, to the contrary on that part of Lot 12, Concession 4, in the Township of Thurlow shown as PA-40 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.207.1 Maximum lot area: 3.36 ha.

5.207.2 Maximum lot frontage: 65.8 metres

5.207.3 A building to house livestock is not permitted



## SECTION 6 – ZONE PROVISIONS

### 6.19 – Prime Agriculture (PA) Zone

- PA-41** (Included in subsection 5.208)  
(3942) 5.208 Notwithstanding the provisions of Sections 6.19.1.5.1, 6.19.1.5.2, and 6.19.1.7.1, to the contrary on that part of Lot 12, Concession 4, in the Township of Thurlow shown as PA-41 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.208.1 Maximum lot area: 2.14 hectares
  - 5.208.2 Maximum lot frontage: 65.8 metres
  - 5.208.3 A building to house livestock is not permitted
- PA-42** (Included in subsection 5.219)  
(98-43) File No.: B-77-574  
Lots 3 and 4, Concession 9, (150 Clearview Road) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings
- 5.219 Notwithstanding the provisions of Section 6.19.1.5.1 to the contrary on that part of Lots 3 and 4, Concession 9, formerly in the Township of Thurlow, now City of Belleville, shown as PA-42 on Appendix 1 attached hereto the following special provisions shall apply in addition to all other applicable provisions of the By-law:
- 5.219.1 Minimum lot area: 23.5 ha
- PA-42**  
(99-87) File No.: B-77-613-S  
Lots 3 and 4, Concession 9, (150 Clearview Road) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings
- 5.219 Notwithstanding the provisions of Section 6.19.1.5.1 within the lands zoned PA - 42, the minimum lot area shall be 22.6 hectares
- PA-43**  
(98-134) File No.: B-77-587  
Lot 3, Concession 6, 36 Rosedale Avenue, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings
- 6.19.1.7.4 Notwithstanding the provisions of Section 6.19.1.5.1 on that part of Lot 3, Concession 6, City of Belleville, shown as PA-43, the following special provision shall apply:
- 6.19.1.7.4.1 Minimum lot area: 20.8 hectares
- PA-44** (Included in subsection 5.219)  
(99-119) File No.: B-77-616-S  
Part of Lot 1, Concession 9, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

## SECTION 6 – ZONE PROVISIONS

### 6.19 – Prime Agriculture (PA) Zone

5.219 Notwithstanding the provisions of Sections 6.19.1.5.1 and 6.19.1.5.2 within the lands zoned PA-44, the minimum lot area shall be 6.5 hectares and the minimum lot frontage shall be 75 m.

**PA-45** (Included in subsection 5.219)  
(99-186) File No.: B-77-624-S  
Part of Lot 28, Concession 7, formerly Township of Thurlow, now in the City of Belleville, County of Hastings

5.219 Notwithstanding the provisions of Section 6.19.1.5.1 within the lands zoned PA-45, the minimum lot area shall be 14.5 hectares.

**PA-46** (Included in subsection 5.219)  
(2000-27) File No.: B-77-634-S  
Part of Lot 8, Concession 7, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

5.219 Notwithstanding the provisions of Section 6.19.1.5.2 within the lands zoned PA-46, the minimum lot frontage shall be 48 m.

**PA-47** (Included in subsection 5.219)  
(2008-36) File No.: B-77-837  
542 Zion Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

5.219 Notwithstanding the provisions of Subsection 6.19.1.1 within the area zoned PA-47 a single detached residential dwelling shall not be permitted.

**PA-48** (Included in subsection 5.220)  
(2011-34) File No.: B-77-897  
916 Blessington Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

5.220 Notwithstanding the provisions of Subsection 4.1.2, within the area zoned PA-48, the garage that is attached to the dwelling existing on the date of the passing of this By-Law shall be permitted as a detached garage in the same location.

(NOTE TO FILE: Also includes a Temporary Use By-Law for a period of 12 months terminating on March 14, 2012.)

**PA-49** (Included in subsection 5.221)  
(2013-05) File No.: B-77-929  
933 Highway 37, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

5.221 Notwithstanding the provisions of Subsection 6.19.1.5.1 within the area zoned PA-49 the minimum lot area shall be 15.8 hectares.

## SECTION 6 – ZONE PROVISIONS

### 6.19 – Prime Agriculture (PA) Zone

- PA-50** (Included in subsection 5.222)  
(2014-45) File No.: B-77-955  
58 Denyes Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings
- 5.222 Notwithstanding the provisions of Subsections 6.19.1.1 and 6.19.1.5.1, within the area zoned PA-50 a single detached dwelling shall not be permitted and the minimum lot area shall be 18.4 hectares.
- PA-51** (Included in subsection 5.223)  
(2014-46) File No.: B-77-956  
224 Zion Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings
- 5.223 Notwithstanding the provisions of Subsections 6.19.1.2, 6.19.1.5.3, 6.19.1.5.7.1 and 6.19.1.5.7.3, within the area zoned PA-51 a malt house shall be a permitted use. For the purpose of this By-Law the malt house use shall comprise a single building with a maximum gross floor area of approximately 168 square metres and which is to be located generally no greater than 100 metres from the north property line and to be located a minimum distance of 47 metres from the west property line. A malt house use is defined as a business which will produce malted grains to be sold off-site as raw product.
- PA-52** (Included in subsection 5.224)  
(2014-158) File No.: B-77-968, B-77-1001  
(2016-86) Re-number – 1695 Harmony Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings
- ~~5.223~~  
5.224 Notwithstanding the provisions of Subsections 6.19.1.1 and 6.19.1.5.1, within the area zoned ~~PA-51~~ **PA-52** a single detached dwelling shall not be permitted and the minimum lot area shall be 23.5 hectares.
- PA-53** (Included in subsection 5.225)  
(2016-42) File No.: B-77-994  
1450 Harmony Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings
- 5.225 Notwithstanding the provisions of Subsections 6.19.1.1 and 6.19.1.5.1, within the area zoned PA-53 a single detached dwelling shall not be a permitted use and the minimum lot area shall be 19.3 hectares.
- PA-54** (Included in subsection 5.226)  
(2016-87) File No.: B-77-995  
Lot 29, Concession 6, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

## SECTION 6 – ZONE PROVISIONS

### 6.19 – Prime Agriculture (PA) Zone

5.226 Notwithstanding the provisions of Subsections 4.1.2 and 6.5.2.9.1 within the areas zoned PA-54 an accessory building shall be permitted in the front yard subject to a minimum front yard depth of 15 metres.

**PA-55** (Included in subsection 5.227)

(2016-193) File No.: B-77-993

42 A& B Shaw Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

5.227 Notwithstanding the provisions of Subsections 4.5.8, 6.19.1.1 and 6.19.1.5.1, within the area zoned PA-55 a single detached dwelling shall not be permitted, the use of any existing building as a livestock facility shall not be permitted, unless such building complies with the required setback and yard requirements of the PA-55 zone, and the minimum lot area shall be 18.5 hectares.

## **SECTION 6 – ZONE PROVISIONS**

### **6.20 – Rural (RU) Zone**

#### 6.20 RURAL (RU) ZONE

##### 6.20.1 PERMITTED USES

No person shall with a Rural (RU) Zone use any land or erect, alter or use any building or structure except as permitted or required herein.

##### 6.20.1.1 Residential uses

6.20.1.1.1 Single family dwelling house

6.20.1.1.2 Group home as provided for in 4.18.2 of this By-law

6.20.1.1.3 Home occupation in accordance with 4.8 of this By-law

##### 6.20.1.2 Non-residential uses

6.20.1.2.1 Conservation uses

6.20.1.2.2 Farm

6.20.1.2.3 Farm produce outlet

6.20.1.2.4 Forestry

6.20.1.2.5 Kennel

6.20.1.2.6 Riding or boarding stable

6.20.1.2.7 Uses permitted in the Community Facility (CF) Zone

6.20.1.2.8 Wayside pit or quarry

##### 6.20.1.3 Accessory uses

Uses, buildings and structures accessory to any of the permitted uses in accordance with 4.1 of this By-law..

OMB File # R880022

##### 6.20.1.4 Floor area and yard requirements for residential uses

The floor area and yard requirements for residential uses as specified in 6.5 hereof shall apply within the Rural (RU) Zone.

##### 6.20.1.5 REGULATIONS FOR NON-RESIDENTIAL USES

6.20.1.5.1 Minimum lot area: 6 hectares

6.20.1.5.2 Minimum lot frontage: 70 metres

6.20.1.5.3 Minimum ground floor area: none

## SECTION 6 – ZONE PROVISIONS

### 6.20 – Rural (RU) Zone

- 6.20.1.5.4 Maximum lot coverage: none
- 6.20.1.5.5 Maximum height of building: 15 metres
- 6.20.1.5.6 Minimum landscaped open space: 10 percent
- 6.20.1.5.7 Minimum landscaped open space for “farm” or forestry: nil
- 6.20.1.5.8 Minimum yards
  - 6.20.1.5.8.1 Front yard depth: 15 metres
  - 6.20.1.5.8.2 Exterior side yard width: 15 metres
  - 6.20.1.5.8.3 Interior side yard width: 10 metres
  - 6.20.1.5.8.4 Rear yard depth: 7.5 metres
- 6.20.1.5.9 Setback from centre line of street
  - 6.20.1.5.9.1 Provincial highway: 33.4 metres
  - 6.20.1.5.9.2 County road: 28.4 metres
  - 6.20.1.5.9.3 Township road: 25.1 metres
  - 6.20.1.5.9.4 Where a service road is a requirement, an additional setback of 12.2 shall be provided
- 6.20.1.6 REGULATIONS FOR DETACHED ACCESSORY BUILDINGS
  - 6.20.1.6.1 Exterior side yard width: 15 metres
  - 6.20.1.6.2 Interior side yard width: 3 metres
  - 6.20.1.6.3 Rear yard depth: 3 metres
- 6.20.1.7 REGULATIONS FOR OFF-STREET PARKING
  - Refer to Section 4.15
- 6.20.1.8 REGULATIONS FOR HOME OCCUPATIONS
  - Refer to Section 4.8
- 6.20.1.9 SPECIAL PROVISIONS
  - 6.20.1.9.1 Separation requirements  
(2016-86) File No.: B-77-1001

A bar, shelter or stable for domestic animals or fowl and a feed lot or manure storage area shall be located in accordance with the MDS II

## SECTION 6 – ZONE PROVISIONS

### 6.20 – Rural (RU) Zone

formula developed by the Ontario Ministry of Agriculture, Food and Rural Affairs, or any successor thereto.

#### 6.20.1.9.2 Farm produce sales

A farm produce sales outlet shall be permitted in a lot in the Rural (RU) Zone provided that the majority of the produce is from the farm on which the outlet is located.

#### 6.20.1.9.3 Commercial kennel

A Commercial Kennel on a lot in the Rural (RU) Zone shall be erected no closer than 45 metres to the interior side and rear lines and no closer than 90 metres from the front or exterior lot line.

#### **RU-1** (Included in subsection 5.22)

(3081) 5.22 Notwithstanding the provisions of Sections 4.13, 6.20.1.5.1, 7.116.5 and 7.117.1 to the contrary, on that part of Lot 6, Concession 8 south of Townsend Road shown as RU-1 on Schedule A6 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

##### 5.22.1 Regulations for non-residential uses

###### 5.22.1.1 Minimum lot area: 5 hectares

5.22.2 Notwithstanding the provisions of Sections 4.13, 7.116.5 and 7.117 of this By-law to the contrary the front lot line and lot frontage for lands zone RU-1 shall be determined utilizing the line abutting the road allowance of 8<sup>th</sup> Concession Road even though the lands situated between the RU-1 zone and the subject front lot line are zoned H (Hazard) and PA (Prime Agriculture).

#### **RU-2** (Included in subsection 5.25)

(3074) 5.25 Notwithstanding the provisions of Sections 4.13, 6.20.1.1, 6.20.1.5.1, 6.20.1.5.2, 7.116.5 and 7.117.1 to the contrary, on that part of Lot 24, Concession 6, north of the 6<sup>th</sup> Concession Road, shown as RU-2 of Schedule A5 the following special provisions shall apply in addition to all other applicable provisions of this By-law:

##### 5.25.1 PERMITTED USES

###### 5.25.1.1 Conservation uses

###### 5.25.1.2 Farm

###### 5.25.1.3 Farm produce outlet

###### 5.25.1.4 Forestry

## SECTION 6 – ZONE PROVISIONS

### 6.20 – Rural (RU) Zone

- 5.25.1.5 Kennel
- 5.25.1.6 Riding or boarding Stable
- 5.25.1.7 Uses permitted in the Community Facility (CF) Zone
- 5.25.1.8 Wayside pit or quarry

#### 5.25.2 REGULATIONS FOR NON-RESIDENTIAL USES

- 5.25.2.1 Minimum lot area: 5.2 hectares
- 5.25.2.2 Minimum lot frontage: 52 metres

#### 5.25.3 MINIMUM LOT LINE

- 5.25.3.1 Notwithstanding the provisions of Sections 4.13, 7.116.5 and 7.117.1 of this By-law to the contrary the front lot line and the lot frontage for lands zoned RU-2 shall be determined utilizing the line abutting the road allowance of the 6<sup>th</sup> Concession Road even though the lands situated between the RU-2 Zone and the subject front lot line are zoned RR (Rural Residential).

