



**City of Brockville**  
**Planning and Development Committee**  
**Agenda**  
**5:00 PM - Tuesday, July 7, 2026**  
City Hall, Council Chambers

---

Page

**Land Acknowledgement Statement**

**Chair's Remarks**

**Disclosure of Pecuniary Interest**

**Delegations and Presentations**

Nil.

**Correspondence and Communications**

Nil.

**Reports from Boards and Committees**

Nil.

**Staff Reports**

- 3 - 292 1. 2026-104  
Adoption of Zoning Bylaw Amendment  
General Update

THAT Zoning By-law 050-2014 be Amended to implement the changes as proposed and prepared by NPG Planning Solutions.

[2026-104](#)

**New Business from Committee Members**

**Information Items**

Nil.

**Committee Consent Agenda**

**Media Question Period**

### **Adjournment**

THAT the Planning and Development Committee adjourn its meeting until the next regular meeting scheduled for August 4, 2026.

### **Minutes from City Boards and Committees**

- 293 - Brockville Municipal Accessibility Advisory Committee
- 294 [Municipal Accessibility Advisory Committee - 17 Jun 2026 - Minutes](#)
  
- 295 - Municipal Heritage Committee
- 298 [Municipal Heritage Committee - 17 Jun 2026 - Minutes](#)



# Staff Report

---

**Report To:** Planning and Development Committee  
**Meeting Date:** July 7, 2026  
**Prepared By:** Andrew McGinnis, Chief Planning Officer  
**Report Number:** 2026-104  
**Subject:** Adoption of Zoning Bylaw Amendment  
General Update

---

## Recommendation

THAT Zoning By-law 050-2014 be Amended to implement the changes as proposed and prepared by NPG Planning Solutions.

## Background

A Zoning Bylaw is a document prepared by the municipality under authority of the *Planning Act* to guide development and use of land in our community. It states exactly how land may be used, where buildings and other structures can be located, the types of buildings that are permitted as well as lot sizes, setbacks, parking requirements, building heights and densities.

An official plan sets out the general policies for future land use. The Zoning Bylaw puts the plan into effect and provides for its day-to-day administration.

Section 26(9) of the Planning Act requires local councils to amend their Zoning Bylaw to align with a new or updated Official Plan within three years of adoption. Brockville's updated Official Plan was adopted by Council on July 5, 2022, and was subsequently approved by the Ministry of Municipal Affairs and Housing on August 16, 2024.

The City of Brockville's current Comprehensive Zoning Bylaw Number 050-2014 was adopted by Council on June 10, 2014. Since the Official Plan has been approved, the Zoning Bylaw needs to be brought into conformity with the approved Official Plan.

On February 5, 2025, the City issued a Request for Proposals for the Zoning Bylaw Update/Review. In March of 2025, submissions were received, scored and reviewed against the RFP requirements. In April of 2025 staff advised Council of the selection and appointment of NPG Planning Solutions Inc (NPG) to undertake the Zoning Bylaw review.

From May 2025 to April 2026, NPG undertook a review, conducted a background report, worked with staff to create multiple Technical Briefs and released a consolidated **Redline** version of the proposed Zoning Bylaw on April 20, 2026. The redline version is Attachment 1 to this report and provides all the changes proposed to be made to the

Bylaw. Attachment 2 is the proposed Bylaw amendment prepared by NPG Planning Solutions.

## **Analysis**

As the Zoning Bylaw controls all land use and built form framework for the entire City, public involvement throughout the process is essential in order to have a Bylaw that serves the community.

Public engagement has taken various forms throughout this project:

There were 2 Open Houses held on September 8, 2025, and April 27, 2026, for the public to provide input as well as a Statutory Public Meeting held on June 2, 2026.

In addition, on April 28, 2026, staff, in conjunction with NPG, held Stakeholder Meetings to engage the commercial, industrial and development sectors within the community. These meetings were to solicit the stakeholders' perspectives regarding key issues under the current bylaw that may impact them as well as to provide a breakdown of proposed changes that staff and NPG are looking at implementing through this amendment. At these meetings, key changes were presented.

Upon receiving public comment and feedback, considerations were made and some changes to the proposed amendment, originally presented at the Statutory Public Meeting of June 2, 2026, were made. Additional changes by Staff were also considered and incorporated into the document.

Specifically, at the public meeting of June 2, 2026, a resident asked for reconsideration of the regulations pertaining to Home Occupations. Staff and NPG Professionals considered the request, researched to see what other municipalities were doing and came to a conclusion that the general provisions regarding home occupations remain as proposed. The uses presented by the resident at the public meeting can pose impacts on residential neighbourhoods regarding traffic, parking, and odour. There are also concerns that these uses (restaurants, catering, retail) may impact commercial areas that were established and designed for these types of uses. Attachment 3 to this report is a chart of comments and responses from the public meeting, prepared by NPG Planning Solutions.

The updated Zoning Bylaw contains a variety of proposed changes. Key Amendments include but are not limited to:

- Replacement of Secondary Dwelling Units and Garden Suite with Additional Dwelling Units (ADU's) and provide regulations pertaining to said ADU's as per Provincial requirements.

- New accessible parking standards were added to meet provincial standards, and other vehicle parking rates city-wide were slightly reduced. Attachment 4 is a chart showing the proposed parking changes.
- Bicycle Parking rates were amended to reflect the vehicle parking reductions in order to promote active transportation and transit supportive development.
- Parking in the Downtown Core has been refined to now permit the conversion of commercial to residential without adding additional parking. All existing parking must be maintained.
- Dock provisions have been incorporated into the document.
- Bed and Breakfast and Short-Term Rental provisions have been added and/or refined.
- Crownland Zoning has been added.
- The I1-General Institutional Zone has been amended to permit "Assembly Halls" as a permitted use.
- Residential categories have been amended to permit additional building tenures to promote a variety of available uses in zoning classifications.
- Residential lot areas and frontages have been slightly reduced, while density requirements have been slightly increased, all to promote intensification.
- The Mixed-Use Downtown Zone, the Mixed-Use Waterfront Zone, and the Mixed-Use Commercial Zone have been expanded to permit additional uses. Examples include Nursing Homes and Places of Worship.
- Emergency Shelters are proposed to now be permitted in Commercial Zones as well as the Mixed-Use Commercial Zone. The Emergency Shelter Use is not being proposed to be permitted in the Mixed-Use Downtown Zone and the Mixed-Use Waterfront Zone.
- Various other updates include changes to general provisions to align with provincial requirements, changes to definitions, separation distances for Industrial Uses.
- Changes/updates to properties that are or have been improperly zoned for multiple years have also been amended to reflect the designations placed on them through the Official Plan. Attachment 5 shows the properties that are subject to specific change.

All input and submissions have been given utmost consideration in the formulation of the contents of the Bylaw and its regulations.

Should Committee and Council approve the proposed amendments, Staff will continue with the process as required. Upon adoption, staff will prepare the Notice of Passing as prescribed within the regulations under the Planning Act.

### **Financial Implications**

Funds for the preparation of the Zoning Bylaw have been identified during previous budget deliberations.

## **Policy Alignment**

The Zoning Bylaw will provide a new regulation to control land use, development and built form for the City of Brockville for the foreseeable planning horizon.

As required by the Province this Bylaw update will be completed within the 3-year timeframe of the 2024 Official Plan update.

## **Alignment with 2023-2026 Strategic Priorities**

In July 2023, City Council approved the 2023-2026 Term of Council Priorities. The General Update to the Zoning Bylaw will assist in meeting the strategic priorities of Housing Intensification, Economic Development and employment, and accessibility, to name a few. It will result in a City that is more connected, diverse and meet the needs of the community today while anticipating the challenges and opportunities of tomorrow.

## **Conclusion**

The City is required to update the Zoning Bylaw within 3 years of an Official Plan update. NPG have been leading the review and have completed the proposed Zoning Bylaw update.

The proposed Zoning Bylaw Amendment is consistent with the Provincial Planning Statement 2024, the Brockville Official Plan, and current Provincial legislative requirements.

It is appropriate for Committee and Council to adopt the proposed Zoning Bylaw Amendment and for it to become our new working document to help guide and control development throughout the city.


Approved by:  
Andrew McGinnis, Chief Planning Officer  
Sandra MacDonald, City Manager

Status:  
Approved - 03 Jul 2026  
Approved - 03 Jul 2026

Attachments:

[Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)  
[Attachment 4](#)  
[Attachment 5](#)

# ATTACHMENT 1



**BROCKVILLE**

**BROCKVILLE**  
zoning by-law  
[www.brockville.com](http://www.brockville.com)

**CONSOLIDATED COPY OF  
CITY OF BROCKVILLE  
ZONING BY-LAW NO.  
050-2014**

**June 30, 2026**

D 14-14-024  
**MMM GROUP**

## LIST OF AMENDMENTS

1.	BY-LAW 075-2014 – File D14-001 <sup>(050-2014)</sup> Stewart Blvd. – Schedule A, Map 16 H1-C4- Highway Commercial Zone
2.	BY-LAW 029-2015 – File D14-002 <sup>(050-2014)</sup> Subsection 5.3.4.8 - R3-8 Zone (Pt Lot 22, Plan 206, being Part 2, RP 28R-12501; East Side of Centre Street)
3.	BY-LAW 017-2015 - File D14-003 <sup>(050-2014)</sup> Subsection 6.3.1.14 – MD-14 Zone 62 King Street East & 31-33 Bethune St.
4.	BY-LAW 018-2015 - File D14-004 <sup>(050-2014)</sup> Subsection 6.3.1.15 - MD-15 Zone 26 Victoria Avenue
5.	BY-LAW 028-2015 - File D14-005 <sup>(050-2014)</sup> Subsection 6.3.1.16 – MD-16 Zone 22 Perth Street
6.	BY-LAW 039-2015 - File D14-006 <sup>(050-2014)</sup> Subsection 6.3.6.3 – T-C3-3 Zone 2360 Parkedale Avenue
7.	BY-LAW 056-2015 – File D14-007 <sup>(050-2014)</sup> Subsection 5.3.12.3 – R9-3 Zone, and Subsection 7.3.7.7 – I1-7 Zone Wall Street Village - Wall St., James St, Victoria Ave.
8.	BY-LAW 096-2015 – FILE D14-008 <sup>(050-2014)</sup> Subsection 7.3.7.8 – I1-8 Zone 75 Charles Street

LIST OF AMENDMENTS

## LIST OF AMENDMENTS

9.	BY-LAW 088-2015 – FILE D14-009 <sup>(050-2014)</sup> Subsection 6.3.6.4 – T-C3-4 Zone 545 & 555 Stewart Blvd.
10.	BY-LAW 006-2016 – FILE D14-010 <sup>(050-2014)</sup> Subsection 6.3.5.9 – C2-9 Zone 100 Stewart Blvd.
11.	BY-LAW 044-2016 – FILE D14-011 <sup>(050-2014)</sup> Subsection 6.3.1.17 – MD-17 Zone 10 John Street
12.	BY-LAW 051-2016 – FILE D14-012 <sup>(050-2014)</sup> Subsection 7.3.5.4. – OS-4 Zone Bayview Road
13.	BY-LAW 066-2016 – FILE D14-013 <sup>(050-2014)</sup> Subsection 5.3.8.7 – R5-7 Zone 1115 Millwood Avenue
14.	BY-LAW 065-2016 – FILE D14-014 <sup>(050-2014)</sup> Subsection 6.3.4.7 – C1-7 Zone 108 Perth Street
15.	BY-LAW 074-2016 – FILE D14-015 R4 – General Residential to MD – Mixed Use Downtown 12 Victoria Avenue
16.	BY-LAW 077-2016 – FILE D14-016 <sup>(050-2014)</sup> Subsection 7.3.7.3 – I1-3 Zone 800 Stewart Blvd.
17.	BY-LAW 008-2017 – FILE D14-017 <sup>(050-2014)</sup> Subsection 6.3.1.1 -T-MD-1 Zone Northwest Corner of King Street West at Clarissa Street

## City of Brockville Comprehensive Zoning By-law No. 050-2014

18.	BY-LAW 031-2017 – FILE D14-018 <sub>(050-2014)</sub> Subsection 5.3.4.10 - R3-10 Zone 414 King Street West
19.	BY-LAW 030-2017 – FILE D14-019 <sub>(050-2014)</sub> Subsection 5.3.6.22 - R4-22 Zone Subsection 6.3.4.2 - C1-2 Zone 54, 56, 58 and 60 Pearl Street East
20.	BY-LAW 040-2017 – FILE D14-020 <sub>(050-2014)</sub> RU-Rural Zone to C4-Highway Commercial Zone 621 Stewart Boulevard
21.	BY-LAW 033-2017 – FILE D14-021 <sub>(050-2014)</sub> Subsection 5.3.4.11 - R3-11 Zone Vacant Lands fronting on Strowger Boulevard, Schofield Avenue and Havelock Street
22.	BY-LAW 081-2017 – FILE D14-023 <sub>(050-2014)</sub> Housekeeping Amendment
23.	BY-LAW 080-2017 – FILE D14-024 <sub>(050-2014)</sub> Subsection 7.3.2.3 – E2-3 Zone 100 Strowger Boulevard
24.	BY-LAW 013-2018 – FILE D14-026 <sub>(050-2014)</sub> Housekeeping Amendment for Micro-Brewery and Micro-Wineries
25.	BY-LAW 017-2018 – FILE D14-027 <sub>(050-2014)</sub> Subsection 5.3.11.3 – R8-3 Zone 137 George Street
26.	BY-LAW 018-2018 – FILE D14-028 <sub>(050-2014)</sub> Subsection 6.3.5.9 – C2-9 Zone 100 Stewart Boulevard

LIST OF AMENDMENTS

## City of Brockville Comprehensive Zoning By-law No. 050-2014

27.	BY-LAW 034-2018 – FILE D14-029 <sub>(050-2014)</sub> Subsection 6.3.6.3 – T-C3-3 Zone 2360 Parkedale Avenue
28.	BY-LAW 070-2018 – FILE D14-030 <sub>(050-2014)</sub> Subsection 7.3.7.9 – I1-9 Zone Twin Pad Arena – King Street West
29.	BY-LAW 072-2018 – FILE D14-031 <sub>(050-2014)</sub> Subsection 7.3.7.10 – I1-10 Zone UCDSB – King Street West
30.	BY-LAW 081-2018 – FILE D14-032 <sub>(050-2014)</sub> Subsection 6.3.9.2 – T-C6-2 Zone 103 Broome Road
31.	BY-LAW 061-2017 & 004-2019 – FILE D14-022 <sub>(050-2014)</sub> Subsection 7.3.2.5 – E2-5 Zone Employment Lands – Northwest
32.	BY-LAW 019-2019 – FILE D14-033 <sub>(050-2014)</sub> Subsection 6.3.6.5 – C3-5 Zone 7815 Kent Boulevard
33.	BY-LAW 024-2019 – FILE D14-034 <sub>(050-2014)</sub> Subsection 6.3.5.16 – C2-16 Zone 6 Osment Street
34.	BY-LAW 072-2019 – FILE D14-025 <sub>(050-2014)</sub> Source water Protection
35.	BY-LAW 047-2019 – FILE D14-035 <sub>(050-2014)</sub> Subsection 6.3.7.6 – C4-6 Zone 806 Chelsea Street

LIST OF AMENDMENTS

## City of Brockville Comprehensive Zoning By-law No. 050-2014

36.	BY-LAW 080-2019 – FILE D14-036 <sub>(050-2014)</sub> Subsection 7.3.7.11 - I1-11 Zone 1807 County Road 2 (Boundary Expansion)
37.	BY-LAW 078-2019 – FILE D14-037 <sub>(050-2014)</sub> 1803 County Road 2 (Boundary Expansion)
38.	BY-LAW 087-2019 – FILE D14-038 <sub>(050-2014)</sub> Subsection 5.3.6.23 – R4-23 Zone 9 and 11 Pearl Street East
39.	BY-LAW 065-2020 – FILE D14-039 <sub>(050-2014)</sub> Subsection 5.3.7.1 – R4A-1 Zone Oxford Avenue at Broadway Avenue
40.	BY-LAW 036-2020 – FILE D14-040 <sub>(050-2014)</sub> Subsection 6.3.1.1 – T-MD-1 Zone King Street West at Clarissa Street
41.	BY-LAW 035-2020 – FILE D14-041 <sub>(050-2014)</sub> Subsection 5.3.8.8 – R5-8 Zone 210 Pearl Street West
42.	BY-LAW 024-2020 – FILE D14-042 <sub>(050-2014)</sub> Subsection 7.3.7.10 – I1-10 Zone King Street West
43.	BY-LAW 017-2021– FILE D14-043 <sub>(050-2014)</sub> Change to R3 Zone 36, 34, 32, 30, 28, 26, 24, 22, 20, 18 Adley Drive
44.	BY-LAW 034-2021– FILE D14-044 <sub>(050-2014)</sub> Subsection 5.3.9.3 – R6-3 Zone Subsection 6.3.5.17 – C2-17 Zone 75 & 75A Victoria Avenue and 4 James Street East