#### **RU-3** (Included in subsection 5.58)

(3133)

- 5.58 Notwithstanding the provisions of Sections 4.13, 6.20.1.5.2, 7.116.5 and 7.117.1 to the contrary, on that part of Lot 2, Concession 8 shown as RU-3 on Schedule A6 as amended, the following special provision shall apply in addition to all other applicable provisions of this By-law:

##### 5.58.1 Front lot line

- 5.58.1.2 The front lot line and lot frontage for lands zoned RU-3 shall be determined utilizing the front lot line and lot frontage of the PA-9 zone abutting Townsend Road as shown on Schedule A6 as amended.

##### 5.58.2 Minimum lot frontage: 45.72 metres (150 feet)

#### **RU-4** (Included in subsection 5.63)

(3166)

- 5.63 Notwithstanding the provisions of Sections 6.20.1.5.1, 6.20.1.5.2, 7.116.5, 7.117.1 and 4.13 to the contrary, on that part of Part Lot 26, Broken Front Concession shown as RU-4 on Schedule A3 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

##### 5.63.1 Minimum lot area: 3.2 hectares (8 acres)

- 5.63.2 The front lot line and lot frontage for lands zoned RU-4 shall be determined utilizing the front lot line of the lands



## SECTION 6 – ZONE PROVISIONS

### 6.20 – Rural (RU) Zone

zoned Rural Residential (RR) lying north of and adjacent to lands zoned RU-4.

- RU-5** (Included in subsection 5.67)  
(3173) 5.67 Notwithstanding the provisions of Sections 4.13, 6.20.1.5.2, 7.116.5 and 7.117.1 to the contrary, on that part of Part Lot 7, Concession 5 shown as RU-5 on Schedule A2 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.67.1 Front lot line
- 5.67.1.2 The front lot line and lot frontage for lands zoned RU-5 shall be determined utilizing the front lot line and lot frontage of the “D” zone abutting Harmony Road as shown on Schedule A2 as amended
- 5.67.2 Minimum lot frontage: 10 metres (33 feet)
- RU-6** (Included in subsection 5.128)  
(3595) 5.128 Notwithstanding the provisions of Section 6.20.1.5.1 to the contrary on that part of Lot 22, Concession 8, in the Township of Thurlow shown as RU-6 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.128.1 Minimum lot area: 4.89 hectares (12.1 acres)
- RU-7** (Included in subsection 5.130)  
(3595) 5.130 Notwithstanding the provisions of Section 6.20.1.5.2 to the contrary on that part of Lot 22, Concession 8, in the Township of Thurlow shown as RU-7 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.130.1 Minimum lot frontage: 0
- RU-8** (Included in subsection 5.127)  
(3593) 5.127 Notwithstanding the provisions of Section 6.20.1.1 to the contrary, on that part of Lot 3, Concession 7, in the Township of Thurlow, shown as RU-8 on Schedule A6 as amended, the following special provision shall apply in addition to all other applicable provisions of this By-law:
- 5.127.1 Residential uses shall include a converted dwelling house containing a maximum of two units.
- RU-8** (Included in subsection 5.145)  
(3651) 5.145 Notwithstanding the provisions of Section 6.20.1.5.2 to the contrary, on that part of Lots 4 and 5, Concession 6, in the Township of Thurlow as shown on Schedule A2, as amended, is hereby amended, the following special provisions shall apply

## SECTION 6 – ZONE PROVISIONS

### 6.20 – Rural (RU) Zone

in addition to all other applicable provisions of this By-law:

5.145.1 Minimum combined lot frontage: 53.3 metres (175 feet)

#### **RU-8**

(98-139) File No.: B-77-592  
1136 Bethel Road, (part of Lot 22, Concession 8), formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.20.1.9.4 Notwithstanding the provisions of Sections 6.20.1.5.1, 6.20.1.5.8.1, and 4.1.2, on that part of Lot 22, Concession 8, in the City of Belleville, within the area shown as RU-8 the following restrictions shall apply:

6.20.1.9.4.1 Minimum lot area: 4 hectares

6.20.1.9.4.2 Minimum front yard setback for existing structures: 6 metres

6.20.1.9.4.3 The existing accessory structures shall be permitted in the front yard

6.20.1.9.4.4 Maximum number of livestock units permitted: 5.

#### **RU-9**

(3654) (Included in subsection 5.146)  
5.146 Notwithstanding the provisions of Sections 6.20.1.5.1 and 4.1.2 to the contrary on that part of Lot 5, Concession 9, in the Township of Thurlow as shown as RU-9 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.146.1 Structures existing at the time this By-law is passed, are permitted in the front yard.

5.146.2 Minimum lot area: 4 hectares (10 acres)

#### **RU-10**

(3655) (Included in subsection 5.147)  
5.147 Notwithstanding the provisions of Section 6.20.1.5.2 to the contrary on that part of Lot 13, Concession 9, in the Township of Thurlow shown as RU-10 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.147.1 Minimum lot frontage: 20 metres (66 feet).

#### **RU-11**

(3676) (Included in subsection 5.153)  
5.153 Notwithstanding the provisions of Sections 6.20.1.5.8.4 and 6.20.1.6.3 to the contrary, on that part of Lot 25, Concession Broken Front, in the Township of Thurlow as shown as RU-11 on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

5.153.1 Minimum rear yard setback: 457.2 metres (1500 feet)

## SECTION 6 – ZONE PROVISIONS

### 6.20 – Rural (RU) Zone

- RU-12** (Included in subsection 5.169)  
(3733) 5.169 Notwithstanding the provisions of Section 6.19.1.5.2 to the contrary on that part of Lot 23, Concession 2, in the Township of Thurlow shown as RU-12 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.169.1 Minimum lot frontage: Nil
- RU-13** (Included in subsection 5.175)  
(3778) 5.175 Notwithstanding the provisions of Sections 6.20.1.5.1 and 6.20.1.5.2 to the contrary on that part of Lot 6, Concession 8, in the Township of Thurlow shown as RU-13 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.175.1 Minimum lot area: 2 hectares (5 acres)
- 5.175.2 Minimum lot frontage: 58.80 metres (198 feet)
- RU-14** (Included in subsection 5.181)  
(3808) 5.181 Notwithstanding the provisions of Section 6.20.1.5.2 to the contrary on that part of Lot 31, Concession 7, in the Township of Thurlow shown as RU-14 on Schedule A6 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.181.1 Minimum lot frontage: 60.4 metres (198 feet)
- RU-15** (Included in subsection 5.186)  
(3846) 5.186 Notwithstanding the provisions of Section 6.20.1.5.1, to the contrary on that part of Lot 30, Concession 9, in the Township of Thurlow, shown as RU-15 in Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.186.1 Minimum lot area: 3.3 hectares (8.1 acres).
- RU-16** (Included in subsection 5.187)  
(3846) 5.187 Notwithstanding the provisions of Section 6.20.1.5.1, to the contrary on that part of Lot 30, Concession 9, in the Township of Thurlow, shown as RU-16 in Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of this By-law:
- 5.187.1 Minimum lot area: 2.7 hectares (6.635 acres).
- RU-17** (Included in subsection 5.190)  
(3851) 5.190 Notwithstanding the provisions of section 6.20.1.5.1 to the contrary on that part of Lot 10, Concession 8, in the Township of Thurlow shown as RU-17 on Schedule A attached hereto, the following special provisions shall apply in addition to all

## SECTION 6 – ZONE PROVISIONS

### 6.20 – Rural (RU) Zone

other applicable provisions of the By-law:

5.190.1 Minimum lot area: 4.18 hectares (10.33 acres)

**RU-18** (Included in subsection 5.196)

(3894) 5.196 Notwithstanding the provisions of Section 6.20.1.5.8.4 to the contrary on that part of Lot 6, Concession 4, Township of Thurlow, show as RU-18 on Schedule A attached hereto, the following special provision shall apply in addition to all of the other applicable provisions of the RU Zone established by By-Law 3014:

5.196.1 Minimum rear yard setback for all cemetery plots from the north lot line: 91 metres (300 feet)

**RU-18** OMB Files: Z 940076, Z 940085

Order dated April 17, 1996

Thurlow Zoning File 4/94

5.192 Notwithstanding the provisions of Sections 6.2.1.1 and 6.2.1.2 to the contrary on that part of Lot 14, Concession 7, in the Township of Thurlow shown as RU-18 on Schedule A, attached hereto, the following special provisions shall apply in addition to all of the other applicable provisions of the RU Zone as established by By-law Number 3014:

5.192.1 Residential uses: prohibited

5.192.2 Non-residential uses: shall be restricted only to those passive recreation uses which do not require buildings or structures.

**RU-19** (Included in subsection 5.206)

(3923) 5.206 Notwithstanding the provision of Section 6.20.1.5.1 to the contrary on that part of Lot 7, Concession 9, in the Township of Thurlow shown as RU-19 on Schedule A attached hereto, the following special provisions shall apply in addition to all other applicable provisions of the By-law:

5.206.1 Minimum lot area: 5 hectares

**RU-20**

(99-59)

File No.: B-77-604

Part Lot 27, Concession 6, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.20.1.10 Notwithstanding and in addition to the provisions of Section 6.20.1.5, a minimum 30 metre setback shall be required for any building or manure storage facility from the Hazard land Zone boundary along the north bank of Parks Creek.

## SECTION 6 – ZONE PROVISIONS

### 6.20 – Rural (RU) Zone

#### RU-21

(2006-23) File No.: B-77-785  
Part of Lot 3, Concession 6, formerly in the Township of Thurlow,  
Now City of Belleville, County of Hastings

6.20.1.11 Notwithstanding the provisions of Subsection 6.20.1.5.2, within the area zoned RU-21 the minimum lot frontage shall be 55 metres.

#### RU-22

(2011-163) File No.: B-77-905  
286 Clearview Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.20.1.12 Notwithstanding the provisions of Subsections 6.20.1.5.2 and, 6.20.1.9.1.1 within the area zoned RU-22 the minimum lot frontage shall be 50 metres and the minimum distance between a shelter for the keeping of horses and a Residential Zone shall be 50 metres.

#### RU-23

(2012-141) File No.: B-77-918  
499 Airport Parkway, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.20.1.13 Notwithstanding the provisions of Subsections 6.20.1.1 within the area zoned RU-23 a single detached residential dwelling shall not be permitted.

#### RU-24

(2015-152) File No.: B-77-985  
593 Mudcat Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.20.1.14 Notwithstanding the provisions of Subsection 4.1.2 within the area zoned RU-24, the dwelling existing on the date of the passing of this By-Law shall be permitted to be used as an accessory building subject to the issuance of a change of use permit.

#### RU-h

(2017-140) File No.: B-77-1027  
Part of Lots 2 & 3, Concession 6, formerly in the Township of Thurlow,  
now in the City of Belleville, County of Hastings

6.20.1.15 Notwithstanding the provisions of Subsection 6.20.1, within the area zoned RU-h, no person shall erect any building or structure or use the land for any purpose other than the use existing on the day of the passing of this by-law. The h-holding symbol shall be removed in accordance with the provisions of the Planning Act, R.S.O., 1990, as amended, when the Municipality is satisfied that drainage has been properly addressed, including the installation of an appropriate culvert.

(2018-135) (NOTE TO FILE: By-Law Number 2018-135 passed August 27, 2018 removed 'h' - holding symbol on this property.)

## **SECTION 6 – ZONE PROVISIONS**

### **6.20 – Rural (RU) Zone**

#### **RU-26**

(2018-67) File No.: B-77-1045

5144 Old Highway 2, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

- 6.20.1.16 Notwithstanding the provisions of Subsection 6.20.1.5.1 and 6.20.1.5.2., within the area zoned RU-26, the minimum lot area shall be 1.9 hectares, and the minimum lot frontage shall be 60 metres to permit the keeping of up to 85 chickens and 15 beehives. It is further noted that beekeeping is not subject to local zoning controls, but is rather regulated by the Ontario Bees Act.

## SECTION 6 – ZONE PROVISIONS

### 6.21 – Hazard (H) Zone

#### 6.21 HAZARD (H) ZONE

##### 6.21.1 PERMITTED USES

No person shall within a Hazard (H) Zone use any land or erect, alter or use any buildings or structure except as permitted or required herein.

##### 6.21.1.1 Residential uses

###### 6.21.1.1.1 Existing single family dwelling

OMB File # R880022

###### 6.21.1.1.2 ~~Home Occupation in accordance with 4.8 hereof~~

##### 6.21.1.2 Non-residential uses

###### 6.21.1.2.1 Agriculture

###### 6.21.1.2.2 Conservation

###### 6.21.1.2.3 Existing uses, building or structures

###### 6.21.1.2.4 Flood, erosion, siltation control works and structures

###### 6.21.1.2.5 Park

###### 6.21.1.2.6 Public use

##### 6.21.1.3 Accessory uses

Uses, buildings and structures accessory to any of the permitted uses in accordance with 4.1 of this By-law..