LIST OF AMENDMENTS

## City of Brockville Comprehensive Zoning By-law No. 050-2014

45.	BY-LAW 046-2021 – FILE D14-045 <sub>(050-2014)</sub> Subsection 6.3.2.5 – MW-5 Zone 26-28 Water Street
46.	BY-LAW 049-2021 – FILE D14-046 <sub>(050-2014)</sub> Subsection 5.3.12.6 – R9-7 Zone 42 Garden Street
47.	BY-LAW 047-2021 – FILE D14-047 <sub>(050-2014)</sub> Subsection 5.3.8.8 – T-R5-8 Zone 100 Perth Street
48.	BY-LAW 054-2021 – FILE D14-048 <sub>(050-2014)</sub> Subsection 7.3.7.12 – I1-12 Zone 108 Perth Street
49.	BY-LAW 085-2021 – FILE D14-049 <sub>(050-2014)</sub> Subsection 5.3.6.23 – H1-R4-23 Zone 3064 & 3076 Parkdale Avenue
50.	BY-LAW 071-2021 – FILE D14-050 <sub>(050-2014)</sub> 1 Granite Street & 20 Ann Street
52.	BY-LAW 080-2021 – FILE D14-052 <sub>(050-2014)</sub> Subsection 7.3.2.6 – E2-6 Zone 700 Central Avenue West
53.	BY-LAW 081-2021 – FILE D14-53 <sub>(050-2014)</sub> Subsection 6.3.7.7 – C4-7 Zone 663 Stewart Boulevard
54.	BY-LAW 0078-2021 – FILE D14-054 <sub>(050-2014)</sub> Subsection 5.3.9.3 – R6-3 Zone 220 Bartholomew Street

LIST OF AMENDMENTS

## City of Brockville Comprehensive Zoning By-law No. 050-2014

55.	BY-LAW 086-2022 – FILE D14-055 <sub>(050-2014)</sub> Subsection 5.3.7 – R4A-2 Zone Windsor - Centennial
56.	BY-LAW 014-2022 – FILE D14-056 <sub>(050-2014)</sub> Subsection 6.3.4.5 C1-5 Zone – R3 Zone 271 Perth Street
57.	BY-LAW 012-2022 – FILE D14-057 <sub>(050-2014)</sub> Subsection 6.3.3.2 – MC-2 Zone 125 Stewart Boulevard
58.	BY-LAW 033-2022 – FILE D14-058 <sub>(050-2014)</sub> Subsection 6.3.5.18 – C2-18 Zone 7 Central Avenue East
59.	BY-LAW 043-2022 – FILE D14-059 <sub>(050-2014)</sub> Subsection 6.3.1.18 – T-MD-18 Zone 205 King Street West
61.	BY-LAW 056-2022 – FILE D14-061 <sub>(050-2014)</sub> Subsection 6.3.1.18 – MD-18 Zone 224 King Street West
62.	BY-LAW 052-2022 – FILE D14-062 <sub>(050-2014)</sub> Subsection 7.3.4.1 – EP-1 Zone Parkdale Avenue, Chelsea Street
63.	BY-LAW 053-2022 – FILE D14-063 <sub>(050-2014)</sub> Schedule A – EP-1 Zone 3064 & 3076 Parkdale Avenue
64.	BY-LAW 054-2022 – FILE D14-064 <sub>(050-2014)</sub> Subsection 5.3.6.24 – R4-24 Zone 58 James Street West

LIST OF AMENDMENTS

## City of Brockville Comprehensive Zoning By-law No. 050-2014

65.	BY-LAW 010-2022 – FILE D14-065 <sub>(050-2014)</sub> Subsection 5.3.10.3 – R7 Zone Subsection 5.3.10.4 – R7-4 Zone 550 King Street West
66.	BY-LAW 063-2022 – FILE D14-066 <sub>(050-2014)</sub> GENERAL HOUSEKEEPING AMENDMENT
67.	BY-LAW 074-2022 – FILE D14-067 <sub>(050-2014)</sub> Subsection 6.3.1.X – MD-19 10 Victoria Avenue
68.	BY-LAW 095-2022 – FILE D14-068 <sub>(050-2014)</sub> Subsection 7.3.6.9 – RU-9 Zone 30 Victoria Road
69.	BY-LAW 098-2022 – FILE D14-069 <sub>(050-2014)</sub> Subsection 6.3.1.X – MD-20 Zone 10, 12 and 14 Perth Street
70.	BY-LAW 011-2023 – FILE D14-070 <sub>(050-2014)</sub> Subsection 7.3.1.5 – E1-5 Zone Crocker Crescent
71.	BY-LAW 017-2023 – FILE D14-071 <sub>(050-2014)</sub> Subsection 7.3.1.6 – E1-6 Zone Broome Road
72.	BY-LAW 023-2023 – FILE D14-072 <sub>(050-2014)</sub> Subsection 6.3.6.6 – C3-6 Zone 7829 Kent Boulevard
73.	BY-LAW 051-2023 – FILE D14-073 <sub>(050-2014)</sub> Schedule A – Change Multiple Zones Windsor @ Centennial

LIST OF AMENDMENTS

## City of Brockville Comprehensive Zoning By-law No. 050-2014

74.	BY-LAW 061-2023 – FILE D14-074 <sub>(050-2014)</sub> Subsection 6.3.5.19 – C2-19 Zone 332 Park Street
75.	BY-LAW 063-2023 – FILE D14-075 <sub>(050-2014)</sub> Subsection 6.3.1.21 –MD-21 Zone 71 King Street East
76.	BY-LAW 075-2023 – FILE D14-076 <sub>(050-2014)</sub> Subsection 6.3.7.8 – C4-8 Zone 827 Stewart Boulevard
77.	BY-LAW 034-2024 – FILE D14-077 <sub>(050-2014)</sub> Subsection 5.3.6.26 – R4-26 Zone 86 John Street
78.	BY-LAW 007-2024 – FILE D14-078 <sub>(050-2014)</sub> Subsection 5.3.8.9 – R5-9 Zone 100 Perth Street
79.	BY-LAW 013-2024 – FILE D14-079 <sub>(050-2014)</sub> Subsection 5.3.4.12 – R3-12 Zone 0 Granite Street
80.	BY-LAW 020-2024 – FILE D14-080 <sub>(050-2014)</sub> Subsection 5.3.6.23 – R4-24 Zone Wellings of Brockville – Parkedale Avenue
81.	BY-LAW 022-2024 – FILE D14-081 <sub>(050-2014)</sub> Subsection 6.3.3.2 – MC-2 Zone 125 Stewart Boulevard
82.	BY-LAW 022-2024 – FILE D14-081 <sub>(050-2014)</sub> Subsection 6.3.3.3 – MC-3 Zone Rear Parking Area – formerly 125 Stewart Boulevard

LIST OF AMENDMENTS

## City of Brockville Comprehensive Zoning By-law No. 050-2014

83.	BY-LAW 022-2024 – FILE D14-081 <sup>(050-2014)</sup> Subsection 6.3.3.4 – MC-4 Zone Beer Store Lands – formerly 125 Stewart Boulevard
84.	BY-LAW 022-2024 – FILE D14-081 <sup>(050-2014)</sup> Subsection 6.3.3.5 – MC-5 Zone Dairy Queen Lands – formerly 125 Stewart Boulevard
85.	BY-LAW 036-2024 – FILE D14-082 <sup>(050-2014)</sup> Subsection 6.3.1.22 – H6-MD-22 Zone 36-46 King Street West
86.	BY-LAW 058-2024 – FILE D14-083 <sup>(050-2014)</sup> Subsection 6.3.5.20 – C2-20 Zone 2430 Parkedale Avenue
87.	BY-LAW 059-2024 – FILE D14-084 <sup>(050-2014)</sup> Subsection 6.3.6.7 – H1-C3-7 Zone 3087/3111 Parkedale Avenue
88.	BY-LAW 077-2024 – FILE D14-085 <sup>(050-2014)</sup> Subsection 6.3.6.3 – T-C3-3 Zone 2360 Parkedale Avenue
89.	BY-LAW 088-2024 – FILE D14-086 <sup>(050-2014)</sup> Subsection 6.3.7.9 – C4-9 Zone 803 Chelsea Street
90.	BY-LAW 003-2025 – FILE D14-087 <sup>(050-2014)</sup> Subsection 6.3.4.1 – C1-1 Zone 224 King Street East
91.	BY-LAW 013-2025 – FILE D14-090 <sup>(050-2014)</sup> Subsection 3.41 – Refreshment Vehicles City wide

LIST OF AMENDMENTS

## City of Brockville Comprehensive Zoning By-law No. 050-2014

92.	BY-LAW 021-2025 – FILE D14-091 <sup>(050-2014)</sup> Subsection 6.3.5.9 – C2-9 Zone Stewart Blvd. @ Central Ave. (southwest)
93.	BY-LAW 022-2025 – FILE D14-089 <sup>(050-2014)</sup> Subsection 7.3.7.13 – I1-13 Zone 10-16 Church Street (Presbyterian Church)
94.	BY-LAW 028-2025 – FILE D14-092 <sup>(050-2014)</sup> Subsection 5.3.8.10 – R5-10 Zone 25 Windsor Drive
95.	BY-LAW 060-2025 – FILE D14-088 <sup>(050-2014)</sup> Subsection 6.3.1.22 – H6-MD-23 Zone 107-119 King Street West
96.	BY-LAW 041-2025 – FILE D14-093 <sup>(050-2014)</sup> Subsection 6.3.1.19 – MD-19 Zone 10 Victoria Avenue
97.	BY-LAW 040-2025 – FILE D14-095 <sup>(050-2014)</sup> Subsection 5.3.8.11 – R5-11 Zone 12 Scace Avenue
98.	BY-LAW 050-2025 – FILE D14-095 <sup>(050-2014)</sup> Subsection 6.3.1.23 – MD-24 Zone 51 King Street West
99.	BY-LAW 019-2026 – FILE D14-096 <sup>(050-2014)</sup> H1-R3-General Residential Zone Bridlewood Extension
100.	BY-LAW 000-2025 – FILE D14-097 C4-Highway Commercial 570-572 STEWART

LIST OF AMENDMENTS

City of Brockville Comprehensive Zoning By-law No. 050-2014

101.	BY-LAW 003-2026 – FILE D14-098 Subsection 7.3.5.5 – OS-5 Zone 100 Magedoma Boulevard
102.	BY-LAW 018-2026 – FILE D14-099 <sup>(050-2014)</sup> Subsection 6.3.1.24 – MD-25 Zone 143-145 King Street West

LIST OF AMENDMENTS

# HOW TO USE THIS BY-LAW

## CONTENTS

General.....	i
Purpose of this By-law .....	i
Structure of this By-law .....	i
How to Check Zoning and Identify Applicable Regulations for a Property.....	iii
Legal Non-Conforming Uses and Legal Non-complying Structures ('Grandfathering') .....	v
Minor Variances and Zoning By-law Amendments .....	vi
Transition of Approvals and Applications Made Under Zoning By-law 194-94.....	vi

## GENERAL

This Section is intended to assist the reader in reading and interpreting the Zoning By-law. This Section does not form a part of the Zoning By-law, but is intended for convenience only.

## PURPOSE OF THIS BY-LAW

The purpose of this By-law is to regulate the use of land and buildings as well as the size, location and character of buildings and structures in the City of Brockville. This By-law is prepared in accordance with Section 34 of the *Planning Act*.

Any change in the use of a property or building, any new buildings or structures, and any alterations to buildings and structures must be in compliance with this By-law before a building permit will be issued by the City.

If a proposed change in use or construction project is not in compliance with this By-law, an applicant may apply for a minor variance from the City's Committee of Adjustment to seek relief from the requirements of the By-law, where the relief is minor in nature. Where the relief is not minor, an applicant may apply for a Zoning By-law Amendment.

## STRUCTURE OF THIS BY-LAW

This By-law is divided into seven main Sections, in addition to this preamble and the Table of Contents. Additionally, there are schedules which form part of this By-law. The main Sections are as follows:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**1. Interpretation, Administration and Enforcement**

Section 1.0 outlines the requirement to comply with the Zoning By-law and the penalties for non-compliance. This Section outlines how the text and schedules are to be interpreted.

**2. Definitions**

Section 2.0 contains many definitions to assist in interpreting and understanding the meaning of terms used in the By-law. As the reader uses the Zoning By-law, they should be frequently referring to the definitions, which often contain specific parameters to describe how certain things are calculated (e.g., building height), or describe what activities constitute a permitted land use.

**3. General Provisions**

Section 3.0 contains provisions that apply to all zones in the City of Brockville. General provisions include provisions for specific types of uses (e.g., automobile service stations) as well as provisions for accessory structures (e.g., decks). The general provisions may not apply in all cases. The reader should review all of the general provisions to identify which ones will apply to their property or project.

**4. Zone Classifications**

Section 4.0 establishes the different zone classifications. The entire City of Brockville is “zoned” into these various classifications. Each zone classification is associated with a set of permitted uses and lot and building requirements, which are outlined in Sections 5.0 – 7.0. Each zone category is further classified into the broader categories of “Residential,” “Commercial and Mixed Use” and “Non-Residential and Non-Commercial.”

**5. Residential Zones**

Section 5.0 outlines the permitted uses and the lot and building requirements for all of the Residential zones.

**6. Commercial and Mixed Use Zones**

Section 6.0 outlines the permitted uses and the lot and building requirements for all of the Commercial and Mixed Use zones.

**7. Non-Residential and Non-Commercial Zones**

Section 7.0 outlines the permitted uses and the lot and building requirements for all of the Non-Residential and Non-Commercial zones.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**8. Repeal of Former Zoning By-laws**

Section 8.0 repeals and replaces all former Zoning By-laws in the City of Brockville with this By-law, and indicates the effective date of this By-law.

**Schedules**

Schedule “A” designates all lands in the City of Brockville into Zones. Schedule “A” forms an important part of the By-law, as it indicates where the Zone provisions (Sections 5.0 – 7.0) will apply.

Schedule “B” applies only to the Downtown and Central Waterfront Area in the City of Brockville. It shows the application of special provisions for building heights and lot and building requirements. Schedule “B” is to be read in conjunction with Schedule “A” as well as the text of the By-law.

**HOW TO CHECK ZONING AND IDENTIFY APPLICABLE REGULATIONS FOR A PROPERTY****1. IDENTIFY THE PROPERTY’S ZONING ON SCHEDULE “A”**

To check the zoning for a property, the reader should first identify the property of interest on Schedule “A”. Each property is associated with a zone symbol.

Some properties will have more than one zone symbol that applies. If this is the case, then the permitted uses will vary on the property. For example, if a portion of a property is zoned “EP”, then only the uses permitted in the EP zone will only be permitted in the lands shown as being zoned EP. Section 1.0 contains provisions for interpreting the maps and the boundaries of zones.

Additionally, some properties will have a zone symbol that contains suffixes or prefixes:

- a) If the Zone symbol is preceded by a “T-”, then a temporary by-law has been passed, permitting a temporary use on the property. The provisions for each temporary zone are organized into Subsections 5.3, 6.3 and 7.3. There are few properties in the City of Brockville that are subject to a “T-”.
- b) If a number follows the Zone symbol, such as “-3”, then the property is subject to the provisions of a special exception zone. The provisions for each individual special exception zone are organized into Subsections 5.3, 6.3 and 7.3. A special exception zone may include provisions that supersede other relevant provisions of the Zoning By-law. Typically, the provisions of the base zone symbol will still apply to the property, except where they are specifically excepted. For example, the special exception

## City of Brockville Comprehensive Zoning By-law No. 050-2014

R1-1 may still be subject to the provisions of the R1 zone, in addition to the provisions of the special exception.

- c) If an “H” and a number appear before the Zone symbol, such as “H1-”, then holding provisions apply. Where any holding is shown, only existing uses are permitted on a property until the holding is lifted by a by-law of Council. A property may be subject to multiple holding provisions, such as “H1, H2, H3”. The reader should refer to Section 4.0 to understand the meaning of each holding provision.

Some properties may be located within an area shown on Appendix 1 as the “Catarqui Region Conservation Authority Screening Area”. In this case, the provisions of Subsection 3.10 of the By-law apply. The Screening Area is intended to inform the reader that development or placing/removing fill on a property may be subject to a permit from the Conservation Authority, in addition to complying with the Zoning By-law. Appendix 1 does not form an operative part of the By-law: it is provided for information purposes only.

Additionally, for informational purposes, Appendix 2 illustrates the location of the TransCanada, Trans-Northern and Enbridge main pipelines, which cross the City of Brockville. Additional regulations may apply to properties in proximity to these pipelines. Affected persons should discuss their project with the City to determine how the pipelines could affect their project.

## 2. IDENTIFY PERMITTED USES

Once the reader identifies the applicable Zone symbol for the property of interest, the reader should refer to Sections 5.0 – 7.0 to identify the types of uses that are permitted on the property.

- a) If the identified Zone symbol is a Residential Zone (the symbol has an “R”), then the permitted uses for the property will be listed by Zone in Subsection 5.1.
- b) If the identified Zone symbol is a Commercial or Mixed Use zone (the symbol has an “M” or a “C”), then the permitted uses for the property will be listed by Zone in Subsection 6.1.
- c) If the identified Zone symbol is a Non-Residential or Non-Commercial Zone (the symbol has neither an “R”, “M” or “C”), then the permitted uses for the property will be listed in Subsection 7.1.

If the property is a special exception zone or temporary zone, as identified in Step 2, the special exception may contain specific provisions regarding the types of uses permitted on the property. If the property is subject to any holding symbol, then only the legally existing uses on the property are permitted. The reader should refer to Section 4.0 to understand the holding symbols.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**3. IDENTIFY LOT AND BUILDING REQUIREMENTS**

Next, the reader should understand the requirements for lots and buildings, such as minimum lot size requirements, lot frontage requirements, yard setbacks, building height and other requirements. The lot and building requirements are outlined in Subsection 5.2 for Residential Zones, Subsection 6.2 for Commercial and Mixed Use Zones and Subsection 7.2 for Non-Residential and Non-Commercial Zones.

If the property is a special exception zone, as identified in Step 2, the special exception may contain specific provisions regarding lot and building requirements for the property.

**4. IDENTIFY WHETHER THE PROPERTY IS SUBJECT TO SCHEDULE “B”**

The reader should review Schedule “B” to determine whether additional lot and building requirements apply to their property. Schedule “B” applies only to the Downtown and Central Waterfront Area, and outlines special requirements for building location and form and building heights.

**5. IDENTIFY APPLICABLE GENERAL PROVISIONS**

The reader should review all of the General Provisions in Section 3.0 to identify provisions that are applicable for their project or property. The General Provisions contain special requirements for uses, buildings and structures that are considered accessory to permitted uses (such as requirements for swimming pools, detached garages, etc.). The General Provisions also include detailed requirements for the provision of parking and loading facilities. The General Provisions also contain requirements that are specific to certain uses, such as automobile service stations and gas bars. Further, the General Provisions contain requirements that are only applicable to certain situations (such as properties located within close proximity to railways). The General Provisions apply to all zones, unless specifically stated otherwise.

**LEGAL NON-CONFORMING USES AND LEGAL NON-COMPLYING STRUCTURES (‘GRANDFATHERING’)**

Any uses, structures or buildings that were legal before this Zoning By-law was passed will continue to remain legal. In other words, if a use, building or structure was established legally (in compliance with any Zoning By-laws at the time, if any), and the new Zoning By-law changes the permissions or lot and building requirements, the legally established use, buildings or structures will continue to remain legal.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Uses of land and buildings that were established legally but are no longer permitted by the Zoning By-law are referred to as “legal non-conforming uses.” Buildings and structures that were established legally but no longer comply with the By-law’s lot and building requirements are referred to as “legal non-complying buildings and structures.”

Subsection 34(9) of the *Planning Act* establishes an owner’s rights to continue to use a property that was legally built and the use legally established. A non-conforming use will remain legal provided the use was been continuous and there has been no intent to abandon the use.

Where a legal non-conforming use has been interrupted due to damage, the legal non-conforming use is considered to be continuous, provided that the owner has maintained an intent to reconstruct, repair or re-establish the use.

Subsection 3.23 applies to legally non-conforming uses and legally non-complying buildings and structures. This By-law does not prohibit the repair, improvement or reconstruction of legally non-conforming or non-complying buildings and structures. However, additions and expansions to legally non-conforming uses and structures would require an amendment to this By-law or permission from the Committee of Adjustment. For non-complying buildings or structures, a minor variance may be required from the Committee of Adjustment for expansions into the particular setback(s) that the building no longer complies with.

Furthermore, the Zoning By-law recognizes any previously approved building permits granted prior to the passing of this Zoning By-law.

### **MINOR VARIANCES AND ZONING BY-LAW AMENDMENTS**

If a proposed project does not comply with the permitted uses or the lot and building requirements of the Zoning by-law, an owner may apply for a minor variance from the Committee of Adjustment to seek relief from the Zoning By-law’s requirements. If the necessary relief is not minor in nature, an applicant may apply for a Zoning By-law Amendment.

### **TRANSITION OF APPROVALS AND APPLICATIONS MADE UNDER ZONING BY-LAW 194-94**

In some cases, an owner or occupant of a property may have applied for a building permit, minor variance, consent, site plan or plan of subdivision prior to this new Zoning By-law coming into effect. Subsection 1.13 of this new Zoning By-law includes provisions to assist with the transition from prior Zoning By-law 194-94. Note that these provisions become invalid three years after the By-law is passed.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Applications made under Zoning By-law 194-94:**

If a complete application was received for a building permit, minor variance, consent, site plan, or plan of subdivision prior to the date of passing of this new Zoning By-law, the complete application will effectively be considered under the requirements of former Zoning By-law 194-94.

**Approvals made under Zoning By-law 194-94:**

Approvals made under Zoning By-law 194-94 will continue to be effective, as follows:

- a) **Building Permits:** A building permit issued under Zoning By-law 194-94 will continue to be a valid building permit, and any buildings or structures may be erected in accordance with the approved building permit that is granted.
- b) **Minor Variances:** A minor variance to Zoning By-law 194-94 that is granted by the Committee or Adjustment on or before the date of effect of this new Zoning By-law will continue to be effective, and are modified to the extent necessary to apply to the new Zoning By-law. Buildings or structures may therefore be erected as approved.
- c) **Consents:** Consents granted in accordance with the provisions of Zoning By-law 194-94 will be unaffected. Where the consent granted permitted the erection of a dwelling in accordance with Zoning By-law 194-94, the erection of a dwelling shall continue to be permitted under the new Zoning By-law.
- d) **Site Plans and Plans of Subdivision:** Any site plan agreement or plan of subdivision agreement that has been entered into prior to the enactment of this Zoning By-law shall be unaffected by the new Zoning By-law. The provisions of this Zoning By-law shall be modified as necessary to give effect to the provisions of the agreement, as may be applicable.

**Site Specific Special Exceptions made to Zoning By-law 194-94:**

The previously approved site-specific special exception zones passed as an amendment to former Zoning By-law 194-94 have largely been carried forward into this Zoning By-law. In some cases, special exceptions were no longer required since the provisions of the Zoning By-law were modified, giving entitlement to a use or different lot and building requirements which render the exception unnecessary. These exceptions were not carried forward into the new Zoning By-law.

City of Brockville Comprehensive Zoning By-law No. 050-2014

This page is intentionally left blank.

# TABLE OF CONTENTS

<b>1.0</b>	INTERPRETATION, ADMINISTRATION AND ENFORCEMENT .....	1-1
<b>2.0</b>	DEFINITIONS .....	2-1
<b>3.0</b>	GENERAL PROVISIONS.....	3-1
<b>4.0</b>	ZONE CLASSIFICATIONS .....	4-1
<b>5.0</b>	RESIDENTIAL ZONES .....	5-1
<b>6.0</b>	COMMERCIAL AND MIXED USE ZONES .....	6-1
<b>7.0</b>	NON-RESIDENTIAL AND NON-COMMERCIAL ZONES .....	7-1
<b>8.0</b>	REPLACEMENT OF FORMER ZONING BY-LAWS AND EFFECTIVE DATE .....	8-1

# 1.0 INTERPRETATION, ADMINISTRATION AND ENFORCEMENT

## CONTENTS

1.1	Title .....	1-1
1.2	Components.....	1-1
1.3	Compliance with this By-law .....	1-2
1.4	Definitions .....	1-2
1.5	Interpretation.....	1-2
1.6	Interpretation of Schedules “A” and “B” .....	1-3
1.7	Scope .....	1-4
1.8	Severability .....	1-5
1.9	Administration .....	1-5
1.10	Certificate of Occupancy.....	1-5
1.11	Violations and Penalties .....	1-5
1.12	Applications for Amendment to Zoning By-law.....	1-6
1.13	Transition Provisions .....	1-6

### 1.1 TITLE

This By-law may be cited as the Zoning By-law for the City of Brockville.

### 1.2 COMPONENTS

- a) This By-law is comprised of this text and Schedules “A” and “B” inclusive.
- b) Appendices 1 and 2, attached to this By-law, do not form an operative component of the By-law, but are provided for convenience only.
- c) The illustrations contained within this text do not form a component of this By-law. The illustrations are provided for convenience only.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**1.3 COMPLIANCE WITH THIS BY-LAW**

- a) No person shall use any land, building, or structure within the City of Brockville and no person shall erect, enlarge, place or alter, in whole or in part, any building or structure within the City of Brockville except in conformity with the provisions of this By-law.
- b) Except by decision of the Committee of Adjustment, or as otherwise provided in this By-law, no person shall change the purpose for which any lot, building or structure is used, or erect any new building or sever any lands from any existing lot if the effect of such action is to cause the original, adjoining, remaining or new building or structure or lot to be in contravention of the By-law, or increase any existing non-conformity.
- c) The requirements of this By-law shall be met before a building permit is issued for the erection, alteration or addition to any building or structure or a change of use, in accordance with the Ontario Building Code.
- d) The requirements of this By-law are in addition to any other regulations, permits, legislation or approvals. This shall include, but shall not be limited to, site plan approval by the City of Brockville, approval of a plan of subdivision or plan of condominium, approval of a permit from the Ministry of Transportation, or a permit from the Cataraqui Region Conservation Authority.
- e) 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.

**1.4 DEFINITIONS**

For the purpose of this By-law, the definitions and interpretations given within the By-law shall govern.

**1.5 INTERPRETATION**

- a) For the purpose of this By-law, words used in the present tense include the future tense; words in singular include the plural and words in the plural include the singular.
- b) The words “must” or “shall” are mandatory.
- c) All linear measurements shall be measured on the horizontal plane, unless the measurement refers to height or this By-law states otherwise.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- d) The short form “m” when used in combination with a number shall mean “metres” and the short form “m<sup>2</sup>” shall mean square metres.
- e) The provisions of this By-law shall be held to be the minimum requirements, except where the word “maximum” is used, in which case the maximum requirement shall apply.

**1.6 INTERPRETATION OF SCHEDULES “A” AND “B”**

- a) Schedules “A” and “B” attached shall be read with and form part of this By-law, and shall be interpreted in conjunction with the text.
- b) For the purposes of this By-law, lands within the City of Brockville have been divided into zones, the boundaries of which are shown on Schedule “A”.
- c) The zone classifications are established in Section 4.0 of this By-law.
- d) The following applies with respect to the interpretation of the location of the zone boundaries on Schedule “A”:
  - i) A boundary indicated as following a highway, street, lane, railway right-of-way or watercourse shall be the centre of such highway, street, lane, railway right-of-way or watercourse;
  - ii) A boundary indicated as following the shoreline of the St. Lawrence River shall be deemed to follow the shoreline, as it is defined in Section 2.0 of this By-law;
  - iii) A boundary indicated as following lot lines or the municipal boundary of the Corporation of the City of Brockville shall follow such lot lines or municipal boundary;
  - iv) A boundary which appears to follow a lot line or street line, but is not precisely overlain onto the lot line or street line, shall be interpreted to follow the lot line or street line, provided that the zone boundary is located within +/- 5.0 metres of the lot line or street line, as interpreted from the map;
  - v) Where two or more zones are clearly shown on a lot and subclause 1.6 d) iv) does not apply, the zone boundary shall be deemed to be a lot line for the purposes of calculating setbacks and lot coverage, and each portion of the lot is required to satisfy the provisions of this By-law within each applicable zone; and

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- vi) Where none of the above provisions apply, the zone boundaries shall be scaled from the map and interpreted by the Chief Planning Officer.
- e) The following applies with respect to the interpretation of Schedule “B” – Special Lot and Building Requirements for the Downtown and Central Waterfront Area:
  - i) Schedule “B” shall apply to all lands shown within the boundary indicated as the “Downtown and Central Waterfront Area.”
  - ii) Where the “minimum 2 storey building height at street edge” is shown to apply to a lot, the provisions of Subsection 3.26 shall apply to the entirety of the lot.
  - iii) Where a maximum building height is shown to apply to the lot, the maximum building height on the property shall be as shown, subject to the angular plane provisions of Subsection 3.5.
  - iv) Where a continuous street frontage and minimum ground floor height are shown to apply to a lot line or a portion of a lot line, the provisions of Subsection 3.12 and Subsection 3.27 shall apply to that lot line or that portion of the lot line. Where the continuous street frontage and minimum ground floor height are shown to apply to a portion of a lot line on a lot, the applicability shall be scaled from the map.
  - v) “Where an intermittent street frontage and minimum ground floor height are shown to apply to a lot line or a portion of a lot line the provisions of Subsection 3.22 and Subsection 3.27 shall apply to that portion of the lot line. Where the intermittent street frontage and minimum ground floor height are shown to apply to a portion of a lot line on a lot, the applicability shall be scaled from the map.”
  - vi) Where an intermittent street frontage only is shown to apply to a lot line or a portion of a lot line, the provisions of Subsection 3.22 shall apply to that lot line or that portion of the lot line. Where the intermittent street frontage is shown to apply to a portion of a lot line on a lot, the applicability shall be scaled from the map.

**1.7 SCOPE**

This By-law applies to all land within the boundaries of the Corporation of the City of Brockville.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**1.8 SEVERABILITY**

If any section, clause or provision of this By-law, including anything contained on any of the schedules attached to and forming part of this By-law is for any reason declared by a court of competent jurisdiction or the Ontario Land Tribunal, or any successor thereto ~~Ontario Municipal Board~~ to be invalid or not in effect, the same shall not affect the validity or effect of the By-law as a whole or part thereof, other than the section, clause or provision, including anything contained on the Schedules so declared to be invalid. It is hereby declared that all the remaining sections, clauses or provisions including anything contained on the Schedules of this By-law shall remain in full force and effect until repealed or amended, notwithstanding that one or more provisions shall have been declared to be invalid or not in effect.

**1.9 ADMINISTRATION**

This By-law shall be administered and enforced by the person or persons appointed by By-law from time to time by the Corporation.

**1.10 CERTIFICATE OF OCCUPANCY**

No person shall change the use of any lot covered by this By-law, or of any building or structure on any such lot or of any part of such lot, building or structure without having applied for and received a Certificate of Occupancy ~~under the Planning Act~~, issued by the Corporation or its appointed agent. Issuance of such Certificate of Occupancy by the Corporation will imply that the proposed use is in compliance with this By-law. Applications for Certificate of Occupancy shall be made on the prescribed forms and shall be known as Certificate of Zoning Compliance.

**1.11 VIOLATIONS AND PENALTIES**

- a) 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 or erection, or who violates any provisions of this By-law or causes or permits a violation of the By-law, shall be guilty of an offence and upon conviction is liable,
  - i) on a first conviction to a fine of not more than \$25,000.00 nor less than \$1,000.00; and
  - ii) on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which he/she was first convicted.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- b) When a corporation is convicted of a contravention of this By-law, the maximum penalty that may be imposed is:
- i) on a first conviction to a fine or not more than \$50,000.00 nor less than \$2,000.00; and
  - ii) on a subsequent conviction to a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted, and not as provided in clause a).
  - iii) In accordance with Section 431 of the *Municipal Act*, S.O. 2001, c.25, the Provincial Offences Court (Criminal Division), or any court of competent jurisdiction, may issue an order prohibiting the continuation or repetition of the offence by the person convicted and such order shall be in addition to any fine imposed on the person convicted.

**1.12 APPLICATIONS FOR AMENDMENT TO ZONING BY-LAW**

Applications for amendments to this By-law shall be made on forms prescribed from time to time and shall be accompanied by the appropriate fee.

**1.13 TRANSITION PROVISIONS**

- a) Except as specifically provided in Subsection 1.13, the provisions of this By-law shall apply.

**b) Applications in Process**

Nothing in this By-law shall prevent the erection or use of a building or structure for which an application for a building permit, minor variance, consent, site plan or plan of subdivision was made prior to the date of the enactment of this By-law, provided that the application complies, or is amended to comply, with the provisions of Zoning By-law 194-94 and all amendments thereto.

**e) ~~Approved Building Permits~~**

~~Nothing in this By-law shall prevent the erection or use of a building or structure for which an application for a Building Permit was approved a building permit issued, provided the building or structure is erected in accordance with the building permit granted.~~

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**c)** **Building Permits**

Nothing in this By-law shall prevent the erection or use of a building or structure in accordance with a building permit application submitted prior to the date of passing of this By-law and deemed complete, provided the building permit is in accordance with all prior zoning by-laws that affected the lot before [date the amended by-law comes into effect].

**d)** This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with Section 1.13 c)**~~e)~~** **Approved Minor Variances**

All minor variances which have received final approval pursuant to the *Planning Act* shall be modified to the extent necessary to give effect to the minor variance as if they were minor variances to this By-law.

**~~e)~~** **Approved Consents**

Where:

- i) A consent to sever which has received final approval pursuant to the *Planning Act* and the consent results in the creation of a new lot;
- ii) The land has been conveyed prior to the enactment of this By-law, or, if the land has not been conveyed prior to the enactment of this By-law, a certificate of compliance has been issued under Section 53(42) of the *Planning Act* and the consent has not lapsed; and
- iii) The new lot does not comply with the provisions of this By-law with respect to minimum lot frontage or minimum lot area,

Nothing in this By-law shall prevent the construction of a building or structure on the lot, provided that the lot complied with the minimum lot frontage and minimum lot area and such building was permitted under Zoning By-law 194-94.

**~~f)~~** **Site Plan, Subdivision and Condominium Agreements**

Where a Site Plan, Subdivision and Condominium Agreement has been entered into prior to the effective date of this By-law, and the timeframes specified in the Agreement have not yet lapsed, the provisions of this By-law, as they apply to such land, building or

## City of Brockville Comprehensive Zoning By-law No. 050-2014

structure, shall be deemed to be modified to the extent necessary to give effect to such Site Plan, Subdivision or Condominium Agreement.

- g) h) Clauses 1.13 a) through f) inclusive are hereby repealed three (3) years after the date of enactment of this By-law.

### **1.XX TECHNICAL REVISIONS TO THE ZONING BY-LAW**

Revisions may be made to this Zoning By-law without the need for a Zoning By-law Amendment in the following cases:

Changes to appendices, footnotes, headings, table of contents, page numbering, reference information, and illustrations which do not form a component of this by-law and are editorially inserted for convenience of reference only;

Adding or revising technical information on maps or schedules that does not affect the zoning of lands, including but not limited to color, scale, legend and infrastructure information such as a street name or a highway; and,

Correcting of grammar, punctuation, typographical errors or revisions to format in a manner that does not change the intent of the provisions.”