OMB File # R880022

##### 6.21.1.4 Floor area and yard requirements for additions and extensions to existing residential uses

The floor area and yard requirements for residential uses as specified in 6.5 hereof shall apply for additions and extensions to existing residential uses within the Hazard (H) Zone.

##### 6.21.1.5 REGULATIONS FOR NON-RESIDENTIAL USES

The requirements of 6.18.1.5 of this By-law shall apply.

##### 6.21.1.6 REGULATIONS FOR OFF-STREET PARKING

**Refer to Section 4.15**

##### 6.21.1.7 SPECIAL PROVISIONS

###### 6.21.1.7.1 Residential uses

## SECTION 6 – ZONE PROVISIONS

### 6.21 – Hazard (H) Zone

Nothing in this By-law shall apply to prevent the enlargement or extension of a single family dwelling existing at the date of the passing of this By-law provided that the requirements of 6.21.1.7.3 hereunder are implemented.

OMB File # R880022

#### 6.21.1.7.2 Setback from high water mark

Where a lot in a Hazard (H) Zone abuts a water course, no building or structure except for flood erosion or siltation control shall be erected closer than 30 metres to the existing high water mark.

OMB File # R880022

#### 6.21.1.7.3 Flood proofing

Where the design flood level is less than 1 metre and the velocity of the flood water is less than 1 metre per second the enlargement or extension of a single family dwelling existing on the day of the passing of this By-law shall be permitted PROVIDED.

##### 6.21.1.7.3.1 Structure

The structure is designed to withstand hydrostatic forces, preferably with no basement and,

##### 6.21.1.7.3.2 Openings

No openings to the exterior of the structure from the habitable portions of the building shall be below the 1 in 100 year flood level and,

##### 6.21.1.7.3.3 Site plan control

The approval by the Council of a plan prepared under Section 40 of the Planning Act, 1983 as amended.

### H-1

(3033)

That part of Lots 5 and 6, Concession 4, in the Township of Thurlow be rezoned from Hazard (H) zone to Hazard Exception One (H-1) Zone as shown on Schedule A attached hereto and forming part of this By-law.

On the lands zoned Hazard Exception One (H-1) Zone, no residential uses shall be permitted and the use of such land will be limited to open space recreation for the private enjoyment of the owners and not involving the erection of permanent buildings.

### H-2

(3033)

That part of Lots 5 and 6, Concession 4, in the Township of Thurlow be rezoned from Hazard (H) zone to Hazard Exception Two (H-2) Zone as shown on Schedule A attached hereto and forming part of this By-law.

Notwithstanding the requirements of Section 6.5 of By-law No. 3014, the



## SECTION 6 – ZONE PROVISIONS

### 6.21 – Hazard (H) Zone

lands zoned Hazard Exception Two (H-2) Zone shall be deemed to be in conformity with the regulations for Rural Residential (RR) use of By-law No. 3014.

**H-4** (Included in subsection 5.99)  
(3342) 5.99 Notwithstanding the provisions of Section 6.21 to the contrary, on that part of Lot 3, Concession 4 and more specifically described as part of Lot 18, Registered Plan 1557, shown as H-4 on Schedule A2, as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.99.1 Minimum lot area: 0.2 hectaes
- 5.99.2 Minimum lot frontage: 30 metres
- 5.99.3 Development on the subject property shall be restricted to the existing residential use.

## SECTION 6 – ZONE PROVISIONS

### 6.22 – Development (D) Zone

#### 6.22 DEVELOPMENT (D) ZONE

OMB File # R880022

##### 6.22.1 PERMITTED USES

No person shall within a Development (D) Zone use any land or erect, alter or use any building or structure except as permitted or required herein.

##### 6.22.1.1 Residential uses

6.22.1.1.1 Prohibited except where such existed at the date of the passing of this By-law

6.22.1.1.2 Home occupation

##### 6.22.1.2 Non-residential uses

6.22.1.2.1 Farm

6.22.1.2.2 Public use

##### 6.22.1.3 Accessory uses

Uses, buildings and structures accessory to any of the permitted uses in accordance with 4.1 of this By-law..

##### 6.22.1.4 REGULATIONS FOR RESIDENTIAL USES IN ACCORDANCE WITH 6.5 HEREOF

##### 6.22.1.5 REGULATIONS FOR NON-RESIDENTIAL USES

The regulations for non-residential uses as specified in 6.19 and 6.20 hereof shall apply within the Development (D) Zone.

##### 6.22.1.6 REGULATIONS FOR HOME OCCUPATIONS

The requirements of 4.8 hereof shall apply.

##### 6.22.1.7 SPECIAL PROVISIONS

##### 6.22.1.7.1 Lands zoned D-r

No development shall be permitted on land zoned Development (D-r) Zone unless such land is serviced by municipal sewer and water services or communal service systems.

**D-1** (Included in subsection 5.51)

(3114) 5.51 Notwithstanding the provisions of Sections 7.116.5 and 7.117.1 of this By-law to the contrary, the front lot line and lot frontage for lands zoned D-1 shall be determined utilizing the line abutting the unopened township road allowance (Beaver Road), located adjacent and north of lands zoned D-1.

## **SECTION 6 – ZONE PROVISIONS**

### **6.23 – Environmental Sensitive (ES) Zone**

#### 6.23 ENVIRONMENTALLY SENSITIVE (ES) ZONE

##### 6.23.1 PERMITTED USES

No person shall erect, alter or use any building or structure in an Environmentally Sensitive (ES) Zone for any purpose except for a Public Use in accordance with the provisions of Section 4.18 of this By-law.

##### 6.23.1.1 Residential uses

6.23.1.1.1 Prohibited, except where an Environmental Impact Statement has been approved by Council and by the appropriate Provincial agencies.

##### 6.23.1.2 Non-residential uses

6.23.1.2.1 Prohibited, except where an Environmental Impact Statement has been approved by Council and by the appropriate Provincial agencies.

##### 6.23.1.2.2 conservation

#### SPECIAL PROVISIONS

##### ES-1

(2003-173) File No: B-77-735

Part of Lots 9, 10,11, Concession 5 and Part of Lots 8, 10, 11, Concession 6, Former Township of Thurlow, (Black Bear Ridge) Now in the City of Belleville, County of Hastings

6.23.2 Notwithstanding provisions of Section 6.23.1 of this By-Law, within the area zoned ES-1 the permitted use shall be those uses permitted in the ES zone, plus a golf course and accessory uses, with no buildings or structures to be constructed other than bridges and culverts where necessary for the passage of golf carts and maintenance equipment, and emergency storm shelters, and that any placing or removal of fill or the alteration of a drainage pattern shall be subject to Conservation Authority regulations.

## SECTION 6 – ZONE PROVISIONS

### 6.24 – Service Industrial (SI) Zone

(3802)

#### 6.24 SERVICE INDUSTRIAL (SI) ZONE

##### 6.24.1 PERMITTED USES

6.24.1 No person shall within a Service Industrial (SI) Zone use any land or erect, alter or use any building or structure except as permitted or required herein.

##### 6.24.1.1 Residential uses

Prohibited

##### 6.24.1.2 Non-residential uses

Assembly, fabrication and light manufacturing

Supply outlet

Warehouse

Wholesale establishment

Bank, trust company or credit union

Convenience store

Eating establishment

Garden centre

Wholesale lumber yard

Recreational facilities

Public use or utility

Service shop

Office space directly related and accessory to a permitted non-residential use

Retail commercial services directly related and accessory to a permitted non-residential use

##### 6.24.1.3 Accessory use

Uses, buildings and structures accessory to any of the permitted uses in accordance with 4.1 of this By-law..

##### 6.24.1.4 REGULATIONS FOR NON-RESIDENTIAL USES

1) Minimum lot area: 2,000 m<sup>2</sup>

2) Minimum lot frontage: 45 m

3) Maximum lot coverage: 50%

4) Maximum building height: 11 m

5) Minimum landscaped area: 10%

6) Minimum front yard depth: 7.5 m

7) Minimum exterior side yard: 7.5 m

8) Minimum interior side yard: 3.0 m

9) Minimum interior side yard depth abutting a residential zone: 15 m

10) Minimum rear yard depth: 12 m

11) Minimum rear yard depth abutting residential zone: 15 m

##### 6.24.1.5 Driveways

## SECTION 6 – ZONE PROVISIONS

### 6.24 – Service Industrial (SI) Zone

- 1) Maximum width at property line: 9.0 m
- 2) Minimum separation between driveways: 7.5 m

#### 6.24.1.6 Setback from centre line of street

- 1) County/collector road – 20.5 m
- 2) Township road – 17.5 m
- 3) All signs, structures and access points adjacent to all Ministry of Transportation requirements.

#### 6.24.1.7 Regulations for detached accessory buildings

- 1) Minimum exterior side yard: 7.5 m
- 2) Minimum interior side yard: 3.0 m
- 3) Minimum interior yard depth abutting a residential zone: 15 m
- 4) Minimum rear yard depth: 12.0 m
- 5) Minimum rear yard depth abutting residential zone: 15.0 m

#### 6.24.1.8 REGULATIONS FOR OFF-STREET PARKING

Refer to Section 4.15

#### 6.24.1.9 REGULATIONS FOR LOADING SPACES

Refer to Section 4.11

#### 6.24.1.10 SPECIAL PROVISIONS

- 1) Planting strips and screens

Where the interior side or rear yard of a lot line in a Service Industrial Zone abuts a Residential Zone, the requirements of a 4.16 of this by-law shall apply. All loading areas shall be shielded from the view of all public roads in accordance with section 4.16 of this by-law.

- 2) Open storage

The open storage of goods and materials shall be prohibited in all yards of a lot within a Service Industrial (SI) Zone.

**SI-1-h**  
(3803)

(Included in subsection 5.180)

5.180 Notwithstanding the provisions of Section 6.24.1.2.2 to the contrary on that part of Lot 1, Concession 2, in the Township of Thurlow shown as SI-1-h on Schedule A1 as amended, the following special provisions shall apply in addition to all other applicable provisions of this By-law:

- 5.180.1 In addition to all other permitted uses, the following shall be permitted:

A maximum of one day nursery and one Government Administration Services building will be permitted within the area zoned SI-1-h or SI-1.

## SECTION 6 – ZONE PROVISIONS

### 6.24 – Service Industrial (SI) Zone

#### SI-1-h HOLDING PROVISIONS

- (3803) The removal of the holding “h” symbol may only be granted when the following conditions have been addressed to the satisfaction of the Council for the Township of Thurlow:
- (b) The subject property is to be serviced with Municipal water and sewer services;
  - (c) A Stormwater Management Plan for the subject property must be completed and approved by all applicable review agencies and it generally conforms with the recommendations of the Upper No-Name Creek Stormwater Management study, as prepared by Gore & Storrie Ltd.
  - (d) A Site Plan Control Agreement pursuant to Section 41 of THE PLANNING ACT, R.S.O, 1990 has been entered into a registered on title against the subject property.
  - (e) All matters of concern to Thurlow Council have been addressed to Councils satisfaction.

#### SI-2-h (Included in subsection 5.220)

(98-84) File No.: B-77-576

Part of Lots 24 and 25, and part of Lemoine Street, Registered Plan No. 22, east of Sidney Street, south of Cloverleaf Drive, north of 401, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

5.220 Notwithstanding the provisions of Section 6.24.1.2.2 to the contrary on that part of Lots 1 and 2, Concession 2, part of Lots 24, 25, 26, 27, 28 and 29, Registered Plan No. 22, City of Belleville, formerly in the Township of Thurlow shown as SI-2-h on Schedule A attached hereto, the following special provisions shall apply in addition to the provisions of the SI zone and the SI-1 Zone:

##### 5.220.1 Motor vehicle sales and service

(2003-164) (NOTE TO FILE: By-Law Number 2003-164, passed September 8, 2003, removed the "h" holding symbol **only from the lands described as 32, 81 and 111 Millennium Parkway**, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

(2003-211) (NOTE TO FILE: By-Law Number 2003-211, passed November 17, 2003, removed the "h" holding symbol **only from the lands described as 49 and 91 Millennium Parkway**, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

(2006-157)(NOTE TO FILE: By-Law Number 2006-157, passed September 25, 2006, removed the "h" holding symbol **only from the lands described as 131 Millennium Parkway**, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

## SECTION 6 – ZONE PROVISIONS

### 6.24 – Service Industrial (SI) Zone

**SI-2** (Included in subsection 5.220.2)

(99-173) File No.: B-77-576

Part of Lots 24 and 25, and part of Lemoine Street, Registered Plan No. 22, east of Sidney Street, south of Cloverleaf Drive, north of 401 formerly in the Township of Thurlow, now City of Belleville, County of Hastings

5.220.2 Notwithstanding and in addition to the provisions of Section 6.24.1.2.2 within the area zoned SI-2, motor vehicle sales and service shall be a permitted use.

**SI-3**

(2002-26) Amended by By-law 2002-58 to replace in its entirety

(2002-58) File No.: B-77-683

Part of Lot 29, Registered Plan No. 22, Township of Thurlow, Now City of Belleville, County of Hastings

6.24.1.11 Notwithstanding and in addition to the provisions of Section 6.24.1.2.2, within the area zoned SI - 3, a day nursery, motor vehicle sales and service, and business, professional and government offices shall be permitted.