### **1.XX LEGAL NON-CONFORMING USES AND LEGAL NON-COMPLYING BUILDINGS AND STRUCTURES**

Nothing in this By-law shall apply:

- a) to prevent the use of any land, building or structure for any purpose prohibited by the By-law, if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose;
- b) to prevent the erection or use for a purpose prohibited by the By-law of any building or structure for which a permit has been issued pursuant to the *Building Code Act*, prior to the day of the passing of this By-law, 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 permit has not been revoked pursuant to the *Building Code Act*;
- c) to prevent an extension, addition, repair or replacement being made to all or part of a use, building or structure which legally existed at the date of passing of this By-law and which is a permitted use for the zone in which it is located, but which does not comply with one (1) or more of the Zone Provisions of this By-law (Sections 5.0 – 7.0), provided that:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- i. such extension, addition, repair or replacement does not further reduce the front yard, interior side yard, exterior side yard or rear yard setback that does not comply with this By-law;
  - ii. such extension does not further reduce the minimum required setback from the Environmental Protection (EP) Zone, in accordance with Subsection 3.25; and
  - iii. all other applicable provisions of this By-law are satisfied.
- d) to prevent the installation of exterior cladding, with or without insulation, to a maximum depth of 0.25 metres to a building or structure even though the installation of such cladding would create a non-complying yard or further decrease a legal non-complying yard. The resulting noncomplying yard shall be deemed to comply with the provisions of this By-law;
  - e) to permit an extension or addition to non-conforming uses, buildings or structures, except by amendment to this By-law in accordance with Section 34 of the Planning Act, or in accordance with a decision of the Committee of Adjustment;
  - f) to permit the erection of any new freestanding building where the land, building or structure is non-conforming with respect to use in the zone. Further, the Committee of Adjustment shall not grant any such permission; or
  - g) to prevent the repair of legal non-conforming uses, provided their dimensions (height, size and volume) are not increased.
  - h) A non-complying building destroyed by any means beyond the control of the owner may be replaced and rebuilt to the same extent in its former location provided that construction is commenced within one (1) year from the date of destruction and provided that the building is completed within a reasonable time thereafter. The Chief Building Official shall have regard for the clear intent of the Owner to reconstruct the damaged building in considering the issuance of a Building Permit in accordance with the aforementioned requirements.”

City of Brockville Comprehensive Zoning By-law No. 050-2014

This page has intentionally been left blank.

## 2.0 DEFINITIONS

For the purpose of this By-law, all words shall carry their customary meaning, as defined in the Webster's New World Dictionary, except for those defined hereinafter. In the event of conflict, Council, in consultation with the Chief Planning Officer, shall have sole discretion for interpreting the meaning of words.

### INDEX OF DEFINED TERMS

<b>A</b>	Automobile Service Station, 2-7	Catering Service, 2-10
Accessory, 2-5	Automotive Trade Use, 2-8	Cellar, 2-10
Accessory Dwelling Unit, 2-5	<b>B</b>	Chief Building Official, 2-10
Adult Entertainment Establishment, 2-5	Bakery, 2-8	Chief Planning Officer, 2-10
Agricultural Use, 2-5	Bake Shop, 2-8	Child Care Centre, 2-10
Alter, 2-5	Banquet Hall, 2-8	Children's Play Area, 2-11
Amenity Area, 2-6	Basement, 2-8	Church, 2-11
Angular Plane, 2-6	Bed and Breakfast Establishment, 2-8	City, 2-11
Animal Shelter, 2-6	Block, 2-8	Clinic or Medical Office, 2-11
Apartment Dwelling, 2-6, 2-16	Block Face, 2-8	Co-living, 2-11
Apartment Unit, 2-16	Boarding, Rooming or Lodging House, 2-8, 2-16	Commercial Greenhouse, 2-11
Arcade, 2-6	Boat House, 2-9	Commercial Motor Vehicle, 2-11
Artist's Workshop, 2-6	Building, 2-9	Commercial Recreation Establishment, 2-11
Assembly Hall, 2-6	Building By-law, 2-9	Commercial School, 2-11
Attached, 2-6	Building Code, 2-9	Commercial Use, 2-11
Attic, 2-7	Build to Plane, 2-9	Common Carrier, 2-12
Auctioneer's Establishment, 2-7	Bus, 2-9	Community Centre, 2-12
Auditorium, 2-7	Business and Professional Office, 2-9	Community Health and Resource Centre, 2-12
Automobile Body Shop, 2-7	Business Incubator/Accelerator, 2-9	Computer Design and Development Facility, 2-12
Automobile Gas Bar, 2-7	Business Service Establishment, 2-10	
Automobile Rental Agency, 2-7	<b>C</b>	
Automobile Repair Garage, 2-7	Campground, 2-10	
Automobile Sales Establishment, 2-7	Car Sharing, 2-10	
	Car Wash, 2-10	
	Carport, 2-10	

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- Computer Service, 2-12
- Contractors' Establishment, 2-12
- Convenience Store, 2-12
- Converted Dwelling, 2-12, 2-15
- Corporation, 2-12
- Cottage, 2-12
- Council, 2-13
- County, 2-13
- Courier Service, 2-13
- Custom Workshop, 2-13
- D**
- Day Care, Adult, 2-13
- Day Care, Private-Home, 2-13
- Delicatessen, 2-13
- Density, 2-13
- Department Store, 2-13
- Development, 2-13
- Downtown and Central Waterfront Area, 2-14
- Drive Through, 2-14
- Driveway, 2-14
- Driveway Access, 2-14
- Dry Cleaning Outlet, 2-14
- Dry Cleaning Plant, 2-14
- Duplex Dwelling, 2-14, 2-15
- Dwelling, 2-14
- Dwelling Unit, 2-14
- Dwelling Unit Area, 2-17
- Dwelling Unit, Accessory, 2-15
- Dwelling Unit, Bachelor, 2-15
- E**
- Erect, 2-17
- Existing, 2-17
- F**
- Factory Outlet, 2-17
- Farmers' Market, 2-17
- Film, Television and Recording Studio, 2-18
- Financial Service, 2-18
- Fire Code, 2-18
- Flea Market, 2-18
- Floodplain, 2-18
- Floor Area, Gross, 2-18
- Floor Area, Gross Leasable, 2-18
- Floor Area, Ground, 2-19
- Floor Space Index or F.S.I., 2-19
- Front Yard Setback, 2-34
- Fuel Pump Island, 2-19
- Fuel Storage Tank, 2-19
- G**
- Garage, Parking, 2-19
- Garage, Private, 2-19
- Garage Sale, 2-19
- Garden Suite, 2-19
- Garden Suite Dwelling, 2-16
- Golf Course, 2-19
- Grade, 2-19
- Grade, Finished, 2-19
- Grocery Store, 2-20
- Group Home Dwelling, 2-16
- Group of Persons, 2-20
- Guest Room, 2-20
- H**
- Habitable Room, 2-20
- Health Club, 2-20
- Height or Building Height or Height of Building, 2-20
- Hereafter, 2-21
- High Technology Retail Store, 2-21
- Highway, 2-21
- Home Appliance Store, 2-21
- Home Decorating Store, 2-22
- Home Furnishing Store, 2-22
- Home Improvement Store, 2-22
- Home Industry, 2-22
- Home Occupation, 2-22
- Homeless or Emergency Shelter, 2-22
- Hospice, 2-22
- Hospital, 2-22
- Hotel, 2-22
- I, J**
- Industrial Equipment Sales, Service and Rental, 2-23
- Industrial Mall, 2-23
- Industrial Service, 2-23
- Industrial Use, 2-23
- Industrial Use, Light, 2-23
- Institutional Residence, 2-23
- K**
- Kennel, 2-24
- L**
- Landscaped Open Space, 2-24
- Lane, 2-24
- Large Format Retail, 2-24
- Laundromat, 2-24
- Linked Dwelling, 2-16, 2-24
- Loading Area, 2-24

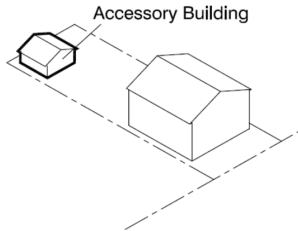
## City of Brockville Comprehensive Zoning By-law No. 050-2014

- Loading Space, 2-24  
 Local Board or  
     Commission, 2-25  
 Lot, 2-25  
 Lot Area, 2-25  
 Lot, Corner or Lot,  
     Exterior, 2-25  
 Lot Coverage, 2-25  
 Lot Depth, 2-25  
 Lot Frontage, 2-25  
 Lot, Interior, 2-25  
 Lot Line, 2-25  
 Lot Line, Exterior  
     Side, 2-25  
 Lot Line, Front, 2-26  
 Lot Line, Interior  
     Side, 2-26  
 Lot Line, Rear, 2-26  
 Lot Line, Side, 2-26  
 Lot, Through, 2-26  
 Lot of Record, 2-26
- M**
- Main Building or  
     Use, 2-26  
 Maisonette Dwelling,  
     2-15, 2-26  
 Marina, 2-26  
 Marine Facility,  
     Private, 2-26  
 Marine Sales and  
     Service, 2-27  
 Medical/Dental  
     Laboratory, 2-27  
 Micro-Brewery and  
     Micro-Winery, 2-  
     27  
 Mixed  
     Commercial/Resid  
     ential Building,  
     2-27  
 Mobile Home, 2-27  
 Motel, 2-27  
 Motor Home, 2-27  
 Motor Vehicle, 2-28
- N**
- Non-Complying,  
     2-28  
 Non-Conforming,  
     2-28  
 Nursery School, 2-28
- Nursing Home, 2-28
- O**
- Occupancy, 2-28  
 Outdoor Furnace,  
     2-28  
 Outdoor Patio, 2-28  
 Outside Storage,  
     2-28
- P, Q**
- Park, Private, 2-29  
 Park, Public, 2-29  
 Parking Area, 2-29  
 Parking Lot, 2-29  
 Parking Space, 2-29  
 Parking, Bicycle,  
     2-29  
 Person, 2-29  
 Personal Service  
     Establishment,  
     2-29  
 Pet Shop, 2-30  
 Photographic  
     Service, 2-30  
 Place of Worship,  
     2-30  
 Planning Act, 2-30  
 Planting Strip, 2-30  
 Post-Secondary  
     Institution, 2-30  
 Premises, 2-30  
 Printing  
     Establishment,  
     2-30  
 Private Club, 2-30  
 Private Garage, 2-30  
 Private Road, 2-30  
 Public Authority,  
     2-31  
 Public Highway, 2-31  
 Public Use, 2-31
- R**
- Rear Yard Setback,  
     2-34  
 Recreational  
     Vehicle, 2-31  
 Redevelopment,  
     2-31  
 Refreshment  
     Vehicle, 2-31
- Research and  
     Development  
     Establishment,  
     2-31  
 Respite Care, 2-31  
 Restaurant, 2-32  
 Restaurant, Outdoor  
     Patio, 2-32  
 Restaurant, Take-  
     Out, 2-32  
 Retail Store, 2-32  
 Retail Warehouse,  
     2-32  
 Retirement Home,  
     2-32  
 Rowing Club,  
     2-32
- S**
- Salvage Yard, 2-32  
 Sanitary Sewer, 2-33  
 Satellite Dish, 2-33  
 School, 2-33  
 School, Commercial,  
     2-33  
 School, Private, 2-33  
 Seasonal Use, 2-33  
 Second Suite, 2-33  
~~Second Suite~~  
     Dwelling, 2-16  
 Self-Service Storage  
     Facility, 2-34  
 Semi-detached  
     Dwelling, 2-15,  
     2-34  
 Semi-permanent  
     Covered  
     Structure, 2-34  
 Service and Repair  
     Shop, 2-34  
 Service Use, 2-34  
 Setback, 2-34  
 Shopping Centre,  
     2-34  
 Shoreline or Water's  
     Edge, 2-35  
 Side Yard Setback,  
     2-34  
 Single Detached  
     Dwelling, 2-15,  
     2-35

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- Slaughter House, 2-35
- Small-Scale Renewable Energy Structure, 2-35
- Stacking Lane, 2-35
- Stacking Space, 2-35
- Storey, 2-35
- Storey, First, 2-35
- Storey, One-half, 2-35
- Storm Sewer, 2-35
- Street, 2-35
- Street Edge, 2-36
- Street Line, 2-36
- Street, Centre Line, 2-36
- Street, Improved Public, 2-36
- Structure, 2-36
- Sub Post Office, 2-36
- Supermarket, 2-36
- Swimming Pool, Outdoor Private, 2-36
- T**
- Taxi Dispatch Office, 2-36
- Taxi Stand, 2-36
- Taxi or Vehicle Sharing Service Facility, 2-36
- Testing and Research Laboratory, 2-36
- Theatre, 2-37
- Towing Service, 2-36
- Townhouse, 2-37
- Townhouse Dwelling, or Block Townhouse Dwelling or Cluster Townhouse Dwelling, 2-15
- Townhouse Dwelling, Street, 2-16
- Trailer, 2-37
- Transportation Depot, 2-37
- Transportation Terminal, 2-37
- Tree Cutting Service, 2-37
- Triplex Dwelling, 2-15, 2-37
- U**
- Undertaker's Establishment, 2-37
- Use, 2-37
- Used Automobile Sales Establishment, 2-38
- V**
- Vehicle Length, 2-38
- Vehicle Sharing Parking Space, Motorized, 2-37
- Vehicle Sharing Parking Space, Non-Motorized, 2-38
- Vehicle Sharing Service, 2-38
- Veterinarian's Office, 2-38
- Veterinary Hospital, 2-39
- Visibility Triangle, 2-39
- Vocational Training Centre, 2-39
- W, X**
- Warehouse, 2-39
- Water Supply, 2-39
- Wholesale Establishment, 2-39
- Y, Z**
- Yacht Club, 2-39
- Yard, 2-40
- Yard Sale, 2-40
- Yard, Front, 2-40
- Yard, Rear, 2-40
- Yard, Required, 2-40
- Yard, Side, 2-40
- Yard, Side, Exterior, 2-40
- Yard, Side, Interior, 2-40

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**A**

1. **Accessory**, when used to describe a use, building or structure, means a use, building or structure that is normally and customarily incidental, subordinate, clearly secondary to, and exclusively devoted to a main use, building or structure and located on the same lot therewith. An accessory building or structure shall not be used for human habitation unless explicitly permitted by this By-law and shall be detached from the main building in accordance with this By-law.

2. **Accessory Dwelling Unit**, - see “Dwelling”.

3. **Additional Dwelling Unit**, see “Dwelling”.

4. **Adjacent Lands**, means lands that are contiguous to or about the subject site or property

**Adult Entertainment Establishment**, means any premises or part thereof, used in pursuance of a trade, calling, business or occupation, if:

- a) ~~goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations where such goods or services account for 5.0 percent or more of all goods or services provided on the premises, and shall include, without limiting the generality of the foregoing, the sale of goods, services or entertainment in which partial or complete nudity is a principal feature or characteristic; or,~~
- b) ~~services appealing to or designed to appeal to erotic or sexual appetites or inclinations, including body rubs, but excluding any services offered or solicited for the purpose of medical or therapeutic treatment and performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario.~~

5. **Adult Entertainment Establishment**, means any premises, or part thereof, used in the pursuance of a business where goods, entertainment, or services that are designed to appeal to erotic or sexual appetites or inclinations are provided, or where body-rubs — including the kneading, manipulating, rubbing, massaging, touching, or stimulating by any means of a person’s body — are performed, offered, or solicited, except when such body-rubs are provided solely for medical or therapeutic purposes by persons duly qualified, licensed, or registered under a statute of Ontario.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

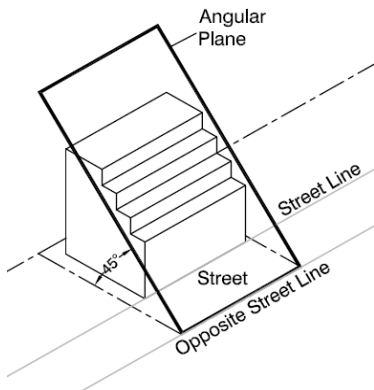
**Agricultural Use**, means land used for the pasturing of animals and for the cultivation of crops, and may include a tree farm or sod farm, market gardening and riding stables.

6. **Agricultural Use**, means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment.
7. **Agriculture-Related Uses**, means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity
8. **Alter**, means:
- a) In reference to a building or part of a building, to change any one (1) or more of the dimensions of such building or to change the type of construction of one (1) or more walls or roof thereof.
  - b) In reference to a lot, to increase or decrease the width, depth or area of any required yard, landscaped open space or parking area, to grade, excavate or place fill that would change the landform and natural vegetative characteristics of a site, or to change the location of any boundary of such lot in relation to a public highway or laneway, whether such alteration is made by conveyance or alienation of any portion of said lot, or otherwise.

The words "altered" and "alteration" shall have corresponding meanings.

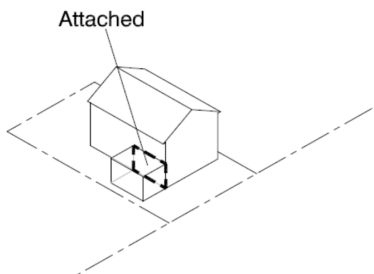
9. **Alternative Energy System**, means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.
10. **Amenity Area**, means recreational facilities which may include patios and landscaped areas of the site, balconies, swimming pools,

City of Brockville Comprehensive Zoning By-law No. 050-2014



communal lounges and other areas within the site which can be used for recreational purposes.

11. **Angular Plane**, means a plane which projects up at a forty-five degree (45°) angle away from the improved public street right-of-way and establishes the maximum building height. The angular plane commences on the street line on the opposite side of the street and extends up and across the street and the entire width of the lot.
12. **Animal Shelter**, means premises used for the care of lost, abandoned or neglected animals and operated by a public authority or non-governmental not-for-profit organization.
13. **Apartment Dwelling** - see "Dwelling".
14. **Arcade**, means a place, building or structure where five (5) or more electronic, mechanical or other such machines for amusement are operated for gain or compensation for their owner, and may or may not be operated in conjunction with any other activity, but does not include premises licensed under the *Liquor License Act*.
15. **Artist's Workshop**, means a place used for purposes such as commercial photography, painting, art, needlework, tapestry making, pottery making, hand weaving or sculpting, and includes a gallery for displaying or selling goods provided that such gallery is ancillary to the production process.
16. **Assembly Hall**, means 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 which may include the consumption of food or drink and includes a banquet hall.
17. **Attached**, means a building which is otherwise complete in itself, but which depends on structural support or complete enclosure upon a division wall or walls shared in common with an adjacent building or buildings.
18. **Attic**, means the space between the roof and the ceiling of the top storey or between a dwarf wall and a sloping roof; said space is not considered to be habitable space. means the space between the roof and the ceiling of the top storey or between a dwarf wall and a sloping roof; said space is not considered to be habitable space. Any space above a one-half storey is not considered to be an attic.



## City of Brockville Comprehensive Zoning By-law No. 050-2014

19. **Auctioneer's Establishment**, means a building, structure or land used for the retail sale of articles or goods by way of public auction, and may include the auctioning of motor vehicles as an accessory use. Items sold for auction shall be subject to the applicable requirements for open storage and motor vehicle storage.
20. **Auditorium** - see "Assembly Hall".
21. **Automobile Body Shop**, means a building or structure used for the painting or repairing of automobile bodies or fenders, including frame straightening, fibreglassing, sanding, filling, painting, grinding and any other activity associated with restoration or replacement of body panels, but shall not include an automobile wrecking yard or salvage yard.
22. **Automobile Gas Bar**, means the premises where gasoline, propane or diesel fuel is kept for sale, or electric vehicles charged, with or without lubricants or other items and accessories associated with the operation of automobiles and normally sold at a gasoline pump island, but where no servicing, repair or equipping of motor vehicles is carried on.
23. **Automobile Rental Agency**, means a premises where vehicles are stored and rented to the public on a short term basis, and may include a clean-up/detail bay and shall include an agency for vehicle sharing. For the purposes of this definition, short term shall mean less than six (6) months.
24. **Automobile Repair Garage**, means a building or structure where repair, refitting or customization of motor vehicles may be undertaken for compensation but shall not include an automobile body shop, and shall include electric motor vehicle charging stations.
25. **Automobile Sales Establishment**, means a building or structure or place where new motor vehicles, as defined by the *Highway Traffic Act*, are kept for display and/or sale, with the display and/or sale of used motor vehicles permitted as an accessory use. All automobile repairs, including electric vehicle charging stations, may be carried on within an automobile sales establishment.
26. **Automobile Service Station**, means a building or place where gasoline, diesel fuel, propane, oil, grease, antifreeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles, and new auto related retail goods are stored or kept for sale, or where automobile repairs are carried on. An automobile service station may include a car wash or convenience store as an accessory

## City of Brockville Comprehensive Zoning By-law No. 050-2014

use. An automobile service station may include electric vehicle charging stations. An automobile service station shall exclude any other use otherwise defined herein, unless such use is specifically permitted in the Zone.

27. **Automotive Trade Use**, means any automobile related use, such as tire sales and repair, dealer preparation of vehicles, radiator repairs, transmission or muffler repairs, automotive glass repairs, automotive seat covering and customizing, but shall not include any other use otherwise classified or defined herein.

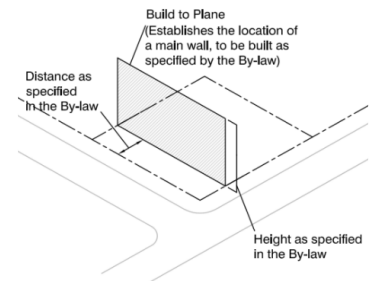
**B**

28. **Back-to-Back Townhouse** - see "Dwelling".
29. **Bakery**, means a place, building or structure wherein the principal activity is the baking of goods, including the preparation, storage, wrapping, and packing, and other activities associated with the preparation for sale or other distribution.
30. **Bake Shop**, means a place, structure or building wherein the principal activity is the retailing of baked goods, including incidental baking of products for retail sale on the premises only.
31. **Balcony**, means an unenclosed or partially enclosed attached platform, projecting from the face of a wall, cantilevered or supported by columns or brackets and usually surrounded by a balustrade or railing, and is only directly accessible from within a building.
32. **Banquet Hall** - see "Assembly Hall".
33. **Basement**, means that portion of a building below the first storey which is not a cellar. See also the definition for "Cellar."
34. **Barrier**, means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice.
35. **Bed and Breakfast Establishment**, ~~means a single detached dwelling in which no more than four (4) guest rooms are made available by the resident of the said dwelling for the temporary accommodation of travellers. This does not include a hotel, motel, boarding, rooming or lodging house, or restaurant, as defined herein.~~ means a single detached dwelling that is owner-occupied in which no more than three

City of Brockville Comprehensive Zoning By-law No. 050-2014

(3) guest rooms are made available by the resident of the said dwelling for the temporary accommodation of travelers. This does not include a hotel, motel, boarding, rooming or lodging house, or restaurant, as defined herein.”

- 36. **Block**, means an area bounded on four (4) sides by public streets or by one (1) or more public streets and one (1) or more natural or human-made barriers such as a river, railway or boundary.
- 37. **Block Face**, means all land fronting on one (1) side of one (1) block.
- 38. **Boarding, Rooming or Lodging House** - ~~see “Dwelling”~~. means a dwelling unit or dwelling, used or maintained for the accommodation of the public, in which the owner or head lessee supplies lodgings, with or without means, for three (3) to five (5) persons, but does not include any other use otherwise defined or classified herein.”
- 39. **Boat House**, means a detached accessory building used for the storage of boats and other marine craft. A boat house shall not be used for human habitation or sleeping accommodations.
- 40. **Building**, means any edifice used or intended to be used for shelter, accommodation or enclosure of persons, animals, or chattels but shall not include a lawful boundary wall or fence.
- 41. **Building By-law**, means any building by-law of the Corporation and amendments thereto.
- 42. **Building Code**, refers to the *Ontario Building Code Act*, and any regulations thereto.
- 43. **Build to Plane**, means a vertical plane which runs parallel to and at a specified distance from an improved public street right-of-way. The location of the build-to plane is measured perpendicular to the improved public street right-of-way to the nearest part of any main wall of any building or structure on a property. The build-to plane specifies the location of buildings and structures adjacent to an improved public street. Where a build-to-plane is required by this By-law, the location of the build-to plane, its height and other requirements of the build to plane are specified in the associated provisions. Unless otherwise stated, the build-to-plane applies to the entire width of the property along the public street right-of-way.
- 44. **Bus**, means a vehicle designated for carrying ten (10) or more passengers and used for the transportation of persons.



## City of Brockville Comprehensive Zoning By-law No. 050-2014

45. **Business and Professional Office**, means the use of a building or part thereof, exclusive of a clinic, in which one (1) or more persons are employed in the administration, management, direction or conducting of a business, non-governmental or not-for-profit organization or where professionally qualified persons and their staff serve clients who seek advice or consultation, and may include a call centre.
46. **Business Incubator/Accelerator**, means a building or portion thereof used to provide leasable space, mentorship, instruction and administrative support services to new small industrial, technology, innovation or service uses and their employees on a short term basis usually up to twelve (12) months. For the purposes of this definition, “new” shall mean less than four (4) years old and “small” shall mean having less than ten (10) employees.
47. **Business Service Establishment**, means an establishment primarily engaged in providing services to business establishments on a fee or contract basis, including but not limited to advertising and mailing, building maintenance, employment services, protective services, information technology and computer services, and small equipment rental, leasing and repair.

**C**

48. **Campground**, means an establishment providing for the public temporary accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers, but does not include a mobile home park.
49. **Car Sharing** - see “Vehicle Sharing Service,” “Vehicle Sharing Parking Space, Motorized” and “Vehicle Sharing Parking Space, Non-Motorized”.
50. **Car Wash**, means a building or structure containing facilities for washing motor vehicles either using production line methods and mechanical devices or by a self-service operation.
51. **Carport**, means a roofed structure intended for the temporary storage of a motor vehicle built in conjunction with and attached to a dwelling. No more than two (2) sides may consist of a solid or enclosed wall, nor shall there be any type of door where the automobile enters.
52. **Catering Service**, means a building where food is prepared for the purpose of distribution and may include a catering truck operation but does not include a restaurant or refreshment vehicle.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

53. **Cellar**, means that portion of a building which is below the first storey, has more than one half of its height from finished floor to finished ceiling below the adjacent finished grade, and has not more than 1.8 metres measured vertically between the floor and ceiling.
54. **Cemetery or Burial Sites**, means land used for the interment of human remains and may include a mausoleum, columbarium, crematorium, and accessory facilities.
55. **Chief Building Official**, means an officer or employee of the Corporation charged with the duty of enforcing the provisions of building by-laws of the Corporation and the Ontario *Building Code Act*.
56. **Chief Planning Officer**, means an officer or employee of the Corporation charged with the duty of enforcing the provisions of Zoning By-laws of the Corporation and the *Planning Act*.
57. **Child Care Centre**, means a licensed facility that provides temporary care, or guidance, or both temporary care and guidance for children in accordance with the Day Nurseries Act, as amended, and any regulations thereto.
58. **Children's Play Area**, means an area, at or above grade level, developed with play equipment and suitably surfaced and fenced or otherwise enclosed for use by children.
59. **Church** - see "Place of Worship".
60. **City**, means the Corporation of the City of Brockville.
61. **Clinic or Medical Office**, means a building or part thereof, used exclusively by physicians, dentists, and drugless practitioners, their staff and their patients or clients for the purpose of consultation, diagnosis and office treatment. Without limiting the generality of the foregoing, a clinic may include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic, but shall not include overnight accommodation for in-patient care.
62. **Co-living Unit**, means the use of a building intended for residential accommodation where private bedrooms and/or living spaces share the use of a common kitchen and may share common washroom facilities or living spaces.
63. **Commercial Greenhouse**, means a building for the growing of flowers, plants, shrubs, trees and similar vegetation which are not

## City of Brockville Comprehensive Zoning By-law No. 050-2014

necessarily transplanted outdoors on the same lot containing such greenhouse, but are sold directly from such lot at wholesale or retail, and shall not include a medical marihuana production facility, as defined and regulated by Federal and Provincial legislation and regulations.

64. **Commercial Motor Vehicle**, means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highway.
65. **Commercial Recreation Establishment**, means a privately owned sports or recreation establishment operated for use by private members and/or the general public for compensation and includes uses such as a pool room, bowling alley, ice or roller rink, dance hall, gym, bingo hall, off track betting (OTB) facility and miniature golf, but does not include any other use otherwise classified or defined herein.
66. **Commercial School** - see “School, Commercial”.
67. **Commercial Use**, means the use of land, buildings or structures for the purpose of buying and/or selling of commodities at retail or wholesale or supplying of services but shall not include any other use otherwise classified or defined herein.
68. **Common Carrier**, means any vehicle which is available for hire for a commercial purpose.
69. **Community Centre**, means any tract of land, or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local Board or Agent of the Municipality.
70. **Community Health and Resource Centre**, means a place where members of the public are provided with health services, social support services, cultural, social or recreational programs or life/work skills training programs but shall not include any other establishment or use otherwise defined herein.
71. **Computer Design and Development Facility**, means a company whose primary business activities are associated with technology industry which includes computer hardware, software, electronics, semiconductor, internet, telecom equipment, e-commerce and computer services.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

72. **Computer Service**, means a place where computer facilities are provided on a rental, leasing or time sharing basis, and where program development and computer consulting services are provided.
73. **Contractors' Establishment**, means a place, building or structure where construction, mechanical, electrical, plumbing, heating, roofing, siding, insulation, refrigeration, painting, decorating, grounds maintenance or general contractors or other similar contractors conduct their businesses, and may include offices, drafting facilities and display areas of pertinent samples, but may not include the retailing of materials from the premises unless the establishment is located in a commercial zone.
74. **Conservation Use**, means the use of land dedicated towards the protection, stewardship and management of natural heritage features and functions, hydrological features and functions, ecological features and functions, and for the purposes of this By-law, includes the structures of a public authority used only for managing the resource and for managing natural hazards, such as flood and slope control.
75. **Convenience Store**, means a retail store of not more than 300.0 square metres of gross leasable area where a variety of both household and grocery items are offered for sale primarily to serve people's daily needs and may include interior take-out food facilities and video rentals as accessory uses.
- Converted Dwelling** – see "Dwelling".
76. **Corporation**, means the Corporation of the City of Brockville.
77. **Cottage**, means a single detached dwelling which is used as a secondary residence for recreation purposes on a periodic basis.
78. **Council**, means the Council of the Corporation of the City of Brockville.
79. **County**, means the Corporation of the United Counties of Leeds and Grenville.
80. **Courier Service**, means the premises of a courier or parcel delivery service, but shall not include the premises of Canada Post.
81. **Custom Workshop**, means a building where there is carried on individual custom productions of drapes and slipcovers, venetian blinds, handmade leather goods, millinery, orthopedic and prosthetic appliances, weaving, awnings, signs, gold and silver engraving and other non-offensive, non-dangerous custom production of any article or

## City of Brockville Comprehensive Zoning By-law No. 050-2014

thing, but does not include any factory production or any shop or factory otherwise classified or defined in this By-law.

**D**

82. **Day Care, Adult**, means a place wherein the temporary care of adults, including persons with disabilities or seniors who require care, provided it is operated in accordance with the *Long Term Care Homes Act*, as amended, or any other applicable Provincial legislation.
83. **Day Care, Private-Home**, means a place wherein the temporary care of children is provided and is operated as an accessory use within a residential dwelling in accordance and licensed under the Child Care and Early Years Act 2014, 5.0.2014 c.11, Schedule 1, as amended, or any other applicable Provincial legislation, and in accordance with the provisions for Home Occupations in Subsection 3.21.
84. **Delicatessen**, means a food store having a gross leasable floor area of less than 100.0 square metres, wherein the food offered for sale may also be prepared and sold for immediate consumption on or off the premises.
85. **Density**, means the ratio of the number of dwelling units to the gross lot area.
86. **Department Store**, means a retail facility containing not less than 3,000.0 square metres of gross leasable area offering a wide range and depth of merchandise including clothing, men's and women's accessories, toiletries, furniture and appliances as well as a range of services.
87. **Development**, means the creation of a new lot, a change in land use, the construction or alteration of buildings and structures, the alteration of a lot, and redevelopment. See also the definitions for "Alter" and "Redevelopment." means the creation of a new lot, a change in land use, or the construction of buildings or structures requiring approval under the *Planning Act*, but does not include:
- Activities that create or maintain infrastructure authorized under an environmental assessment process or identified in provincial standards;
  - Works carried out under the *Drainage Act*; or
  - Underground or surface mining of minerals, or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*."

## City of Brockville Comprehensive Zoning By-law No. 050-2014

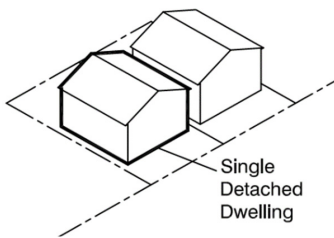
88. **Dock**, means a structure built at or anchored to the shore at which boats or other floating vessels are berthed or secured to and which may provide a foundation for a boathouse. Any structure situated in or over lands covered by water, which is within 3 m (10 ft.) of a dock, shall be deemed to be part of the dock unless it is a boathouse or a boatport.
89. **Downtown and Central Waterfront Area**, means the area delineated as the Downtown and Central Waterfront Area on Schedule "B" of this By-law.
90. **Drive Through**, means the accessory use of land, buildings or structures to provide or dispense products through an attendant window or an automated machine to persons remaining in their automobile in a designated stacking lane.
91. **Driveway**, means the surfaced area on a lot which allows vehicular access to one (1) or more parking spaces either directly or indirectly by connection to a parking aisle within a parking area.
92. **Driveway Access**, means the depressed area and/or curb-cut on a public highway which allows vehicular access onto private property, and which includes the area travelled on public property after leaving the driving lane(s).
93. **Dry Cleaning Outlet**, means a building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected to the process of dry cleaning, dyeing or cleaning elsewhere, and for the pressing and distribution of any such articles of goods which have been subjected to any such process.
94. **Dry Cleaning Plant**, means a building or part of a building in which the business of dry cleaning, pressing of articles or goods of fabric is undertaken.
95. **Duplex Dwelling** - see "Dwelling".
96. **Dwelling**, means a building occupied, or capable of being occupied, as the home or residence of one (1) or more persons, but shall not include a trailer or motor home.
- a) **Dwelling Unit**, means two (2) or more habitable rooms, designed or intended for use by one (1) group of persons only who maintain a common household, and in which cooking (one kitchen only), eating, living, sleeping and sanitary facilities are commonly provided for such group of persons, but excluding a hotel, motel, boarding, rooming or lodging house, recreational

City of Brockville Comprehensive Zoning By-law No. 050-2014

vehicle, or mobile home. A common household shall be deemed to exist where all members of the group of persons within a dwelling unit have access to all points of the dwelling unit. A dwelling unit shall have a private entrance from outside the building, or from a common hallway or stairway inside the building.

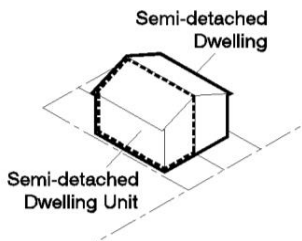
b) **Dwelling Unit, Accessory**, means a dwelling unit accessory to a non-residential use.

c) **Dwelling Unit, Additional**, means a self contained dwelling unit located within the same building, or on the same lot, as an existing dwelling unit. Self-contained means that it has its own kitchen and washroom facilities, and a separate entrance. For the purposes of this Zoning By-law, an Additional Dwelling Unit shall include an Additional Residential Unit as defined under the Planning Act.