**SI-4**

(2003-10) File No.: B-77-709

Part of Lots 29 and 30, Registered Plan No. 22, (Millennium Parkway) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.24.1.12 Notwithstanding and in addition to the provisions of Subsection 6.24.1.2.2, within the area zoned SI-4 a business, professional and administrative office, including a vocational skills and training centre and an adult resource centre shall be permitted.

**SI-4-h** HOLDING PROVISION

(2003-10) *i) File No.: B-77-709*

*Part of Lots 29 and 30, Registered Plan No. 22, (Millennium Parkway) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

Further, within the area zoned SI-4-h, no person shall erect or occupy any building structure or use the land for any purpose other than the use that existed on the passing of this By-Law. The 'h' holding symbol shall only be removed when:

- (i) The property is serviced with municipal water and sewer services;
- (ii) A stormwater management plan has been completed and approved;
- (iii) A site plan agreement has been registered;
- (iv) Committee of Adjustment File # B 52/02 has been approved and the deed has been registered; and
- (v) All matters of concern to the municipality have been addressed to Council's satisfaction.

## SECTION 6 – ZONE PROVISIONS

### 6.24 – Service Industrial (SI) Zone

#### SI-5

(2003-42) File No.: B-77-715

Part of Lot 30, Registered Plan No. 22, (80 Millennium Parkway) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.24.1.13 Notwithstanding and in addition to the provisions of Subsections 6.24.1.2.2 and 6.24.1.4, within the area zoned SI-5 a business, professional and administrative office shall be permitted subject to a minimum rear yard depth of 7.5 metres.

#### SI-5-h HOLDING PROVISION

(2003-42) *i) File No.: B-77-715*

*Part of Lot 30, Registered Plan No. 22, (80 Millennium Parkway) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

Further, within the area zoned SI-5-h, no person shall erect or occupy any building structure or use the land for any purpose other than the use that existed on the day of the passing of this By-Law. The 'h' holding symbol shall only be removed when:

- (i) The property is serviced with municipal water and sewer services;
- (ii) A stormwater management plan has been completed and approved;
- (iii) A site plan agreement has been registered; and
- (iv) All matters of concern to the municipality have been addressed to Council's satisfaction.

#### SI-6

(2005-105) File No.: B-77-774

Part of Lots 29 and 30, Registered Plan No. 22, (Millennium Parkway) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.24.1.14 Notwithstanding and in addition to the provisions of Subsection 6.24.1.2.2, within the area zoned SI-6, a business, administrative, professional and/or government office shall be a permitted use.

#### SI-7

(2007-133) File No.: B-77-827

Part of Lot 26, Registered Plan No. 22, (Millennium Parkway) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.24.1.15 Notwithstanding and in addition to the provisions of Subsection 5.220.2, within the area zoned SI-7, a business, administrative and/or professional office shall be a permitted use.

#### SI-7-h HOLDING PROVISION

(2007-133) *i) File No.: B-77-827*

*Part of Lot 26, Registered Plan No. 22, (Millennium Parkway) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings*

6.24.1.15 Further, within the area zoned SI-7-h, no person shall erect or occupy any building structure or use the land for any purpose other than the use that existed



## SECTION 6 – ZONE PROVISIONS

### 6.24 – Service Industrial (SI) Zone

on the passing of this By-Law. The "h" holding symbol shall only be removed when:

- (i) The property is serviced with municipal water and sewer services;
- (ii) A stormwater management plan has been completed and approved;
- (iii) A site plan agreement has been registered; and
- (iv) all matters of concern to the municipality have been addressed to Council's satisfaction.

(2007-218) (NOTE TO FILE: By-Law Number 2007-218, passed December 10, 2007, removed the "h" holding symbol **only from the lands described as 71 Millennium Parkway**, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings.)

#### **SI-8**

(2015-138) File No.: B-77-984  
Part of Lots 29 & 30, Registered Plan No. 22, (South Side of Millennium Parkway) formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

6.24.1.16 In addition to the provisions of Subsection 6.24.1.2.2 and notwithstanding Subsection 6.24.1.4 (2), within the area zoned SI-8 motor vehicle sales and service shall be a permitted use subject to a minimum lot frontage of 43.5 metres.

## SECTION 7 – DEFINITIONS

### 7. DEFINITIONS

For the purpose of this By-law, the definitions and interpretations given in this section shall govern.

#### 7.1 ABATTOIR

Shall mean a slaughter-house designed for the purpose of killing animals, skinning, dressing and cutting up of carcass, wrapping for sale for human consumption with cooler and freezer storage and may include indoor confinement of animals while awaiting slaughter but shall not include the manufacturing of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer, or any other inedible product.

#### 7.2 ACCESSORY BUILDING OR STRUCTURE

Shall mean a detached building or structure the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same lot therewith.

#### 7.3 ACCESSORY USE

Shall mean a use customarily incidental and subordinate to and exclusively devoted to the main use of the lot, building or structure and located on the same lot with such main use.

#### 7.4

(2016-04)

File No.: B-77-991

AGRICULTURE

Shall mean the use of land, buildings or structures for the purposes of the growing of field crops, flower gardening, truck gardening, berry crops, tree crops, nurseries, aviaries, apiaries, or farms for grazing, breeding, raising, boarding of livestock and poultry, the use of land for woodlands and syrup production or any other similar uses carried on in the field of general agriculture, including the sale of such produce, crops or livestock on the same lot, but shall not include any use or activity otherwise defined or classified herein.

#### 7.5 ALTER

Shall mean when used in reference to a building or part thereof, to change any one or more of the internal or external dimensions of such building, or to change type of construction of the exterior walls or roof thereof. When used in reference to a lot, the word “alter” means to decrease the width, depth or area thereof or to decrease the width, depth or area of any required yard, setback landscaped open space or parking area or to change the location of any boundary of such lot with respect to a public highway or laneway, whether such alteration is made by conveyance or alienation or any portion of said lot or otherwise. The words “altered” and “alteration” shall have a corresponding meaning.

#### 7.6 APARTMENT

## SECTION 7 – DEFINITIONS

7.7 See Dwelling, Apartment Dwelling House  
ASSEMBLY HALL

Shall mean a building or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and shall include a banquet hall, private club or fraternal organization.

7.8 ATTACHED

When used to describe any building or structure shall mean that the roof of such building or structure is supported by a wall of the principal building.

7.9 AUDITORIUM

See Assembly Hall

7.11 AUTOMOBILE

Shall mean any vehicle propelled or driven otherwise than by muscular power, does not include railway cars powered by steam, electricity or diesel fuel or other vehicles running upon rails, or self-propelled implements of farming or road building.

7.12 AUTOMOBILE BODY SHOP

Shall mean a building where automobile cleaning, polishing, body repair and repainting and is conducted but shall not include any other automotive use.

7.13 AUTOMOBILE SALES AGENCY

Shall mean a building and/or lot used for the display and sale of automobiles and may include the servicing, repair and repainting of automobiles, the leasing or renting of utility or boat trailers and automobiles and the sale of automotive accessories and related products, but shall not include any other defined automotive use.

7.14 AUTOMOBILE SERVICE STATION

Shall mean a building or place where gasoline, propane, natural gas, diesel, oil, grease, anti-freeze, tires, tubes, tire accessories, spark plugs, batteries and other related items for automobiles, trucks, motorcycles, and snowmobiles are stored or kept for sale, or where such vehicles may be oiled, greased, washed or have their ignitions or brakes adjusted, tires inflated, batteries charged or more generally where repair or equipping of automobiles is executed or performed. An automobile service station may operate on a self-serve basis.

7.15 BASEMENT

Shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height, from finished floor to finished ceiling above the adjacent finished grade level adjacent to the exterior walls of the building.

7.16 BASEMENT, WALKOUT

## **SECTION 7 – DEFINITIONS**

Shall mean that portion of a building which is partly underground, but which has more than 50% of the floor area not greater than .5 metres below grade, and which has an entrance and exit at grade level.

### **7.17 BED AND BREAKFAST ESTABLISHMENT**

Shall mean a dwelling house, containing not more than two guestrooms used or maintained for the overnight accommodation of the travelling public, in which the proprietor supplies lodging, with or without meals in return for monetary compensation.

### **7.18 BOAT HOUSE, PRIVATE**

Shall mean a detached accessory building or structure or portion of a dwelling house which is designed or used for the sheltering of a boat or other form of water transportation and storage of household equipment incidental to the residential occupancy.

### **7.19 BOARDING HOUSE**

See Dwelling, Board or Loading.

### **7.20 BUFFER STRIP**

Shall mean a planting screen fence, earth berm or any combination of these features which is a minimum of 1.6 metres (5.25 ft.) in height above the average ground elevation of the surrounding area, and which serves to provide a continuous visual screen between adjoining land uses.

### **7.21 BUILDING**

Shall mean a structure having a roof, supported by columns or walls or supported directly on the foundation and used for the shelter or accommodation of persons, animals or goods.

### **7.22 BUILDING BY-LAW**

Shall mean the Building Code Act and regulations.

### **7.23 BUILDING HEIGHT**

See Height and Height of Building.

### **7.24 BUILDING PERMIT**

Shall mean a building permit issued by the chief Building Official of the Corporation of the Township of Thurlow under the Building By-law.

### **7.25 BUILDING PRINCIPAL**

Shall mean a building or structure in which the primary use is conducted.

### **7.26 BUILDING SUPPLY OUTLET**

## SECTION 7 – DEFINITIONS

Shall mean a building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvements but does not include any use or activity otherwise defined or classified herein.

### 7.27 BULK STORAGE TANK

Shall mean a tank for the bulk storage of petroleum, gasoline, diesel or other fuels, oil, gas, propane or flammable liquid or fluid but does not include a container for flammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located.

### 7.28

(2012-122)

File No.: B-77-912

### BUSINESS OR PROFESSIONAL OFFICE

Shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professional qualified persons and their staff serve clients or patients who seek advice, consultation or treatment, but shall not include any use or activity otherwise defined or classified herein.

### 7.29 BY-LAW

Shall mean the Corporation of the Township of Thurlow Zoning By-law.

### 7.30 BY-LAW ENFORCEMENT OFFICER

Shall mean the officer or employee of the Corporation for the time being charged with the duty of enforcing the provisions of the By-laws of the Corporation and shall include a chief official appointed under the provisions of the Building Code Act.

### 7.31 CABIN ESTABLISHMENT

Shall mean an establishment comprising two or more tourist cabins.

### 7.32 CABIN, PRIVATE

Shall mean a detached accessory building or structure located on the same lot as the principal building or structure, the accessory use being for sleeping accommodation in which sanitary facilities may be provided, but shall not contain cooking facilities.

### 7.33 CABIN, TOURIST

Shall mean a detached building for the sleeping accommodation of guests in which sanitary facilities may be provided but shall not contain any facilities for the preparation or cooking of food.

### 7.34 CAMP, CHARITABLE

Shall mean a seasonal camp operated by a charitable corporation approved under the Charitable Institutions Act.

## SECTION 7 – DEFINITIONS

### 7.35 CAMPING ESTABLISHMENT

Shall mean a tourist establishment consisting of at least five (5) camping lots and comprising land used or maintained as grounds for the camping or temporary parking of trailers, motorized mobile homes, truck campers, campers or tents, but does not include parks or camping grounds maintained by:

any department of the Government of Ontario or of Canada; or any Crown corporation, commission or board.

### 7.36 CAMPING SITE

Shall mean that part of a camping establishment which is occupied on a temporary basis only, by a trailer, motorized home, truck camper, camper or tent.

#### 7.36.1 CANNABIS PROCESSING CENTRE (2019-57)

As meaning a premise used for primarily processing and cannabis authorized by a license issued by Health Canada. Testing, storing, and/or distribution of cannabis may be permitted as an accessory use.

#### 7.36.2 CANNABIS PRODUCTION FACILITY (2019-57)

As meaning a premise used for primarily growing and processing of cannabis authorized by a license issued by Health Canada. Testing, research, storing, and/or distribution of cannabis may be permitted as an accessory use.

#### 7.36.3 CANNABIS TESTING AND RESEARCH FACILITY (2019-57)

Shall mean a premise where any analytical testing, including any third party testing, and research and development of new products, improve existing products or to increase knowledge of cannabis authorized by a license issued by Health Canada.

### 7.37 CARPORT

Shall mean a portion of a dwelling house which is a roofed enclosure designed for the storage or parking of a motor vehicle with at least 40 percent of the total perimeter open and unobstructed.

### 7.38 CARTAGE OR TRANSPORT DEPOT

Shall mean a building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include a bonded or sufferance warehouse.

#### 7.38.1 (2014-112)

File No.: B-77-923  
CASINO

Shall mean a gaming facility approved by the Ontario Lottery and Gaming Corporation,

## SECTION 7 – DEFINITIONS

but for the purpose of this By-law does not include any other use or activity otherwise defined or classified in this By-law.