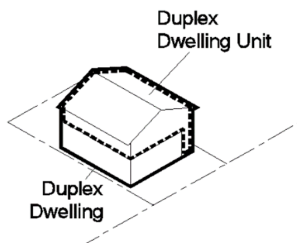
d) **Dwelling Unit, Bachelor**, means a dwelling unit consisting of one (1) bathroom and not more than one (1) other habitable room providing a combined space for living, dining, sleeping and cooking facilities.

e) **Single Detached Dwelling**, means a building containing one (1) dwelling unit as the principal use of the building.



f) **Semi-detached Dwelling**, means a dwelling that is divided vertically into two (2) dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.

g) **Duplex Dwelling**, means a dwelling that is divided horizontally into two (2) separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.



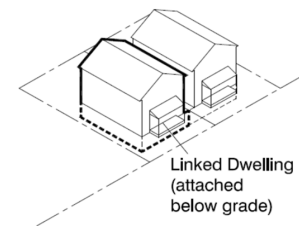
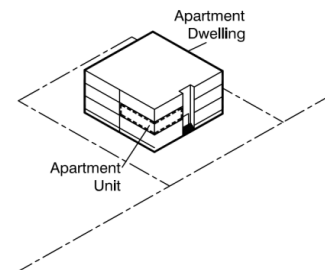
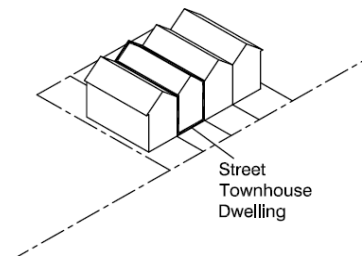
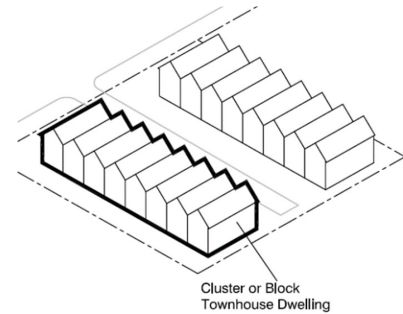
h) **Triplex Dwelling**, means a dwelling that is divided vertically, horizontally or a combination thereof into three (3) separate dwelling units each of which has an independent entrance whether directly from the outside or through a common vestibule.

i) **Converted Dwelling**, means a dwelling, originally constructed as a single detached dwelling, the interior of which has been altered or is proposed to be altered, to form not more than three

City of Brockville Comprehensive Zoning By-law No. 050-2014

~~(3) dwelling units. The building must have been built prior to 1940.~~

- j) **Maisonette Dwelling**, means a dwelling containing four (4) or more dwelling units, each unit having access directly from an outside landscaped yard area or exterior stairways located adjacent to said dwelling unit, but does not include any other type of dwelling unit as defined herein.
- k) **Townhouse Dwelling**, or **Block Townhouse Dwelling** or **Cluster Townhouse Dwelling**, means one (1) of a group of four (4) or more but not more than ten (10), attached dwellings divided vertically by common walls, with each dwelling unit having an independent entrance directly from the outside and is not intended for freehold ownership, but does not include any dwelling unit otherwise defined herein.
- l) **Townhouse Dwelling, Street**, means a townhouse dwelling on a separate lot and having legal frontage on a public street.
- m) ~~**Boarding, Rooming or Lodging House**, means a dwelling, used or maintained for the accommodation of the public, in which the owner or head lessee supplies lodgings, with or without meals, for three (3) or more persons, but does not include any other use otherwise defined or classified herein.~~
- n) **Apartment Dwelling**, means a dwelling that contains four (4) or more dwelling units, which have a common entrance from street level and are served by a common corridor and the occupants of the units have the right of use in common of the corridors, stairs, yards, or one (1) or more of them. An "Apartment Dwelling" does not include any other dwelling unit defined herein. means a dwelling that contains five (5) or more dwelling units, which have a common entrance from street level and are served by a common corridor and the occupants of the units have the right of use in common of the corridors, stairs, yards, or one (1) or more of them. An "Apartment Dwelling" does not include any other dwelling unit defined herein.
- o) **Apartment Unit**, means a dwelling unit of two (2) or more rooms designed or intended for use by a group of persons in which cooking and sanitary facilities are provided for the exclusive use of such group of persons, and with a private entrance from outside the building or from a common hallway or



## City of Brockville Comprehensive Zoning By-law No. 050-2014

stairway inside, but does not include any other use defined or classified herein.

- p) **Linked Dwelling**, means two (2) or more dwelling units which are connected by a permanent wall or structure which is entirely below grade, but which are not attached above grade.
- q) **Garden Suite Dwelling**, means a temporary, detached residential dwelling unit accessory to a principal residential use, permitted by way of a temporary use by-law and in accordance with the provisions of this By-law.

~~**Second Suite Dwelling**, means a secondary residential dwelling which is accessory to a principal residential dwelling. An extension or addition can be made to accommodate the proposed second suite.~~

- r) **Group Home Dwelling**, means a residence licensed or funded under a federal or provincial statute for the accommodation of four (4) to six (6) 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 for their well-being.
- s) **Back-to-Back Townhouse**, means a Residential Building other than a Stacked Townhouse or Apartment Building, that is vertically divided and contains a minimum of 6 Dwelling Units, each of which has an independent entrance at grade, and each of which shares a common wall, including a rear wall, with adjoining dwelling units above grade.

97. **Dwelling Unit Area**, means the habitable floor area contained within the inside walls of a dwelling unit, inclusive of the floor area of any basement, but excluding any private garage, carport, porch, verandah, unfinished attic, and excluding public or common halls or areas, stairways and the thickness of outside walls.

## E

98. **Erect**, when used in this By-law includes build, construct, reconstruct and relocate, and without limiting the generality of the work also includes:
- a) any preliminary physical operation, such as cutting, grading, excavating, filling or draining;

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- b) altering any existing building or structure by an addition, enlargement, extension or other exterior structural change;
- c) installation of a building unit fabricated or moved from elsewhere; and
- d) any work for the doing of which a Building Permit is required under the Building By-law of the Corporation.

99. **Existing**, means lawfully existing on the date of the passing of this By-law.

## F

100. **Factory Outlet**, means a building or part thereof where goods, wares and merchandise, all of which are produced by the manufacturer, and which are primarily classified as seconds, discontinued or liquidated goods, or goods manufactured to be sold directly to the general public by the manufacturer, are offered for sale directly to the general public by the manufacturer or an exclusive agent of the manufacturer that produces them.
101. **Farmers' Market**, means a place, building or structure where produce, meat, flowers, fruit, and other items are sold to the public at retail by the producer(s) of such items.
102. **Fence**, means a protective, enclosing or visual barrier made of wood, metal or other substances that is constructed for any purpose and includes every door, gate or other enclosure that forms part of a fence.
103. **Film, Television and Recording Studio**, means premises used for any combination of television or movie filming, radio or sound recording.
104. **Financial Service**, means a place, building or structure wherein the principal activity involves money management services directly to the public, and may include a bank, trust company, credit union, securities dealer, finance company or stock broker, and an automated teller machine (ATM).
105. **Fire Code**, means the Ontario *Fire Code Act* and any regulations or amendments thereto.
106. **Flea Market**, means a building, or part thereof, or open area in which stalls or sales areas are set aside, and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell

## City of Brockville Comprehensive Zoning By-law No. 050-2014

articles that are either homemade, homegrown, handcrafted, old, obsolete, or antique.

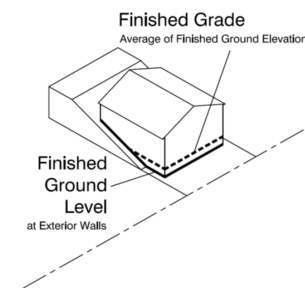
107. **Floodplain**, means the area, usually lowlands, adjoining a watercourse, which has or may be subject to flooding hazards. For Buells Creek and Butlers Creeks, the floodplain consists of all land below the 1:100 year water elevation. For the St. Lawrence River, the floodplain consists of all land below the 1:100 year water level plus a factor for wave uprush. The floodplain forms part, but not all, of the Environmental Protection (EP) Zone, delineated on Schedule "A".
108. **Floor Area, Gross**, means 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, exclusive of:
- a) any part of the building or structure which is used for heating equipment, 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 a caretaker, watchman or other supervisor of the building or structure; and
  - b) enclosed malls when used as a common area between stores.
109. **Floor Area, Gross Leasable**, means the total floor area of a building designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floors, if any, and measured from the centre line of joint partitions and from outside wall faces.
110. **Floor Area, Ground**, means the area of the first storey of a building measured to the outside walls, excluding, in the case of a dwelling house, any private garage, carport, porch, verandah, sun room (unless such sun room is habitable at all seasons of the year).
111. **Floor Space Index or F.S.I.**, means the ratio of the gross floor area of a building or buildings to the gross area of the lot on which the building or buildings are located. For this purpose, any floor area above grade used for the parking of motor vehicles shall be counted as part of the gross floor area.
112. **Fourplex Dwellings**, means a building consisting of four (4) dwelling units, with at least one (1) unit located wholly or partly above another, which are entered from an independent entrance directly from the outdoors or through a shared internal vestibule, and which share common facilities such as common amenity area, parking, and driveways.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

113. **Fuel Pump Island**, means the structure on which pumps for the dispensing of gasoline, diesel or other motor vehicle fuel are mounted to service motor vehicles.
114. **Fuel Storage Tank**, means a tank for the bulk storage of petroleum, gasoline, fuel oil, gas or flammable fluid or liquid legally kept in a retail store or a tank for storage incidental to the primary use of the premises where such tank is located.
115. **Funeral Home**, means a premises used for the care and preparation of human remains, excluding a crematorium, and may include an ancillary visitation centre and chapel for funeral services.

**G**

116. **Garage, Parking**, means a main building or structure where validly licensed motor vehicles are parked but does not include a private garage.
117. **Garage, Private**, means a detached accessory building or portion of a dwelling which is designed or used for sheltering of private motor vehicles and storage of household equipment incidental to the residential use.
118. **Garage Sale**, means an occasional event, not to exceed 3 one day events annually, in which the occupants of the dwelling unit resell household items to the general public on the same lot.
119. **Garden Suite** - see "Dwelling".
120. **Golf Course**, means a public or private area operated for the purpose of playing golf and may include a driving range, mini golf and accessory uses such as a club house, a restaurant, an indoor driving range, a putting green and similar uses.
121. **Grade**, means the elevation of the ground.
122. **Grade, Finished**, means the average elevation of the finished level of the ground adjoining all walls of a building.
123. **Grocery Store**, means a building or part thereof used for the sale of food, and may include the incidental sale of household items, with a gross leasable floor area of less than 3,000.0 square metres.
124. **Group Home Dwelling**, see "Dwelling"



## City of Brockville Comprehensive Zoning By-law No. 050-2014

125. **Group of Persons**, means one (1) or more individuals, whether or not related by blood, marriage or legal adoption, who live in one (1) dwelling unit and maintain a common household. Group of persons shall also include domestic servants, nursing aides and not more than two (2) boarders or lodgers.
126. **Guest Room**, means a room or suite of rooms used or maintained for the accommodation of the public for financial compensation but does not include any other use as defined herein.

**H**

127. **Habitable Room**, means a room designed for living, sleeping, eating or food preparation, including a den, kitchen, bedroom, library, sewing room or enclosed sun room, but does not include a bathroom.
128. **Health Club**, means an indoor facility for active sports or physical fitness which may include such uses as game courts, exercise equipment, swimming pools, locker rooms and accessory uses such as saunas and whirlpools.

~~**Height or Building Height or Height of Building**, means the vertical distance between the finished grade at the front of the building and:~~

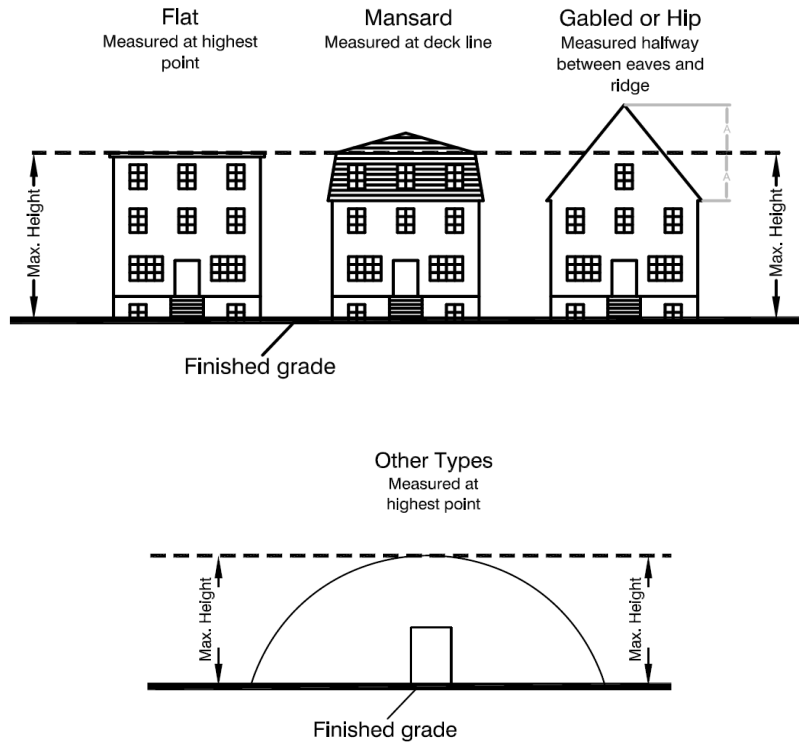
- a) ~~in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;~~
- b) ~~in the case of a mansard roof, the deck roof line;~~
- c) ~~in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge; or~~
- d) ~~in all other cases, the highest point of the roof surface.~~

~~Where the height is established in the regulations as a number of storeys, height means the number of storeys.~~

129. **Height of Building**, means the vertical distance between the finished grade at the front of the building and:
- a) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;
- b) in the case of a mansard roof, the deck roof line;
- c) in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge; or
- d) in all other cases, the highest point of the roof surface.

City of Brockville Comprehensive Zoning By-law No. 050-2014

Where height is established in the regulations, it shall be expressed as a numerical value in metres.”



- 130. **Hereafter**, means after the date of the passing of this By-law.
- 131. **High Technology Retail Store**, means a building or part thereof wherein specialty merchandise is offered for sale or rental or can be serviced, and this shall include computers, communication equipment, office and audio visual equipment and electrical and electronic equipment which may be associated with high technology. This use shall not include the sale or rental of any household appliances, domestic stereo equipment or toys.
- 132. **Highway**, means a common and public highway, street, avenue, parkway, lane, alley, driveway, square, place, bridge, viaduct or trestle, any part of which is designed and intended for, or used by, the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

133. **Home Appliance Store**, means a building, or part thereof, used for the retail sale of household equipment such as major and small appliances, electronic devices and audio or visual equipment.
134. **Home Decorating Store**, means a building, or part thereof, used for the retail sale of goods and materials required for decorating the interior of a home or office, including floor, wall and window coverings; lighting fixtures; bathroom fixtures; kitchen fixtures and accessories.
135. **Home Furnishing Store**, means a building, or part thereof, used for the retail sale of movable contents of a room or home. Such goods may include furniture, light fixtures, clocks, organs or pianos, carpeting and indoor window coverings.
136. **Home Improvement Store**, means a building, or part thereof, used for the retail sale of goods or materials required for the construction or alteration of buildings, including such merchandise as wall panelling; wood products; sheet glass products; windows and mirrors; floor, wall and ceiling tiles; paint and wallpaper; bathroom and kitchen cupboards and fixtures; landscaping materials and similar goods. Open storage may be permitted as an accessory use.
137. **Home Industry**, means a business or activity conducted as a secondary use to the principal use of a rural lot within any dwelling unit or other accessory building on the lot.
138. **Home Occupation**, means a business or professional activity conducted as a secondary use to the residential use within any dwelling unit which is the primary residence of the person or persons conducting the business or professional activity.
139. **Homeless or Emergency Shelter**, means a facility, whether or not for profit, used for the temporary accommodation of persons in need.
140. **Hospice**, means an institution, building or other premises or place that is established for the purpose of the treatment of patients who are terminally ill, sick or injured or for palliative care.
141. **Hospital**, means an institution, building or other premises or place that is established for the purposes of the treatment of patients and that is approved under the *Public Hospitals Act* as a public hospital, and includes a hospice, but does not include any other use as defined herein.
142. **Hotel**, means any inn, lodge or public house which is greater than two (2) storeys in height and is used mainly for the purpose of catering to

## City of Brockville Comprehensive Zoning By-law No. 050-2014

the needs of the traveling public by furnishing sleeping accommodation in guest rooms, which guest rooms may contain provision for cooking. The guest rooms in a hotel are accessed by common corridors, and access is not provided from the outside.

I

143. **Industrial Equipment Sales, Service and Rental**, means an establishment primarily engaged in the rental and sale of machinery and equipment, and other goods of a size and type that would be used for business, industrial, agricultural and major construction undertakings. Outdoor storage of such machinery and equipment may be an accessory use to an Industrial Equipment Sales, Service and Rental Establishment, unless otherwise stated in this By-law.
144. **Industrial Mall**, means one (1) or more buildings on a separate lot which contain(s) not less than 1,345.0 square metres of gross floor area, developed and managed as a whole, which is divided, or is capable of being divided, into ten (10) or more individual components for separate use by different firms or individuals.
145. **Industrial Service**, means an establishment where professionally qualified persons provide a service primarily to industry on a consulting basis with respect to their development process, research for product development or physical development.
146. **Industrial Use**, means the occupation or use of a building or part thereof for assembling, fabricating, manufacturing, processing, repairing or storing of goods or materials but shall not include any other establishment or use otherwise defined herein.
147. **Industrial Use, Light**, ~~means the use of a building or part thereof for clean industries which are entirely enclosed within the building or structure. Such clean industries would be those requiring no treatment of their wastewater or air prior to discharge off-site.~~ means the use of a building or part thereof for clean industries which are entirely enclosed within the building or structure, and that require no treatment of wastewater or air prior to discharge off-site. Light industrial uses may include small-scale facilities, warehouses, wholesale establishments, offices and business services.
148. **Institutional Residence**, means a residence or facility that is licensed or funded under an Act of the Parliament of Canada or Province of Ontario for the accommodation of more than six (6) persons living under supervision, and who by reason of their emotional, mental, social

## City of Brockville Comprehensive Zoning By-law No. 050-2014

or physical condition, or legal status, require a group living arrangement for their well-being, but does not include a jail, prison, reformatory or penitentiary. See also the definition for “Group Home Dwelling”.