### 7.39 CELLAR

Shall mean that portion of a building between two floor levels which is partly or wholly underground and which has more than one-half of its height, from finished floor to finished ceiling, below adjacent finished grade.

### 7.40 CEMETERY

Shall mean land that is set apart or used as a place for the internment of the dead or in which human bodies have been buried, within the meaning of the Cemeteries Act, as amended.

### 7.41 CERTIFICATE OF OCCUPANCY

Shall mean a certificate issued by the Chief Building Official for the occupancy of any land building, excavation or structure to the effect that the proposed use or activity complies with this By-law.

OMB File No. R880022

### 7.42 CHIEF BUILDING OFFICIAL

Shall mean the officer employed by the Corporation of the Township of Thurlow as is appointed under the Building By-law and shall include any inspector likewise appointed.

### 7.43 CHURCH

Means a building used for public worship or related uses by a recognized religion that is:

- 7.43.1 Charitable according to the laws of Ontario;
- 7.43.2 Organized for the conduct of religious worship; and
- 7.43.3 Permanently established both as to the continuity of its existence and as to the religious beliefs and practices.

### 7.44

(2012-122)

File No.: B-77-912

### CLINIC

Shall mean a building or portion of a building used solely for its purpose of consultation, diagnosis and treatment of patients by two or more legally qualified physicians, dentists, optometrists, chiropodists, chiropractors or drugless practitioners together with their qualified assistants, and without limiting the generality of the foregoing the building may include administrative offices, waiting rooms, examination rooms, treatment rooms, laboratories and pharmacies used in connection and forming part of the practices, but shall not include accommodation for in-patient care or operating rooms for major surgery, or any use or activity otherwise defined or classified herein.

### 7.45 COMMERCIAL CLUB

## SECTION 7 – DEFINITIONS

Shall mean a building or part of a building where a club is operated for gain or profit and may include facilities for physical fitness and recreation.

### 7.46 COMMERCIAL VEHICLE

Shall mean any motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, fire apparatus, police patrols, motor buses and tractors used for hauling purposes on the highways.

### 7.47 COMMUNITY CENTRE

Shall mean any tract of land, or building or buildings or any part of any building used for community recreational and/or social activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board or agent thereof, including any building, structure or facility established as a Community Recreation Centre within the meaning of the Community Centres Act.

### 7.48 CONTRACTOR'S YARD

Shall mean a yard of any building trade or contractor where equipment and material are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.

### 7.49 CONVENIENCE STORE

Shall mean a retail commercial establishment supplying groceries and other daily household necessities to the immediate surrounding area.

### 7.50 CORPORATION

Shall mean the Corporation of the Township of Thurlow.

### 7.51 COTTAGE

See Dwelling, Seasonal Dwelling House

### 7.52 COTTAGE, HOUSEKEEPING

Shall mean one of a group of buildings in a tourist establishment designed for human habitation and equipped with a kitchen, which shares a water supply with other such buildings in the group.

### 7.53 COTTAGE, TOURIST

Shall mean a building designed to accommodate one or more guests, which contains at least two rooms, that are at least partially furnished and in which the guest is permitted to prepare and cook food, but shall not include a seasonal dwelling house as herein defined.

### 7.54 COUNCIL



## **SECTION 7 – DEFINITIONS**

Shall mean the Municipal Council of the Corporation of the Township of Thurlow.

### **7.55 COUNTY**

Shall mean the Corporation of the County of Hastings.

### **7.56 COUNTY ROAD**

Shall mean a street or road under the jurisdiction of the Corporation of the County of Hastings.

### **7.57 COURT**

Shall mean an open and unoccupied space from ground to sky appurtenant to a building and bounded on two or more sides by the walls of the building.

### **7.58 CRAFT SHOP**

Shall mean a building or part of a building where crafts, souvenirs and other similar items are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified herein.

### **7.59 CREMATORIUM AND COLUMBARIUM**

Shall mean a building fitted with the proper appliances for the purpose of the cremation of human remains, and includes everything incidental or accessory thereto, as well as the storage of the ashes of human remains that have been cremated.

### **7.60 CUSTOM WORKSHOP**

Shall mean a building or part of a building used by a trade, craft or guild for the manufacture in small quantities of made to measure clothing or articles including the sale of such products at retail, and, for the purpose of this By-law shall include upholstering but does not include metal spinning, woodworking or furniture manufacture or any use or activity otherwise defined or classified herein.

### **7.61 DAY NURSERY**

Shall mean a day nursery operated for pre-school age children within the meaning of the Day Nurseries Act, as amended.

### **7.62 DRIVE-IN RESTAURANT**

Shall mean premises consisting of a building or structure, together with a parking lot, where food is prepared and/or cooked and offered for sale or sold to the public for consumption either in an automobile parked on the parking lot or for consumption on the premises and where dining tables may be provided but table service is not provided.

### **7.63 DRIVEWAY**

Shall mean an area of land which provides vehicular access from the travelled portion of a street to a parking area or garage.

## SECTION 7 – DEFINITIONS

### 7.64 DRY CLEANERS ESTABLISHMENT

Shall mean a building or part of a building used for the purpose of collection, distribution and processing of articles or goods of fabric to be subject to the process of dry cleaning, dry dyeing, cleaning, and spotting and stain removing.

### 7.65 DRY INDUSTRY

Shall mean an industry in which the water consumption is used only for employees and not in an industrial process.

### 7.66 DUPLEX

See Dwelling, Duplex Dwelling House

### 7.67 DWELLING

Shall mean a permanently affixed building occupied as the home, residence, or living quarters for one or more families, but does not include a group home, a mobile home or trailer.

#### 7.67.1 APARTMENT DWELLING HOUSE

Shall mean the whole of a dwelling house that contains four or more dwelling units which have a common entrance from street level and are served by a common corridor.

#### 7.67.2 BACHELOR DWELLING UNIT

Shall mean a dwelling unit consisting of one bathroom and not more than two habitable rooms providing therein living, dining, sleeping and kitchen accommodation in appropriate individual or combination room or rooms.

#### 7.67.3 BOARDING OR LODGING HOUSE

Shall mean a dwelling house, containing not more than four guest rooms used or maintained for the accommodation of the public, in which the owner or head lessee supplies, for hire or gain, lodgings with or without meals for three or more persons but does not include any other establishment otherwise defined or classified herein.

#### 7.67.4

(2016-86) File No.:B-77-1001

#### CONVERTED DWELLING HOUSE

Shall mean a single-family dwelling house, including any additions thereto constructed for permanent use, which has been altered or converted so as to provide therein not more than four dwelling units prior to August 12, 1987.

#### 7.67.5 DUPLEX DWELLING HOUSE

Shall mean the whole of a dwelling house that is divided horizontally into two separate dwelling units each of which has an independent entrance either

## SECTION 7 – DEFINITIONS

directly from the outside or through a common vestibule.

- 7.67.6  
(2016-86) File No.: B-77-1001  
DWELLING UNIT

Shall mean a suite of two or more rooms, designed or intended for use by one family only, in which sanitary conveniences are provided, in which facilities are provided for cooking or for the installation of cooking equipment in which a heating system is provided and containing a private entrance from outside the building or from a common hallway or stairway inside. A dwelling unit shall contain only one kitchen.

- 7.67.7 DWELLING UNIT AREA

Shall mean the habitable area contained within the walls of a dwelling unit excluding any private garage, carport, porch, verandah, unfinished attic, cellar or sunroom (unless such sunroom is habitable in all seasons of the year); and excluding public or common halls or areas, stairways and the thickness of outside walls.

- 7.67.8 FOURPLEX DWELLING HOUSE

Shall mean the whole of a dwelling house that is divided into four separate dwelling units and each dwelling unit has an independent entrance either from the outside or through a common vestibule.

- 7.67.9 MOBILE HOME DWELLING

Shall mean a transportable, factory-built single-family dwelling providing space standards substantially equal to those laid down in the Canadian Code for Residential Construction (Residential Standards 1980) designed to be transported on its own wheels and chassis to the mobile home lot, and may be supported on wheels, jacks, posts or piers, or with a permanent foundation and shall be designed to be connected to service utilities so as to be suitable for year-round, long-term occupancy.

- 7.67.10 ROW DWELLING HOUSE

Shall mean a group of three or more attached single-family dwelling houses owned in common, with each having independent entrances directly from the outside.

- 7.67.11 SEASONAL DWELLING HOUSE

Shall mean a single-family dwelling house used occasionally for recreation rest or relaxation, but not occupied continuously or as a principal permanent residence.

- 7.67.12 SINGLE-FAMILY DWELLING HOUSE

Shall mean a dwelling house containing one dwelling unit and occupied by not more than one family.

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### 7.67.13 SEMI-DETACHED DWELLING HOUSE

Amended by By-law 2018-186 to delete in its entirety and replace with the following:

(2018-186) Shall mean one of a pair of attached dwelling units that are divided from each other with a common masonry wall that divides the two dwelling units vertically and each of which is located on a separate lot with the common masonry wall forming the lot line between each of the two dwelling units and where each of the two dwelling units has an independent entrance either directly from the outside or through a common vestibule.

### 7.67.14 TOWN HOUSE

Shall mean a separately owned single-family dwelling house which forms part of a row dwelling house.

### 7.67.15 TRIPLEX DWELLING HOUSE

Shall mean the whole of a dwelling house that is divided into three separate dwelling units each of which has an independent entrance either directly from the outside or through a common vestibule.

### 7.67.16 SECOND UNIT DWELLING

(2018-186)

Shall mean one (1) additional dwelling unit located within a single detached dwelling, a dwelling unit of a semi-detached dwelling, or a dwelling unit of a town house dwelling.

### 7.67.17 COACH HOUSE DWELLING

(2018-186)

Shall mean one (1) additional dwelling unit that is located in a building or structure that is located on the same lot and is accessory to a single detached dwelling containing only one dwelling unit, semi-detached dwelling containing only one dwelling unit or town house dwelling containing only one dwelling unit.

### 7.67.18 SEMI-DETACHED DUPLEX DWELLING HOUSE

(2018-186)

Shall mean one of a pair of two attached duplex dwelling houses with a common masonry wall dividing the pair of duplex dwelling houses vertically which are both located on one lot.

## 7.68 EATING ESTABLISHMENT

Shall mean a building or part of a building where food is offered for sale or sold to the public for immediate consumption and includes such uses as a restaurant, dining room, café, cafeteria, ice cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand; but does not include a boarding or lodging house.

### 7.68.1 EATING ESTABLISHMENT, TAKE-OUT

Shall mean a building or part of a building designed, intended or used for the sale

## SECTION 7 – DEFINITIONS

of food and refreshments to the general public but which does not include any provision for consumption of the food by the customer while in his vehicle, within the building or elsewhere on the site.

### 7.69 EAVE

Shall mean a roof overhang, free of enclosing walls, without supporting columns.

### 7.70 EQUIPMENT RENTAL ESTABLISHMENT

Shall mean a building or part of a building, structure or yard in which articles, machinery and equipment, including heavy machinery are offered for rent and may be serviced or repaired, but shall not include any other establishment defined or classified in this By-law.

### 7.71 ERECT

Shall mean building construction, reconstruction and relocation and, without limiting the generality of the word, also includes:

7.71.1 Any preliminary physical operation, such as excavating, filling and drainage;

7.71.2 Altering any existing building or structure by an addition, enlargement, extension, movement or other structural change;

7.71.3 Any work for the doing of which a building permit is required under the Building Code Act or regulations;

7.71.4 Erect, erected and erection shall have a corresponding meaning.

### 7.72 ESTABLISHED BUILDING LINE, RURAL

Shall mean the average setback from the street line of existing buildings when at least five buildings have been erected on any one side of a continuous 280 metres of land with street frontage. Similarly, where at least five buildings have been erected in a continuous 280 metres of shoreline, the "established building line" shall mean the average setback from the high water mark.

### 7.73 ESTABLISHED BUILDING LINE, URBAN

Shall mean the average setback from the street line of existing buildings on one side of one side of one block where more than one-half of the frontage of the said side of the block has been built upon.

### 7.74 EXISTING

Shall mean existing, being a reality or an actuality on the date of passing of this By-law.

### 7.75 FAMILY

Family as used herein in reference to a dwelling shall mean one or more human beings related in blood or marriage, or common law marriage or legal adoption or a group of not more than three human beings who need not to be related by blood or marriage, living

## SECTION 7 – DEFINITIONS

together as a single housekeeping unit. “Family” also includes domestic servants or not more than two roomers or boarders. “Common law marriage” means a man and woman living together as a family without the sanctity of marriage.

7.76

(2016-04)

File No.: B-77-991

FARM

Shall mean land used for the tillage of soil and the growing of vegetables, fruits, grains or other staple crops and includes livestock raising, dairying or woodlands. “Farm” shall include a single-family dwelling house and buildings and structures, such as barns and silos, which are incidental to the operation of the farm, but shall not include any use or activity otherwise defined or classified herein.

### 7.77 FARM FACILITIES AND PRACTICES SPECIALIZED

Shall mean buildings and structures designed to accommodate 2 or more animal units as defined in Appendix “A” hereto, such as barns, stables, shelters, pens, cages, kennels or other buildings or structures, used in conjunction with poultry farms, pig farms or farms where fur bearing mammals are raised and areas such as cattle feed lots, manure storage areas and other areas where obnoxious operations relating to farming are carried on.

### 7.78 FARM IMPLEMENT AND SUPPLY DEALER

Shall mean a building, structure or area where farm equipment and farm supplies are kept for sale at retail but shall not include any other establishment otherwise defined or classified herein.

### 7.79 FARM PRODUCE RETAIL OUTLET

Shall mean a building, or part of a building, in which farm produce, exclusive of meat or poultry, is offered for sale at retail, but shall not include the sale of farm produce which has been reprocessed nor shall it include a slaughter house.

### 7.80 FLEA MARKET

Shall mean a building or part of a building where second hand goods, articles and antiques are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified herein.

### 7.81 GROSS FLOOR AREA

(3864)

Shall mean the total floor area, as defined herein, exclusive however, of:

- 7.81.1 In a non-residential structure or building, any part of the building or structure below finished grade which is used for heating, the storage or parking of motor vehicles, locker storage and laundry facilities, children’s play areas and other accessory uses, or used as living quarters by the caretaker, watchman or other supervisor of the building or structure.

## SECTION 7 – DEFINITIONS

7.81.2 In a residential building or structure, any part of the building or structure below finished grade, any private garage, carport, porch or verandah, sunroom (unless such sunroom is habitable at all seasons of the year).

### 7.82 FLOOR AREA, GROUND

Shall mean the maximum ground floor area of a building measured to the outside walls, excluding, in the case of a dwelling house, any private garage, carport, porch, verandah, sunroom (unless such sunroom is habitable at all seasons of the year).

### 7.83 FLOOR AREA, RETAIL

Shall mean that portion of the gross floor area of an establishment which is used for retail sales purposes but does not include areas for storage of finished products or offices.

### 7.84 FLOOR AREA, TOTAL

Shall mean the aggregate of the horizontal areas of each floor, whether any such floor is above or below grade, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor.

### 7.85 FOOD SUPERMARKET

Shall mean a building or part of a building wherein food and other household items are kept for sale at retail to the general public and which operates on a self-service, cash and carry basis.

### 7.86 FORESTRY

Shall mean the management, development cultivation and harvesting of timber resources to ensure the continuous production of wood or wood products, provision of proper environmental conditions for wildlife, protection and production of water supplies, and preservation of the recreation resource.

### 7.87 FUEL STORAGE TANK

See Bulk Storage Tank

### 7.88 FUNERAL HOME

Shall mean a building or structure designed for the purpose of furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the dead human body for interment or cremation.

### 7.89 GARAGE, PRIVATE

Shall mean a detached accessory building or portion of a dwelling house which is designed or used for the sheltering of a private motor vehicle and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed and excludes a carport or other open shelter.

### 7.90 GARAGE, PUBLIC

## SECTION 7 – DEFINITIONS

Shall mean a building or structure where the services performed or executed on motor vehicles for compensation shall include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle service station and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired, but shall not include any other use or activity otherwise defined or classified in this By-law.

### 7.91 GOLF COURSE

Shall mean a public or private area used for the purpose of playing golf, inclusive of club house facilities, but does not include driving ranges, miniature golf courses and similar uses.

### 7.92 GRADE, FINISHED

Shall mean the average elevation of the finished surface of the ground adjacent the ground level of the building or structure.

### 7.93 GRAVEL PIT OR QUARRY

Shall mean any pit or excavation, made for the removal of any soil, earth, clay, marl, sand, gravel, or rock for commercial purposes, but shall not include an excavation incidental to the erection of a building or structure for which a building permit has been granted by the Corporation or an excavation incidental to the construction of any public works.

### 7.94 GROUP HOME

Shall mean a residence that is licensed or approved under an Act of the Parliament of Canada or the Province of Ontario, for the accommodation of three to ten persons exclusive of staff, living under supervision in a single housekeeping unit, and who by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement.

### 7.95 GUEST

Shall mean a person, other than a boarder, who contracts for accommodation and includes all the members of the person's party.

### 7.96 GUEST ROOM

Shall mean a room or suite of rooms used or maintained for the accommodation of an individual or individuals to whom hospitality is extended for compensation.

### 7.97 HABITABLE ROOM

Shall mean a room or enclosed floor space of not less than 70 square feet, adjoining an external wall and used or intended to be used for living, eating, cooking or sleeping; but does not include any space in a dwelling or dwelling unit used as a bathroom, pantry, corridor or hallway, closet, stairway or lobby.



## SECTION 7 – DEFINITIONS

### 7.98 HEIGHT AND HEIGHT OF BUILDING

Shall mean the vertical distance, measure between the finished grade at the front of the building, and:

- 7.98.1 In the case of flat roof, the highest point of the roof surface;
- 7.98.2 In the case of a mansard roof, the deck roof line; and
- 7.98.3 In the case of a gable, hip or gambrel roof, the average height between the eaves and ridge.
- 7.98.4 Accessory roof fixtures and facilities, such as chimney, towers, steeples or television antennas, shall be disregarded in calculating the height of a building.

### 7.99 HEREIN

Shall mean in this By-law and shall not be limited to any particular part of this By-law.

### 7.100 HIGHWAY

Shall mean a highway within the meaning of the Highway Traffic Act.

### 7.101 HOME FOR THE AGED

Shall mean a home for the aged within the meaning of the Homes for the Aged Act, as amended.

### 7.102 HOME OCCUPATION

Shall mean a use which is clearly incidental or secondary to the residential use of a dwelling and is conducted entirely within such a dwelling by an inhabitant hereof, such as the offices of a real estate agent, dentist, doctor, chiropractor, physiotherapist, licensed massage therapist or osteopath. In addition, home occupation uses may include any other professional office, hairdressing, dressmaking, the making of crafts or repairs and the refinishing of furniture.

### 7.103 HOSPITAL, PRIVATE

Shall mean any institution, building or other premises in which four or more patients are or may be admitted for treatment, other than,

- 7.103.1 A hospital or other establishment supported in whole or in part by provincial aid,
- 7.103.2 An institution in respect of which a licence under the Private Sanatoria Act is in force,
- 7.103.3 An institution for the reclamation and cure of habitual drunkards established under the Municipal Act,

## SECTION 7 – DEFINITIONS

7.103.4 A house, registered under the Maternity Boarding Houses Act,

7.103.5 A lodging house licensed under a municipal By-law.

### 7.104 HOSPITAL PUBLIC

Shall mean any institution, building or other premises established for the treatment of persons afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill persons that is approved under the Public Hospitals Act as a public hospital.

### 7.105 HOTEL

Shall mean an establishment that consists of one building or two or more connected or adjacent buildings which throughout all or part of a year cater to the needs of the travelling public by furnishing sleeping accommodation, may or may not be licensed under the Liquor Licence Act, but does not include any other establishment otherwise defined or classified by this By-law.

### 7.106 KENNEL

Shall mean a building or structure where dogs, cats, or other domestic household pets are kept or boarded and the operation is registered by an appropriate recognized professional organization or club and is licensed by the Corporation.

7.106.1  
(2016-86)

File No.: B-77-1001  
KITCHEN

Shall mean an area which contains running water and a refrigerator and a stove or an area for the installation of a refrigerator and a stove.

### 7.107 LANDSCAPED OPEN SPACE

Shall mean the open unobstructed space from ground to sky at grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, parking area or any open space beneath or within any building or structure.

### 7.108 LANE

Shall mean a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.

### 7.109 LAUNDRY, COIN-OPERATED

Shall mean a building or structure where the services of coin-operated laundry machines, using only water, detergents and additives, are made available to the public

## SECTION 7 – DEFINITIONS

for the purpose of laundry cleaning.

### 7.110 LAUNDRY AND DRY CLEANING SHOP

Shall mean a building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected to a commercial process of laundering, dry cleaning, dry dyeing or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process and shall include self-service dry cleaning establishments.

### 7.111 LIBRARY

Shall mean a public library within the meaning of the Public Libraries Act, as amended.

### 7.112 LIQUOR LICENCED PREMISES

Shall mean any building, structure or premises licenced under the Liquor Licence Board of Ontario.

### 7.113 LOADING SPACE

Shall mean an off-street space on the same lot as the building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, lane or other appropriate means of access.

### 7.114 LODGE

Shall mean an establishment catering to the vacationing public by providing meals and sleeping accommodation with at least five guest rooms or cabins, but shall not include any establishment otherwise defined or classified herein.

### 7.115 LOGGING

Shall mean the removal or cutting of merchantable timber either by strip or clear or total cutting operations, but does not include the selective harvesting of mature timber nor does it include clearing of land only as an incident to putting the land in condition to the extent necessary for the bona-fide exercise of a use specifically permitted herein and selective harvesting as used herein means the harvesting of mature timber while causing a minimum of damage to adjacent growth in accordance with good forestry practice.

### 7.116 LOT

Shall mean a parcel of land which the owner or owners would be entitled to convey without contravention of any of the provisions of the Planning Act, R.S.O. 1983 as amended; and where a consent under that legislation would be required to avoid contravention, such consent has in fact been obtained and is in effect.

#### 7.116.1 LOT AREA

Shall mean the total horizontal area within the lot lines of a lot, excluding the horizontal area of each lot covered by water or marsh.

## SECTION 7 – DEFINITIONS

### 7.116.2 LOT CORNER

Shall mean a lot situated at the intersection of two streets, of which two adjacent sides that abut the intersecting streets contain an angle of not more than one hundred and thirty-five (135) degrees and, where such adjacent sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the interior lot lines, provided that:

7.116.2.1 In the latter case, the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents; and

7.116.2.2 Any portion of a corner lot distant more than 30 metres from the corner measured along the street line shall be deemed to be an interior lot.

### 7.116.3 LOT COVERAGE

Shall mean the percentage of the lot area covered by the perpendicular vertical projection of the area of all buildings onto a horizontal plane.

### 7.116.4 LOT DEPTH

Shall mean the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" means the length of a straight line joining the middle of the front lot line and the middle of the rear lot line. When there is no rear lot line "lot depth" means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

### 7.116.5 LOT FRONTAGE

Shall mean the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point therein distant equal to the required depth of the front yard, from the front lot line.

### 7.116.6 LOT INTERIOR

Shall mean a lot other than a corner lot.

### 7.116.7 LOT, THROUGH

Shall mean a lot bounded on two opposite sides by streets.

### 7.117 LOT LINE

Shall mean any boundary of a lot or the vertical projection thereof.

#### 7.117.1 LOT LINE, FRONT

Shall mean in the case of an interior lot, the line dividing the lot from the street.

## SECTION 7 – DEFINITIONS

In the case of a corner lot, the shorter lot line abutting a street shall be deemed the front lot line and the longer lot line abutting a street shall be deemed an exterior side lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line. In the case of a lot fronting on a navigable waterway, the shorter lot line directly adjacent to the navigable waterway, shall be deemed to be the front lot line. In the case of a lot fronting on a navigable waterway and on a street, the lot line abutting the street shall be deemed the front lot line.

### 7.117.2 LOT LINE, REAR

Shall mean the lot line farthest from and opposite to the front lot line.

### 7.117.3 LOT LINE, SIDE

Shall mean a lot line other than a front or rear lot line.

OMB File NO. R880022

### 7.117.4 LOT WIDTH

Shall mean the horizontal distance between the two side lot lines measured in conformity with Section 7.116.5 hereof.

### 7.118 LUMBER YARD

Shall mean an area where finished and unfinished lumber is stored but does not include an establishment or area otherwise defined in this By-law.

### 7.119

(2016-04)

File No.: B-77-991

### MANUFACTURING, ASSEMBLING, FABRICATING OR PROCESSING PLANT

Shall mean a plant in which the process of producing a product suitable for use, by hand and/or mechanical power and machinery is carried on systematically with division of labour, but shall not include any use or activity otherwise defined or classified herein.

~~7.119.1 (Deleted by By-Law 2019-57)~~

~~(2016-04) File No.: B77-991~~

### ~~MARIHUANA DISPENSARY~~

~~Shall mean the principal use of a building or structure where marihuana or cannabis products are sold or dispensed.~~

### 7.120 MARINA

Shall mean a building, structure or place, containing docking facilities and located on a navigable waterway where boats and boat accessories are stored, serviced, repaired or kept for sale and where facilities for the sale or marine fuels and lubricants may be provided.

## SECTION 7 – DEFINITIONS

### 7.121 MARINE DEALER

Shall mean any building, lot or structure where boats and marine equipment is kept for sale at retail and may include the servicing of boats and marine equipment. It may also include the sale and repair of motorized snow vehicles.

### 7.122

(2016-04)

File No.: B-77-991

MARKET GARDEN

Shall mean the use of land for the intensive commercial cultivation of vegetables, fruits or flowers, but shall not include any use or activity otherwise defined or classified herein.