**J** (none)

**K**

149. **Kennel**, means any building, structure or premises other than a veterinary hospital, veterinarian office or pet shop as defined herein, wherein four (4) or more dogs or cats, or aggregate thereof, are kept for commercial purposes, including but not limited to boarding, breeding and grooming.

**L**

150. **Landscaped Open Space**, means the open unobstructed space, 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, but is not limited to, any surfaced walk, patio or outdoor swimming pool 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.
151. **Landscaping Contractor’s Establishment**, means the use of land, buildings, or structures by a landscaping contractor for offices, the storage of vehicles, equipment, and materials, and the dispatching of employees. It may include limited shop or assembly work related to landscaping operations, but does not include a retail store, garden centre, nursery, or any other establishment otherwise defined or classified herein.
152. **Lane**, means a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation.
153. **Large Format Retail**, means any retail use, including but not limited to supermarkets, home improvement stores, department stores, home furnishing stores, home decorating stores, retail warehouses and specific category retail, greater than 3,000.0 square metres in gross floor area.

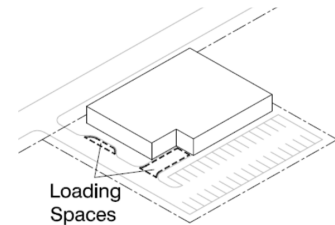
City of Brockville Comprehensive Zoning By-law No. 050-2014

154. **Laundromat**, means a building or part thereof wherein machines and facilities for wet laundering, drying or finishing are available for public use at a charge and may include a laundry service.

155. **Linked Dwelling** - see "Dwelling".

156. **Loading Area**, means the area of a lot consisting of one (1) or more loading spaces.

157. **Loading Space**, means 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 a street, lane or other means of access in accordance with the provisions of this By-law.



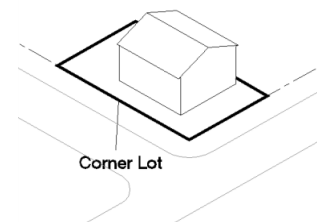
158. **Local Board or Commission** - see "Public Authority".

159. **Lot**, means a parcel, tract or block of land described either:

- a) in accordance with and within a Plan of Subdivision providing such subdivision is deemed to be a registered Plan of Subdivision under the *Planning Act*;
- b) in a registered deed and given consent pursuant to the *Planning Act*; or
- c) for those situations not described by either a) or b) above, a lot shall mean a parcel, tract or block of land described in a registered deed or deeds.

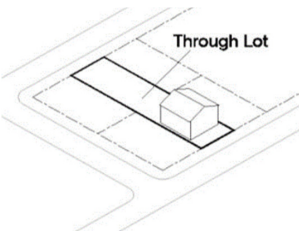
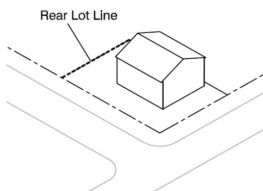
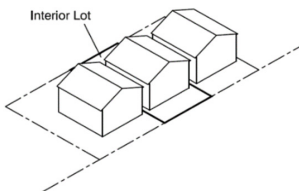
160. **Lot Area**, means the total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot covered by water or between the rim of the banks of a river or watercourse.

161. **Lot, Corner** or **Lot, Exterior**, means a lot situated at the intersection of two (2) or more streets, or on the inner side of a bend in a single street having an angle of intersection or bend of not more than one hundred and thirty-five degrees (135°).



162. **Lot Coverage**, means that percentage of the lot area covered by buildings or structures, including accessory buildings above finished grade, calculated as the ratio of the covered areas on the lot excluding canopies, balconies, overhanging eaves and private open air swimming pools to the total lot area.

City of Brockville Comprehensive Zoning By-law No. 050-2014



163. **Lot Depth**, means 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 with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines.
164. **Lot Frontage**, means the horizontal distance between the side lot lines, such distance being measured at a point 6.0 metres from the front lot line.
165. **Lot, Interior**, means a lot other than a corner lot.
166. **Lot Line**, means any boundary of a lot or the vertical projection thereof.
167. **Lot Line, Exterior Side**, means a side lot line of an exterior lot that abuts a street line.
168. **Lot Line, Front**, means in the case of an interior lot, the line dividing the lot from the street. In the case of a corner lot abutting two (2) or more street lines, 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, or a corner lot whose exterior lot lines are the same length, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.
169. **Lot Line, Interior Side**, means a side lot line that is not an exterior side lot line.
170. **Lot Line, Rear**, means the lot line farthest from and opposite to the front lot line. means the lot line farthest from and opposite to the front lot line or, where the lot is triangular, the point of intersection of the side lot lines.
171. **Lot Line, Side**, means a lot line other than a front or rear lot line.
172. **Lot, Through**, means an interior lot bounded on two (2) opposite sides by streets.
173. **Lot of Record**, means a lot as defined herein and which existed and was registered in the Registry Office on or before 20 December, 1977, or for which a consent to severance had been obtained on or before the said date from the Committee of Adjustment for the City of Brockville and certified by the appropriate officer within the period prescribed by the *Planning Act* of the Province of Ontario.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**M**

174. **Machine and Welding Shop**, means a building or part thereof used for the machining, fabricating, repairing, or welding of metal parts, and may include accessory offices and storage but does not include heavy manufacturing, foundries, or retail sales to the general public.
175. **Main Building or Use**, means the principal use or uses for which a structure, building or parcel of land is to be used.
176. **Maisonette Dwelling** - see "Dwelling" - means a dwelling containing five (5) or more dwelling units, each unit having access directly from an outside landscaped yard area or exterior stairways located adjacent to said dwelling unit, but does not include any other type of dwelling unit as defined herein."
177. **Marina**, means buildings and facilities specifically designed to cater to boating needs and may include, but not be restricted to marine facilities, docks, wharves and moorings, the sale of petroleum, fuels and lubricants, the servicing of boats, the storage of boats, the sale of boats, boating equipment and associated merchandise, provided that the land upon which the structures are located abuts a navigable body of water. A marina may include a restaurant as an accessory use, provided a restaurant is a permitted use in the applicable zone.
178. **Marine Facility, Private**, means an accessory building or structure which is used to place a boat into or out of a water body, or is used to moor, berth or store a boat. This definition includes a boat launching ramp, boat lift, dock, boathouse, boatport or slip. However, this definition shall not include any building used for human habitation nor any marina or marina sales and service station, but may include an unenclosed rooftop deck on a boathouse.
179. **Marine Sales and Service**, means a building or structure where gasoline, oil, grease, spark plugs, batteries, and outboard motors and accessories for boats in general are stored or kept for sale to the general public, as well, boats, motors, and trailers may be kept for sale to the general public or stored. Minor repairs may also be carried out in such a building or structure.
180. **Medical/Dental Laboratory**, means a building, or part thereof, used for medical and/or dental testing, medical and/or dental experimentation and medical and/or dental research.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

181. **Micro-Brewery and Micro-Winery**, means a building used primarily for the small-scale production and distribution of beer, cider and/or wine products and must include retail and/or restaurant and/or a sampling area component.
182. **Mineral Aggregate Operation, means:**
- a) lands under license or permit, other than for wayside pits and quarries, issued in accordance with the *Aggregate Resources Act*;
  - b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
  - c) associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.
183. **Mixed Commercial/Residential Building**, means a building or structure not less than 1,000.0 square metres gross floor area which is used for a mixture of commercial and residential uses, the ground floor of which shall be primarily used for commercial uses.
184. **Mobile Home**, means a prefabricated building which bears a CSA Z240 approval and which is designed to be towed on its own chassis (notwithstanding that its running gear is or may be removed), designed and equipped for year round occupancy and containing therein facilities for cooking or for the installation of cooking equipment, as well as sanitary facilities including a flush toilet and shower or bathtub. This definition shall not include a travel trailer or tent trailer or trailer as defined in this By-law.
185. **Motel**, means any motor hotel, lodge or public house which is two (2) storeys or less in height, the main purpose of which is to provide sleeping accommodation to the motoring public in guest rooms which may contain ancillary provisions for cooking. The guest rooms of a motel are accessed from the outside, and may or may not be accessed from common corridors.
186. **Motor Home**, means a self-propelled recreational vehicle designed for temporary living, sleeping and eating accommodation of persons.
187. **Motor Vehicle**, includes an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by

## City of Brockville Comprehensive Zoning By-law No. 050-2014

muscular power, but does not include a street car, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine.

188. **Municipally Owned Landfill Site**, means municipally owned land upon which waste is deposited and managed, including operating and non-operating sites, subject to approval under the Environmental Protection Act.

## N

189. **Non-Complying**, means a lot, a building or a structure which did not comply with one (1) or more of the provisions of this By-law for the Zone in which such building or structure is located as of the date of passing of this By-law.
190. **Non-Conforming**, means a use, a building or a structure which is not a permitted use in the Zone within which such use, building or structure is located on the date of passing of this By-law.
191. **Nursery School** - see “Child Care Centre”.
192. **Nursing Home**, means a dwelling or other building in which rooms or lodging are provided for hire or pay in conjunction with the provision of meals, personal care, nursing services and medical care and treatment, but does not include a hospital.

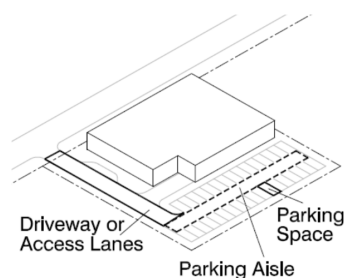
## O

193. **Occupancy**, means the use or permitted use of a building or part thereof for the shelter or support of persons, animals or chattel.
194. **Outdoor Furnace**, means a solid fuel burning appliance, which is used for the space heating of buildings, the heating of water or other such purpose and which is located in a separate building or otherwise exterior to the building or structure which it serves and is connected to said building by an above-ground or below-ground transfer system.
195. **Outdoor Patio** - see “Restaurant, Outdoor Patio”.
196. **Outside Storage**, means the stockpiling or storage of goods or a commodity required in association with the main use in an open yard not housed in any permanent building or structure but does not include the storage of vehicles for sale or repair or the display of finished merchandise for sale to the general public.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

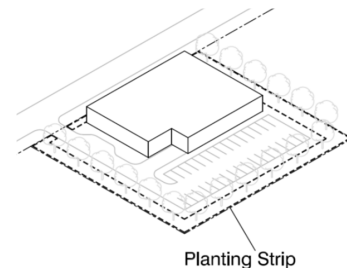
**P**

197. **Parcel of Urban Residential Land**, means a parcel of land located within a designated settlement area where residential use, other than accessory residential use including an additional dwelling unit, is permitted and which is serviced by municipal sewage works and a municipal drinking water system.
198. **Park, Private**, shall mean a privately owned area of land consisting mainly of open space which may include recreational areas, a boat launching ramp, docks and accessory uses.
199. **Park, Public**, means a recreational area owned or controlled by the Corporation or by any Board, Committee or other Authority established under any statute of the Province of Ontario, or the Government of Canada.
200. **Parking Area**, means an area located on the same lot as the main use or structure and used for the purposes of parking of motor vehicles and includes any related aisles, parking spaces, ingress and egress lanes, and private garages, but does not include any part of a public lane or public street.
201. **Parking Lot**, means any parking area used as the principal use of a lot, and shall include electric vehicle charging stations as an accessory use.
202. **Parking Space**, means an area, exclusive of any aisles or ingress and egress lanes for the temporary parking or storage of motor vehicles, and may include a private garage.
203. **Parking Space, Tandem**, means a parking space that can only be accessed by passing through another parking space from a street, lane or driveway.
204. **Parking, Bicycle**, means an area located on the same lot as the main use or structure and provided for the purposes of parking bicycles, and includes related aisles, bicycle parking spaces and indoor bicycle parking spaces, as may be provided, but does not include any part of a public lane or public street.
205. **Person**, means any human being, association, firm partnership, incorporated company, corporation, agent or trustee, and heirs, executors or other legal representatives of a person to whom the context can apply according to law.



## City of Brockville Comprehensive Zoning By-law No. 050-2014

206. **Personal Service Establishment**, means a building, or part thereof, in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, comprising the premises of a barber, hairdresser, beautician, tailor, dressmaker and/or shoemaker, and sun tanning shop. The sale of merchandise shall be permitted only as an accessory use to the personal service provided.
207. **Pet Shop**, means any establishment maintained for the purpose, sale or exchange of domestic pets of any type.
208. **Photographic Service**, means an establishment engaged primarily in the sale of film and photographic equipment and limited film processing and developing, and which may include the developing and processing of film, printing of digital photographs or repair or photographic equipment.
209. **Place of Worship**, means a building dedicated to religious worship and may include a mosque, synagogue, church or other such religious institution and may include accessory uses such as an assembly hall, auditorium, school, convent, parish hall and/or manse, if the manse is located on the same lot as the place of worship.
210. **Planning Act**, means the Ontario *Planning Act*, R.S.O. 1990, c. P.13, as amended and all regulations thereto.
211. **Planting Strip**, means a linear parcel of land whose size and location is defined by the provisions of this By-law. There shall be no building erected nor vehicle parking in a planting strip; however, pedestrian walkways, fountains, sculptures and similar ornamental features are permitted.
212. **Portable Asphalt Plant**, means a facility:
- with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
  - which is not of permanent construction, but which is to be dismantled at the completion of the construction project.
213. **Portable Concrete Plant**, means a facility:
- with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and



## City of Brockville Comprehensive Zoning By-law No. 050-2014

- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.”

214. **Post-Secondary Institution** means a public college or university and includes student residences.
215. **Premises**, means an area of land with or without buildings.
216. **Printing Establishment**, means a building or part of a building used primarily for printing, regardless of the method, and/or publishing of newspapers, periodicals, books, maps and similar publications.
217. **Private Club**, means a facility which is owned, or leased, and is operated by an organization for its members only and shall include a union hall, fraternal lodge, sorority house, legion hall, yacht club, rowing club and other such establishments.
218. **Private Garage** - see “Garage, Private”.
219. **Private Road**, means a road or right-of-way on privately owned property, limited in use to the owner or group of persons who share the use and maintenance of said road.
220. **Public Authority**, means Federal, Provincial, County, District or City agencies and includes any commission, board, authority or department established by such agency.
221. **Public Highway**, means a street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
222. **Public Use**, means any essential or public service or utility outlined in Subsection 3.39 of this By-law.

**Q** (none)

**R**

223. **Rear Yard Setback**, see “setback”
224. **Recreational Vehicle**, means a specially designed vehicle used for recreation purposes, whether or not it is required to be licensed, including an all-terrain vehicle, a snowmobile, a camper, a motor home, a boat, and a trailer whether attached to a vehicle or not. A recreational vehicle includes a vehicle for competitive purposes, such as a race car

## City of Brockville Comprehensive Zoning By-law No. 050-2014

or stock car, whether for recreation or profit and includes the trailer used to transport such a vehicle.

225. **Redevelopment**, means the removal of buildings or structures or parts thereof from land and the construction or erection of other buildings or structures thereon. See also the definition for "Development." means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.
226. **Refreshment Vehicle**, means a mobile cart or motor vehicle used for the preparation and sale of refreshments and food to the general public at a temporary location in accordance with the *Highway Traffic Act* and the provisions of this By-law.
227. **Research and Development Establishment**, means a business that engages in research, or research and development, of innovative ideas. Examples include research and development of computer software, information systems, transportation systems, geographic information systems, multimedia and video technology. Development and construction of prototypes may be associated with this use.
228. **Respite Care**, means the provision of temporary, flexible, 24 hour support care for a client who requires care or supervision that is normally provided by his or her caregiver at home. Respite care provides the caregiver with relief from demands of the clients care but shall not include any other establishment or use otherwise defined herein.
229. **Restaurant**, means a building or part thereof where food is prepared and offered for retail sale to the public for immediate consumption either on or off the premises, and which may include the licensed sale and consumption of alcohol on the premises.
230. **Restaurant, Outdoor Patio**, means an area set aside out of doors, covered or uncovered, for the use of patrons as a restaurant in connection with, and in addition to, the operation of an adjacent restaurant.
231. **Restaurant, Take-Out**, means a building or part thereof where food is prepared, packaged and offered for sale or sold to the public for consumption off of the premises of the establishment, and may include delivery of the food to the public, and also may include a small area (less than 10.0 percent of the permitted gross floor area) for food consumption on the premises.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

232. **Retail Store**, means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, but does not include any establishment otherwise defined or classified herein.
233. **Retail Warehouse**, means a retail establishment containing not less than 743.0 square metres gross leasable area, wherein goods, wares or merchandise are offered for sale at retail, but shall not include any use otherwise classified or defined herein.
234. **Retirement Home**, means a residence providing accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided.
235. **Rowing Club**, means a club for people to take part in the activity or sport of rowing or paddling.