~~7.122.1 (Deleted by By-Law 2019-57)~~

~~(2016-04) File No.: B-77-991~~

~~MEDICAL MARIHUANA PRODUCTION FACILITY~~

~~Shall mean premises used for growing, producing, testing, destroying, storing, or distribution of medical marihuana or cannabis authorized by a license issued by Health Canada.~~

### 7.122.2

(2012-122) File No.: B-77-912 (Definition re-numbered from 7.122.1 to 7.122.2)

METHADONE DISPENSARY

Shall mean a business selling or filling methadone prescriptions for customers as the primary activity of the business, but excludes a pharmacy or a pharmacy that is accessory and ancillary to a hospital.

### 7.122.3

(2003-41) File No.: B-77-714

(2016-04) File No.: B-77-991 (Definition re-numbered from 7.122.1 to 7.122.3)

MINI-STORAGE FACILITY

Shall mean a one-storey building containing individual storage units where, for a fee, articles, goods or materials may be stored, but does not include a warehouse.

### 7.122.4

(2016-86) File No.: B-77-1001

MODEL HOME

Shall mean a building which is used on a temporary basis as a sales office or as an example of the type of dwelling that is for sale in a related development and which is not occupied or used as a residential dwelling.

### 7.123 MOTEL

Shall mean an establishment that consists of one or more than one building containing more than one rental unit for the purpose of catering to the travelling public, to whom the motor vehicle is the principal means of transportation, by furnishing sleeping accommodation with or without meals, may include permanent staff accommodation and

## SECTION 7 – DEFINITIONS

may or may not be licenced under the Liquor Licence Act but does not include any other establishment otherwise defined or classified in this By-law.

### 7.123.1 MOTEL, HOUSEKEEPING UNIT

Shall mean an establishment that consists of one or more than one building containing more than one rental dwelling unit, designed or intended for the purpose of catering to the travelling or vacationing public throughout all or part of the year and may include permanent staff accommodation but does not include any other establishment otherwise defined or classified in this By-law.

### 7.124 MOTORIZED A.T.V. OR A.T.C.

### 7.125 MOTORIZED MOBILE HOME

Shall mean any motor vehicle so constructed as to be a self-contained, self-propelled unit, capable of being utilized for the living, sleeping or eating accommodation of persons.

### 7.126 MOTORIZED SNOW VEHICLE

Shall mean a motorized snow vehicle with the meaning of the Motorized Snow Vehicles Act.

### 7.127 MOTOR VEHICLE

Shall mean automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act.

#### 7.127.1 MOTOR VEHICLE, COMMERCIAL

Shall mean any commercial motor vehicle within the meaning of the Highway Traffic Act.

#### 7.127.2 MOTOR VEHICLE BODY SHOP

Shall mean a building or structure used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be a towing service and motor vehicle rentals for customers while the motor vehicle is under repair, but shall not include any other use or activity otherwise defined or classified in this By-law.

#### 7.127.3 MOTOR VEHICLE DEALERSHIP

Shall mean a building or structure where a licensed dealer displays new or used motor vehicles for sale or rent in conjunction with which there may be a motor vehicle repair or not, which is inoperable and has no market value as a means of transportation or has a market value that is less than the cost of repairs required to render the said motor vehicle operable.

#### 7.127.4 MOTOR VEHICLE, DERELICT

## SECTION 7 – DEFINITIONS

Shall mean a motor vehicle within the meaning of the Highway Traffic Act, as amended, whether or not same is intended for use as a private passenger motor vehicle or not, which is inoperable and has no market value as a means of transportation or has a market value that is less than the cost of repairs required to render the said motor vehicle operable.

### 7.127.5 MOTOR VEHICLE GASOLINE BAR

Shall mean one or more pump islands, each consisting of one or more gasoline pumps, and a shelter having a floor area of not more than 9 square metres (107.64 square feet), and may include facilities for the refilling of propane tanks and the changing of oil, greasing and lubricating of motor vehicles, including the sale of automotive accessories, antifreeze and additives, but shall not include any other use or activity otherwise defined or classified in this By-law.

### 7.127.6 MOTOR VEHICLE RENTAL

Shall mean a building structure where motor vehicles are kept for rent, lease or hire under agreement for compensation.

### 7.127.7 MOTOR VEHICLE REPAIR GARAGE

Shall mean a building or structure where the services performed or executed on motor vehicles for compensation shall include the installation of exhaust systems, repair of the electrical systems, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use and in conjunction with which there may be a towing service, a motor vehicle service station and motor vehicle rentals for the convenience of the customer while the motor vehicle is being repaired.

### 7.127.8 MOTOR VEHICLE SERVICE STATION

Shall mean a building or structure where gasoline, propane, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, sparkplugs, batteries and automotive accessories for motor vehicles, or similar automotive products are stored or kept for sale to the general public, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor mechanical or running repairs essential to the actual operation of motor vehicles are executed or performed.

### 7.127.9 MOTOR VEHICLE WASH, AUTOMATIC

Shall mean a building or structure containing facilities for washing motor vehicles for profit or gain either using production line methods and mechanical devices or by a self-service operation, and for the purpose of this By-law may include a motor vehicle gasoline bar but shall not include any other use or activity otherwise defined or classified in this By-law.

### 7.127.8 MUNICIPAL, COUNTY, PROVINCIAL MAINTENANCE DEPOT

Shall mean any land, building or structure owned by the Corporation of the



## SECTION 7 – DEFINITIONS

Township of Thurlow, the County of Hastings or the Province of Ontario used for the storage, maintenance or repair of equipment, machinery or motor vehicles used in connection with civic works and shall include a public works yard.

### 7.129 NON-COMPLYING USE

Shall mean a permitted land use building or structure existing at the date of the passing of this By-law which does not comply with the provision of the zone within which it is located.

### 7.131 NOXIOUS

Shall mean, when used with reference to any use or activity in respect of any land, building or structure or a use or activity which, from its nature or from the manner of carrying on same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, machinery parts, junk, waste or other material, a condition which may become hazardous or injurious as regards to health or safety or which prejudices the character of the surrounding area or interferes with or may interfere with the normal enjoyment of any use or activity in respect of any land, building or structure.

### 7.132

(2016-04)

File No.: B-77-991

### NURSERY OR GARDEN CENTRE

Shall mean a place where young trees or plants are grown for transplanting for sale, and may also include the sale of related accessory supplies as well as the sale of fruits and vegetables provided such sale is subordinate to the production and sale of select nursery stock, but shall not include any use or activity otherwise defined or classified herein.

### 7.133 NURSING HOME

Shall mean a nursing home within the meaning of the Nursing Homes Act, being Chapter 320 as amended from time to time.

### 7.134 NURSERY SCHOOL

Shall mean a day nursery within the meaning of the Day Nurseries Act, being Chapter 111, of the Revised Statutes of Ontario, 1980 as amended from time to time, and shall include a day care centre.

### 7.135 OFFICE, ADMINISTRATIVE, BUSINESS OR PROFESSIONAL

Shall mean a building or structure primarily designed and used for the purpose of providing accommodation for the offices of professional persons, such as legally qualified physicians, dentist, optometrists, chiropodists, chiropractors, drugless practitioners, barristers, solicitors, engineers, architects, Ontario Land Surveyors, Chartered Accountants and for any purpose incidental thereto; the administrative office or offices of a non-profit organization; a business administrative office or offices.

## **SECTION 7 – DEFINITIONS**

### **7.136 OPEN SPACE**

Shall mean the open, unobstructed space on a lot, including the open, unobstructed space accessible to all occupants of any residential or commercial building or structure on the lot which is suitable and used for the growth and maintenance of grass, flowers, bushes and other landscaping and may include any surface pedestrian walk, patio, pools, or similar area, but does not include any driveway, ramp or parking spaces, parking aisles, loading spaces, maneuvering areas and similar areas.

#### **7.136.1**

(2012-122) File No.: B-77-912

#### **OPIOID SUBSTITUTION THERAPY CLINIC**

Shall mean a Clinic or a Business or Professional Office that treats clients using Opioid Substitution Therapy as the primary activity of the clinic or office, but does not include a Public Hospital.

### **7.137 ORNAMENTAL STRUCTURE**

Shall mean any ornamental fountain, statue, monument, cenotaph or other memorial or decorative structure not being part of or accessory to any other structure.

### **7.138 OUTSIDE STORAGE PRINCIPAL**

Shall mean storage outside a building or structure which is accessory to the principal use on the site.

### **7.139 OWNER**

Shall mean a mortgagee, lessee, tenant, occupant or a person entitled to a limited estate or interest in land, a trustee in whom the land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator or a guardian.

### **7.140 PARK, PRIVATE**

Shall mean any open space area other than a public park which is owned operated and maintained on a commercial or private member basis and which may include therein one or more of the following facilities and activities: Swimming, wading, boating facilities, picnic areas, cross country and downhill ski areas, facilities for the serving of meals and the retail sale of sports equipment or provision of accessory health and fitness facilities, but for the purpose of this By-law shall not include a camping establishment.

### **7.141 PARK, PUBLIC**

Shall mean any open space area, owned or controlled by the Corporation or by any Board, Commission or other Authority established under any statute of the Province of Ontario and may include therein neighbourhood, community, regional and special parks or areas and may include one or more athletic fields, field houses, bleachers, swimming pools, greenhouses, botanical gardens, zoological gardens, bandstands, skating rinks, tennis courts, bowling greens, refreshment rooms, fair grounds, golf courses, or similar uses including accessory buildings, but for the purpose of this By-law shall not include a

## SECTION 7 – DEFINITIONS

camping establishment.

### 7.142 PARKING

#### 7.142.1 PARKING AISLE

Shall mean an area of land which abuts and provides direct vehicular access to one or more parking spaces, having a minimum width of not less than 6.0 metres where it services two-way traffic and not less than 4.0 metres where it services one-way traffic.

#### 7.142.2 PARKING ANGLE

Shall mean the angle which is equal to or less than a right angle, formed by the intersection of the side of the parking space and line parallel to the aisle.

#### 7.142.3 PARKING AREA

Shall mean an area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways, and related ingress and egress lanes, but shall not include any part of a public street.

#### 7.142.4 PARKING LOT

Shall mean any parking area other than a parking area accessory to a permitted use.

#### 7.142.5 PARKING SPACE

Shall mean an area, exclusive of any aisles, ingress or egress lanes, for the parking or storage of a motor vehicle and may include a private garage.

### 7.143 PERSON

Shall mean any human being, association, firm, partnership, incorporated company, corporation, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

### 7.144 PIT

Shall mean a place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material is being or has been removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes, but does not include a wayside pit as defined by the Pits and Quarries Control Act, as amended.

### 7.145 PLACE OF ENTERTAINMENT

Shall mean a motion picture or other theatre, public hall, billiard or pool room, a bowling alley, ice or roller skating rink, dance hall or music hall, but for the purposes of this By-law does not include any other use or activity otherwise defined or classified in this By-law.

### 7.146 PLACE OF WORSHIP

## **SECTION 7 – DEFINITIONS**

Shall mean a building dedicated to religious worship and includes a church, synagogue or assembly hall and may include such accessory uses as a nursery school, a school of religious education, convent, monastery or parish hall.

### **7.147 PLANTING SCREEN**

Shall mean a continuous hedgerow of evergreen trees or shrubs, not less than 1.6 metres (5.25 ft.) in height, immediately adjacent to the lot line or portion thereof along which such planting screen is required herein.

### **7.148 PRINCIPAL OR MAIN BUILDING**

Shall mean the building in which is carried on the principal purpose for which the building lot is used.

### **7.149 PRINTING OR PUBLISHING ESTABLISHMENT**

Shall mean a building or part of a building in which the business of producing books, newspapers or periodicals, by mechanical means, and reproducing techniques, such as photocopying, is carried on, and may include the sale of newspapers, books, magazines, periodicals, or like, to the general public.

### **7.150 PRIVATE CLUB**

Shall mean a building or part of a building used for the purposes of a non-profit, non-commercial organization which includes social, cultural, athletic or recreational activities.

OMB File No. R880022

### **7.151 PRIVATE SEWAGE DISPOSAL SYSTEM**

Shall mean any sewage disposal system, which includes a septic tank and dispersals field, duly authorized by the Medical Officer of Health or the Ontario Water Resources Commission. The requirements of 7.185 apply only in relation to water's edge.

OMB File No. R880022

#### **7.151(a) PROCESSING PLANT**

Shall mean a plant for crushing and screening of aggregate material, a concrete batching plant and includes a portable, asphalt and washing plant.

### **7.152 PROVINCIAL HIGHWAY**

Shall mean a street or road under the jurisdiction of the Ministry of Transportation and Communications.

### **7.153 PUBLIC AUTHORITY**

Shall mean Federal, Provincial, County or Municipal agencies, and includes any commission, board, authority or department established by such agency.

#### **7.153.1 PUBLIC USE**

## **SECTION 7 – DEFINITIONS**

Means any use of land, buildings or structure by or on behalf of a public authority.

### **7.154 PUBLIC SEWAGE SYSTEM**

Shall mean a sewage works or water control pollution plant under the care and maintenance of the Township or the Ontario Ministry of the Environment.

### **7.155 PUBLIC UTILITY**

Shall mean a water works or water system, sanitary or storm water sewage works, electrical power or energy generating system, street lighting system, natural or artificial gas works; and includes any land, building, equipment, collection, distribution, supply or transmission systems required for the administration or operation of any such system.

### **7.156 QUARRY**

Shall mean a place where consolidated rock has been or is being removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a wayside quarry or open pit metal mine as defined in the Pits and Quarries Control Act, as amended.

### **7.157 RECREATIONAL VEHICLE DEALERSHIP**

Shall mean a building or structure where a licensed dealer displays new recreational vehicles, including motorcycles, all-terrain vehicles and snowmobiles, for sale or rent in conjunction with which there may be a recreational vehicle repair garage and gasoline bar, but shall not include any other use or activity otherwise defined or classified in the By-law.

### **7.158 RENTAL AGENCY**

Shall mean a building or part of a building or structure in which articles are offered or kept for rent, lease or hire under agreement for compensation, but shall not include any other establishment defined or classified in this By-law.

### **7.159 RESORT**

Shall mean an establishment that operates throughout all or part of the year and that has facilities for serving meals and furnishing accommodation equipment, supplies or services to persons in connection with recreational purposes.

### **7.160 RESTAURANT**

See Eating Establishment

### **7.161 RESTAURANT, DRIVE-IN**

See Drive-in Restaurant

### **7.162 RESTAURANT, TAKE-OUT**

## **SECTION 7 – DEFINITIONS**

See Eating Establishment; Take-out

### **7.163 RETAIL COMMERCIAL ESTABLISHMENT**

Shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept of sale at retail, or on a rental basis, but does not include any establishment otherwise defined or classified herein.

### **7.164 RIGHT-OF-WAY, PRIVATE**

Shall mean a private road which affords access to abutting lots and does not include a lane, street, road or highway as herein defined.

### **7.165 ROOMING HOUSE**

See Dwelling, Boarding or Lodging House

### **7.166 SALVAGE OR SCRAP YARD**

Shall mean a place where goods, wares, merchandise, articles or things are processed for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and may include a junk yard, a scrap metal yard and a motor vehicle wrecking yard or premises.

### **7.167 SANITARY SEWER**

Shall mean an adequate system of underground conduits, operated either by the Corporation or by the Ministry of the Environment, which carries sewage to an adequate place of treatment which meets with the approval of the Ministry of the Environment.

### **7.168 SAW MILL**

Shall mean a building, structure or area where timber is cut, sawed or planed, either to furnished lumber or as an intermediary step and may include facilities for the kiln drying and storage of lumber and may or may not include the distribution of such products on a wholesale or retail basis.

### **7.169 SCHOOL, PUBLIC**

Shall mean a school under the jurisdiction of a Board as defined by the Ministry of Education.

### **7.170 SELECTIVE CUTTING**

Shall mean the harvesting of mature timber without causing undue damage to adjacent standing growth.

### **7.171 SENIOR CITIZEN HOUSING**

Shall mean housing owned and operated by government to provide residential accommodation for senior citizens.

### **7.172 SENIOR CITIZEN LODGE**

## SECTION 7 – DEFINITIONS

Shall mean a building in which the proprietor supplies for hire or gain lodging with meals for senior citizens and in addition may provide medical, nursing or similar care or treatment if required.

### 7.173 SERVICE SHOP

Shall mean a building or part of a building, not otherwise defined or classified herein, and whether conducted in conjunction with a retail store or not, for the servicing or repairing of articles, goods or materials other than heavy machinery or equipment, or motor vehicles.

### 7.174 SERVICE SHOP, PERSONAL

Shall mean a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, such as a barber's shop, a ladies hairdressing establishment or other similar services.

### 7.175 SETBACK

Shall mean the horizontal distance from the centre line of the street allowance, measured at right angles to such centre line, to the nearest part of any building or structure or excavation on the adjacent lot.

### 7.176 SHOPPING CENTRE

Shall mean a group of commercial uses, which have been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants, as distinguished from a business area comprising unrelated individual uses.

### 7.177 SIGHT TRIANGLES

Shall mean the triangular space formed on a corner lot by the street lines and a line drawn from a point in one street line to a point in the other street line, each such point being 7.5 metres (25.00 feet) measured along the street line from the point of intersection of the street lines. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents of the street lines.

### 7.178 SIGN

Shall mean a structure or advertising device having illustrations affixed thereto or displayed thereon in any manner, which is used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, profession, enterprise, industry or business, or which display or include any letter, work, model number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement.

### 7.179 SOLAR COLLECTOR

Shall mean any structure subordinate to a principal structure designed specifically for the collection of solar energy for experimental or for the purposes of converting such energy for heating, lighting, water production or any other domestic or commercial use that may be obtained from such source.

## SECTION 7 – DEFINITIONS

7.180  
(2016-86)

File No.: B-77-1001  
STOREY

Shall mean the portion of a building, other than an attic, or cellar, included between any floor level and the floor, ceiling or roof next above it.

7.181 STORM SEWER

Shall mean a sewer which carries storm sewage or surface runoff but excludes any sanitary sewer or any combination of sanitary sewers and storm sewers.

7.182 STREET OR ROAD

Shall mean a highway as defined by the Municipal Act, as amended, and the Highway Traffic Act, as amended, which affords the principal means of access to abutting lots and does not include a lane or private right-of-way as defined in this By-law.

7.183 STREET, IMPROVED PUBLIC

Shall mean a street or road under the jurisdiction of the Province of Ontario, the County of Hastings or the Corporation of the Township of Thurlow which is maintained so as to allow normal vehicular access to adjacent properties throughout all seasons of the year.

7.184 STREET LINE

Shall mean the limit of the street or road allowance and is the dividing line between a lot or block and street or road.

7.185  
(2016-86)

File No.: B-77-1001  
STRUCTURE

Shall mean anything constructed or erected, the use of which requires location on the ground, or attached to something having location on the ground, but shall not include unitary equipment as defined herein.

7.186 TENT

Shall mean every kind of temporary shelter for sleeping that is not permanently affixed to the site and that is capable of being easily moved.

7.187 TOURIST ESTABLISHMENT

Shall mean any premises operated to provide sleeping accommodation for the travelling public or sleeping accommodation for the use of the public engaging in recreational activities, and includes the services and facilities in connection with which sleeping accommodation is provided, and without limiting the generality of the term, also includes a cabin establishment, a tourist home, a tourist cottage and a housekeeping cottage but does not include:



## SECTION 7 – DEFINITIONS

7.187.1 A camp operated by a charitable corporation approved under the Charitable Institutions Act.

7.187.2 A summer camp within the meaning of the regulations under the Public Health Act; or

7.187.3 A club owned by its members and operated without profit or gain.

### 7.188 TOURIST HOME

Shall mean a private dwelling that is not part of or used in conjunction with any other tourist establishment and in which there are at least five rooms for rent to the travelling or vacationing public, whether rented regularly, seasonally or occasionally.

### 7.189 TOWNSHIP STREET OR ROAD

Shall mean a street or road under the jurisdiction of the Corporation.

### 7.190 TRAILER

Shall mean a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, another motor vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn and for the purposes of this By-law shall not include a mobile home dwelling unit as defined herein.

### 7.191 TRAILER CAMP OR PARK

Shall mean an establishment consisting of at least five camping lots and comprising land used or maintained as grounds for the overnight camping or parking of trailers, truck campers, campers or setting up of tents for recreational or vacation use and designed for seasonal occupancy only, EXCEPT parks or camping grounds maintained by any department or Ministry of the Government of Ontario or of Canada, or any Crown Corporation, Commission or Board.

### 7.192 TRAILER, MOBILE CAMPER

Shall mean any vehicle in which the assembly can be erected, while stationary, using the trailer body and related components for support and utilized for living, shelter and sleeping accommodation with or without cooking facilities, which is collapsible and compact while being drawn by a motor vehicle.

### 7.193 TRAILER SITE

Shall mean an area of land within a travel trailer park that is or is intended to be occupied by one trailer, or similar vehicle within the meaning of a trailer as defined herein with adequate access to a driveway or public street.

### 7.194 TRANSMISSION TOWER

Shall mean a building or structure, typically higher than its diameter, which may

## SECTION 7 – DEFINITIONS

comprise a skeleton framework, the purpose of which is to relay radio waves or microwaves.

### 7.195 TRUCK CAMPER

Shall mean any unit so constructed that it may be attached upon a motor vehicle, as a separate unit, and capable of being utilized for the living: sleeping or eating accommodation of persons.

#### 7.195.1

(2002-63) File No.: B-77-692  
TRUCK TRAILER BOX

Shall mean any vehicle or structure so constructed that it is suitable for being attached to a motor vehicle and is capable of being used for transporting goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.

#### 7.195.2

(2016-86) File No.: B-77-1001  
UNITARY EQUIPMENT

Shall include central air conditioning units, heat pumps, swimming pool filters, and domestic fuel tanks.

### 7.196 USE

Shall mean, when used as a noun, the purpose for which a lot or building or structure, or any combination thereof, is designed, arranged, occupied or maintained and when used as a verb, "USED" shall have a corresponding meaning.

### 7.197 VEHICLE

Shall mean an automobile, all-terrain vehicle, snowmobile, motorcycle, motor assisted bicycle, traction engine, farm tractor, road-building machine, self-propelled implement of husbandry, and any other vehicle propelled or driven other than by muscular power, but not including a railroad car or other motor vehicle running only upon rails.

### 7.198 VETERINARIAN CLINIC

Shall mean a building or part of a building in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals and in conjunction with which there may be facilities provided for the sheltering of animals during the treatment period.

### 7.199 WAREHOUSE

Shall mean a building or part of a building used for the storage and distribution of goods, wares, merchandise, substances, articles or things, and may include facilities for a wholesale or retail commercial outlet, but shall not include a cartage or transport depot.

### 7.200 WASTE DISPOSAL AREA

## SECTION 7 – DEFINITIONS

Shall mean a place where garbage, refuse or domestic or industrial waste, exclusive of liquid industrial waste, is disposed of or dumped, and, for the purposes of this By-law, may include a sanitary landfill site.

### 7.201 WATERCOURSE

Shall mean a water body or the natural channel for a perennial or intermittent stream of water.

OMB File No. R880022

#### 7.201.1 WATERS EDGE, HIGH WATER MARK

Shall mean the existing mark made by the action of water under natural conditions on the shore or bank of a body of water which action has been so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark.

### 7.202 WATER FRONTAGE

Shall mean the boundary between the water and land fronting on and providing access to a watercourse, bay or lake.

### 7.203 WATER SUPPLY

Shall mean an adequate distribution system of underground piping and related storage, including pumping and purification appurtenances operated by a municipal corporation and/or the Ministry of the Environment and/or any public utilities commission for public use.

### 7.204 WATER SUPPLY PLANT

Shall mean a building or structure, approved by the Ministry of the Environment where water is treated for human consumption.

### 7.205 WAYSIDE PIT OR QUARRY

Shall mean a temporary pit or quarry opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

### 7.206 WELL

Shall mean an underground source of water which has been rendered accessible by the drilling or digging of a hole from ground level to the water table and may include a private piped system from a surface water source.

### 7.207 WORKSHOP

Shall mean a building or structure where manufacturing is performed by tradesmen requiring manual or mechanical skills and may include a carpenter's shop, a locksmith's shop, a gunsmith's shop, a tinsmith's shop, a commercial welder's shop, or similar uses.

## SECTION 7 – DEFINITIONS

### 7.208 YARD

Shall mean a space, appurtenant to a building or structure, located on the same lot as the building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted elsewhere in the By-law.

#### 7.208.1 YARD, FRONT

Shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of any building or structure on the lot or the nearest open storage use on the lot.

#### 7.208.2 YARD, FRONT DEPTH

Shall mean the least horizontal dimension between the front lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

##### 7.208.2.2 YARD, REAR

Shall mean a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

#### 7.208.3 YARD, REQUIRED

Shall mean the minimum yard required by the provisions of this By-law.

#### 7.208.4 YARD, SIDE

Shall mean a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

##### 7.208.4.1 YARD, SIDE, EXTERIOR

Shall mean a side yard immediately adjoining a public street.

##### 7.208.4.2 YARD, SIDE, WIDTH

Shall mean the least horizontal dimension between the side lot line of the lot and the nearest part of any building or structure on the lot, or the nearest open storage use on the lot.

### 7.209 ZONE PROVISIONS

The permissible uses, the minimum area and dimensions of lots, the minimum dimensions of yards, the maximum lot coverage, the minimum landscaped open space, the maximum height of buildings, minimum parking requirements, and all other Zone provisions are set out within the By-law for the respective Zones.

## **SECTION 7 – DEFINITIONS**

### **7.211 RETIREMENT HOME (3123)**

Shall mean an establishment that consists of one or more than one building containing more than one rental unit for the purpose of catering to individuals by furnishing sleeping accommodation with meals, light resident care and consultation and/or diagnosis and treatment of residents by qualified nurses and/or physicians, dentists, optometrists, chiropodists, chiropractors and drugless practitioners and their qualified assistants and may include permanent staff accommodation and cafeteria and catering facilities but does not include any other establishment otherwise defined or classified in this By-law.

## **SECTION 8 – ZONING MAPS**

Please refer to the City of Belleville website for up to date Zoning Maps

[www.belleville.ca](http://www.belleville.ca)