**S**

236. **Salvage Yard**, means an establishment where goods, wares, merchandise, articles or things are processed for further use or where such goods, wares, merchandise, articles or things are stored or abandoned wholly or partly in the open and includes a junk yard, a scrap yard, and an automobile wrecking yard or premises.
237. **Sanitary Sewer**, means a system of underground conduits, operated by the Corporation for the collection and transmission of domestic, commercial, institutional and industrial sewage or any combination thereof.
238. **Satellite Dish**, means a parabolic or spherical antenna which receives television or microwave transmissions or other signals from orbiting satellites or other devices.
239. **School**, shall mean a building in which educational services are offered within the context of the elementary and secondary curriculum of, or under charter granted by, the Province of Ontario. A school shall not include any other use as defined herein.
240. **School, Commercial**, means a building or part thereof wherein teaching or instruction is offered for gain in such fields as academics, arts, crafts, motor vehicle driving, language, modelling, hairdressing,

## City of Brockville Comprehensive Zoning By-law No. 050-2014

gymnastics, beauty, culture, dancing, music, golf, yoga, martial arts, photography, business or trade and any other such specialized school conducted for gain, and also includes such fields as a studio for photography and arts and crafts. A commercial school does not include any other use as defined herein.

241. **School, Private**, means an institution, whether or not for profit, in which instruction is provided at any time between the hours of 9 a.m. and 4 p.m. on any school day for five (5) or more pupils who are of or over compulsory school age in any of the subjects of the elementary or secondary school courses of study and that is not a school operated under the jurisdiction of the Province of Ontario. A private school does not include any other use as defined herein.
242. **Seasonal Use**, means the use of land, building or structure or part thereof, where the nature of such use is to provide temporary retail sales for a specific purpose such as a garden centre, Christmas wreath and tree sales, produce sales and other similar retail sales, but does not include any use otherwise classified or defined in this By-law. A seasonal use shall not exceed a cumulative period of one hundred and twenty (120) days per calendar year.
243. **Second Suite** - see "Dwelling".
244. **Self-Service Storage Facility** means a building or area within a building that provides separate storage units not exceeding 15.0 square metres each for rent by individuals or businesses. The units are designed to allow private access by the lessee for dead storage of personal property, goods and wares. Use of the storage units for human habitation is prohibited.
245. **Semi-detached Dwelling** - see "Dwelling".
246. **Semi-permanent Covered Structure**, means any structure, whether or not fitted permanently into the ground or on a foundation, and whether or not enclosed on all sides, which is principally constructed with fabric, stretched fabric, metal, fibreglass, or a similar material, and covers an area of at least 20.0 square metres.
247. **Service and Repair Shop**, means a building or part thereof, not otherwise classified or defined herein, for the servicing or repair of goods and equipment.
248. **Service Use**, means the use of land, building or structure or part thereof, where the purpose of such enterprise is to provide a

## City of Brockville Comprehensive Zoning By-law No. 050-2014

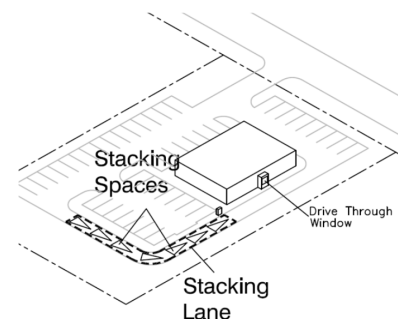
maintenance, caretaking, cleaning, security, or similar service to industry and/or the public where such service is primarily conducted and/or provided off-site at the location in need of such service.

249. **Setback**, means the horizontal distance from a lot line, measured at right angles to such lot line to the nearest part of any wall of any building or structure on the lot.
- a) **Front Yard Setback**, means the least horizontal dimension between the front lot line of the lot and the nearest part of any main building on the lot.
- b) **Rear Yard Setback**, means the least horizontal dimension between the rear lot line of the lot and the nearest part of any main building on the lot.
- c) **Side Yard Setback**, means the least horizontal dimension between the side lot line of the lot and the nearest part of any main building on the lot.
250. **Shopping Centre**, means three (3) or more of commercial, retail, or service occupancies planned, designed, and managed as a unit having a gross leasable area of not less than 5,000.0 square metres, having a common public parking area provided on the lot and may include a department store.
251. **Shoreline** or **Water's Edge**, means the average annual high-water mark of the St. Lawrence River.
252. **Short Term Vacation Rentals**, means the use of a dwelling unit, or part thereof, for temporary accommodation, and includes:
- Bed and Breakfast Establishments
  - Owner-occupied partial dwelling or dwelling unit rentals (i.e., a principal residence)
  - Entire dwelling or dwelling unit rentals (i.e., not a principal residence)
253. **Single Detached Dwelling** - see "Dwelling, Single Detached".
254. **Slaughter House**, means a building or structure where the main occupation is the killing and butchering of animals, fish or fowl.
255. **Small-Scale Renewable Energy Structure**, means any structure and associated equipment used for the purposes of renewable energy generation, whether or not intended for the sole use of the buildings on

## City of Brockville Comprehensive Zoning By-law No. 050-2014

the lot, and which is not subject to Provincial approvals or exemption from municipal regulation under the *Green Energy Act* and applicable regulations. Without limiting the generality of the foregoing, this shall include any solar panels, wind turbines and geothermal energy generation equipment which are not subject to Provincial approval or exemption from municipal regulation.

256. **Stacking Lane**, means a continuous queuing lane on the same lot as a drive-through, used by drive-through customers. A stacking lane consists of a designated set of tandem parking spaces which are separated from other vehicular traffic, pedestrian traffic and the parking area by the use of barriers, marking(s) or signs.
257. **Stacking Space**, means a portion of a stacking lane used as standing room for an automobile waiting for service in a drive-through.
258. **Storey**, means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.
259. **Storey, First**, means the storey of a building that has its floor closest to finished grade and its ceiling more than 1.8 metres above grade.
260. **Storey, One-half**, means the portion of a building situated wholly or in part within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling, of not less than 2.0 metres and not less than 50.0 percent of the area of the floor next below.
261. **Storm Sewer**, means a piped system used for the collection and transmission of storm water, drainage from land or from a watercourse or any combination thereof.
262. **Street**, means a public highway as defined herein.
263. **Street Edge**, means the point at which a front lot line meets the street line.
264. **Street Line**, means a limit of the road or street allowance and is the dividing line between a lot and a street.
265. **Street, Centre Line**, means the line drawn parallel to and equidistant between two (2) street lines.



## City of Brockville Comprehensive Zoning By-law No. 050-2014

266. **Street, Improved Public**, means a street under the jurisdiction of the Corporation, which has been constructed in a manner such that it would be acceptable to the Corporation.
267. **Structure**, means anything constructed or erected, the use of which requires location on the ground, or attached to something having location on the ground above or below grade.
268. **Sub Post Office**, means a branch of Canada Post but does not include a major distribution facility.
269. **Supermarket**, means a retail store for the sale of food, food stuffs, beverages, housewares, health and beauty aids, pharmaceutical products, pet supplies, hardware, plants and nursery products and general merchandise related thereto and having a gross leasable floor area of more than 3,000.0 square metres.
270. **Swimming Pool, Outdoor Private**, means an accessory use intended for the purposes of swimming, wading, diving or bathing and shall be inclusive of a hot tub or outdoor spa.

**T**

271. **Taxi Dispatch Office**, means a building or part thereof used as an office to dispatch taxis to their fares but shall not include a Taxi Stand.
272. **Taxi Stand**, is a queue area on private property where taxicabs line up to wait for passengers.
273. **Taxi or Vehicle Sharing Service Facility**, means a parcel of land, or a building or structure, used for the parking, cleaning, and minor maintenance of a taxi or vehicle sharing service fleet, and which may include a taxi dispatch office or vehicle sharing parking spaces (motorized or non-motorized) as an accessory use.
274. **Testing and Research Laboratory**, means a place equipped with necessary appliances and apparatus to permit the critical examination, observation, evaluation or investigation of substances, and investigation and experimentation aimed at the discovery or interpretation of facts.
275. **Theatre**, means a building or part of a building which is used for the commercial showing of films or presentation of live entertainment.
276. **Towing Service**, means premises used for the temporary storage of tow trucks and temporary impoundment of vehicles, and which may

## City of Brockville Comprehensive Zoning By-law No. 050-2014

include an accessory office or garage for the maintenance of tow trucks, but does not include a salvage yard.

277. **Townhouse** - see "Dwelling".
278. **Trailer**, means a vehicle that is at any time drawn upon a highway by a motor vehicle, except an implement of husbandry, another vehicle or any device or apparatus not designed to transport persons or property, temporarily drawn, propelled or moved upon such highway, and except a side car attached to a motorcycle, and shall be considered a separate vehicle and not part of the motor vehicle by which it is drawn.
279. **Transportation Depot**, means the use of land, buildings, or structures where commercial motor vehicles and trains pick up and discharge fare paying passengers, and without limiting the generality of the foregoing, accessory uses may include a ticket office, canteen, luggage checking facilities, parcel shipping facilities, storage facilities for the parking of the vehicles and ancillary offices, parking for passengers, but shall not include any other uses as defined herein.
280. **Transportation Terminal**, means a building or structure which is used for loading or unloading of trucks, or where trucks, transports or buses are stored, rented, leased, kept for hire, parked or repaired on the property, or are dispatched for hire as common carriers, or which is a bonded or sufferance warehouse.
281. **Tree Cutting Service**, means the use of land, building or structure or part thereof, where the purpose of such enterprise is to provide a tree pruning and cutting service, brush removal and similar services to industry and/or the public where such service is conducted off-site at the location in need of service.
282. **Triplex Dwelling** - see "Dwelling".

## U

283. **Undertaker's Establishment**, means any premises used for preparation of human remains for interment or cremation, viewing of deceased persons and the holding of funeral services and may include an accessory dwelling unit.
284. **Use**, when used as a noun, means the purpose for which a lot or building or structure or any combination thereof, is designed, arranged, intended, occupied or maintained and "uses", shall have a

## City of Brockville Comprehensive Zoning By-law No. 050-2014

corresponding meaning. “Use,” when used as a verb, or “to use,” shall have corresponding meanings.

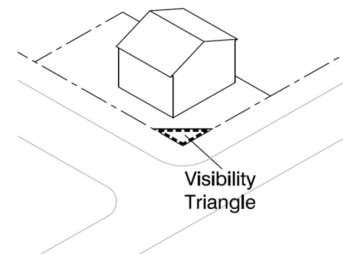
285. **Used Automobile Sales Establishment**, means a building or structure or place where used motor vehicles, as defined by the *Highway Traffic Act*, are kept for display and/or sale at retail.
286. **Utility**, means a water supply, storm or sanitary sewage, gas or oil pipeline, the generation, transmission and distribution of electric power, steam or hot water, towers, communications/telecommunications lines and other cabled services, waste collection or disposal or management, a public transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest.

## V

287. **Vehicle Length**, means the horizontal length of a vehicle, motorized or other, measured from the longest point, including the tongue and bumper.
288. **Vehicle Sharing Parking Space, Motorized**, means a parking space used for a motorized vehicle as part of a vehicle sharing service, including but not limited to a car, light pick-up truck, motorcycle, motorized scooter or fully motorized bicycle which is not capable of being propelled by muscle power.
289. **Vehicle Sharing Parking Space, Non-Motorized**, means a parking space used for a non-motorized vehicle as part of a vehicle sharing service, including but not limited to a bicycle or a power-assisted bicycle which is capable of being propelled with muscle power.
290. **Vehicle Sharing Service**, means a service that provides motor vehicles or non-motorized vehicles solely for the shared use by members of the service, but does not include automobile rentals, sales or any other use as defined herein.
291. **Veterinarian’s Office**, means a building or structure which is used by a veterinarian to medically examine and treat domestic pets and animals, but not livestock. It shall not include facilities for boarding or breeding of animals.
292. **Veterinary Hospital**, means a building or structure which is used by a veterinarian to medically examine and treat animals, including livestock.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

293. **Visibility Triangle**, means the triangular space on a corner lot formed by the street lines and a line drawn from a point in one (1) street line to a point in the other street line, each such point being measured along the street line from the point of intersection of the street lines at the required distance, as indicated in Subsection 3.50. Where the two (2) 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 to the street lines.



294. **Vocational Training Centre**, means a place, building or structure where employment counselling, training and retraining seminars are provided but does not include an employment agency or similar facility.

## W

295. **Warehouse**, means a building or part thereof, which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food stuff substances and articles, but does not include a fuel storage tank.

296. **Water Lot**, means a legally described parcel of land that is covered, or periodically covered, by water and identified in the Land Registry Office.

297. **Wayside Pit and Quarries**, means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

298. **Water Supply**, means a distribution system of underground piping and related storage, including pumping and purification appurtenances owned and operated by the Corporation or the Public Utilities Commission of the City of Brockville.

299. **Wholesale Establishment**, means a building or part thereof used or intended to be used for the bulk storage and sale of quantities of goods, merchandise, and materials for resale by a retailer, or for a business or manufacturing use, but not to the ultimate, individual consumer.

**X** (none)

**Y**

300. **Yacht Club**, means a club organized to promote and regulate yachting and boating.

301. **Yard**, means 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 this By-law.

302. **Yard Sale** – see “Garage Sale”.

303. **Yard, Front**, means 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 on the lot.

304. **Yard, Rear**, means a yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of the main building or structure on the lot.

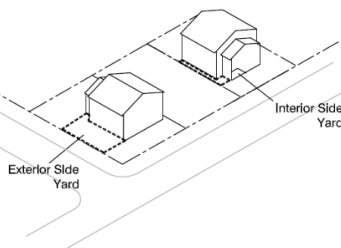
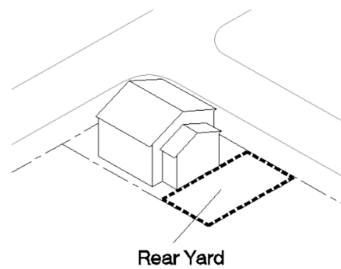
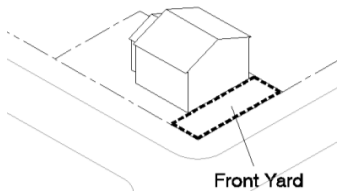
305. **Yard, Required**, means the minimum yard required by the provisions of this By-law.

306. **Yard, Side**, means 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 the main building or structure on the lot. In the case of a lot which has no rear lot line, the side yard shall extend from the front yard to the opposite side yard.

307. **Yard, Side, Exterior**, means a side yard immediately adjoining a public street.

308. **Yard, Side, Interior**, means a side yard other than an exterior side yard.

**Z** (none)



City of Brockville Comprehensive Zoning By-law No. 050-2014

This page has intentionally been left blank.

### 3.0 GENERAL PROVISIONS

- 3.1 Accessory Dwelling Units .....3
- 3.2 Accessory Retail Sales.....3
- 3.3 Accessory Uses and Accessory Buildings.....3
- 3.4 Amenity Areas for Maisonnette Dwellings, Apartment Dwellings, Mixed Commercial/ Residential Buildings AND Retirement Homes .....7
- 3.5 Angular Planes .....7
- 3.6 Apartment Units in Commercial and Mixed Use Zones .....8
- 3.7 Auto Repair Establishment, Auto Body Shop or Automobile Sales Establishment.....8
- 3.8 Automobile Service Stations and Automobile Gas Bars.....9
- 3.9 Bicycle Parking Requirements.....9
- 3.10 Cataraqui Region Conservation Authority Screening Area (Appendix 1) ..... 11
- 3.11 Construction Uses and Sales Offices ..... 11
- 3.12 Continuous Street Frontage (Schedule “B”) ..... 12
- 3.13 Drive-Throughs..... 12
- 3.14 Dwelling Units Below Grade ..... 13
- 3.15 Existing Lots Having Less Area, Depth and/or Frontage ..... 13
- 3.16 Fences ..... 14
- 3.17 Frontage on an Improved Public Street..... 15
- 3.18 Garbage and Refuse Storage and Enclosures ..... 15
- 3.19 Group Homes and Institutional Residences ..... 16
- 3.20 Home Industries ..... 17
- 3.21 Home Occupations..... 18
- 3.22 Intermittent Street Frontage (Schedule “B”) .....20
- 3.23 Legal Non-Conforming Uses and Legal Non-Complying Buildings and Structures .....20
- 3.24 Loading Space and Area Requirements.....22

## City of Brockville Comprehensive Zoning By-law No. 050-2014

3.25	Main Building Location in Relation to Environmental Protection Zone.....	24
3.26	Micro-Brewery and/or Micro-Winery.....	24
3.27	Minimum Building Height (Schedule “B”) .....	24
3.28	Minimum Ground Floor Height (Schedule “B”) .....	24
3.29	Mixed Commercial/Residential Building .....	24
3.30	Mobile Homes .....	25
3.31	Municipal Services Required.....	25
3.32	Outdoor Patio .....	26
3.33	Outside Storage .....	26
3.34	Parking Area Requirements .....	27
3.35	Planting Strips.....	41
3.36	Private Marine Facilities and Marinas .....	43
3.37	Private Outdoor Swimming Pools.....	44
3.38	Prohibited Uses.....	45
3.39	Public Uses .....	46
3.40	Reduction in Regulations Due to Expropriation.....	47
3.41	Refreshment Vehicles .....	47
3.42	Seasonal Uses .....	48
3.42	Second Suites and Garden Suites .....	49
3.43	Setbacks from Railways .....	50
3.44	Setback Requirements Adjacent to Highway 401 .....	50
3.45	Setback Requirements Adjacent to the Waterfront .....	51
3.46	Source Protection.....	51
3.47	Special Setbacks On California Avenue.....	53
3.48	Through Lots and Corner Lots .....	53
3.49	Trailers, Rec. Vehicles and Boat Parking and Storage .....	53
3.50	TransCanada AND Trans-Northern Pipelines (Appendix 2)..	55
3.51	Visibility Triangles .....	56
3.52	Waterlots.....	57
3.53	Unenclosed Porches, Steps and Decks .....	57
3.54	Yard Requirements With Respect to Certain Streets .....	60

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**3.1 Accessory Dwelling Units**

Where permitted by this By-law, a dwelling unit permitted as an accessory use shall be in accordance with the following provisions:

- a) Only one (1) accessory dwelling unit shall be permitted per lot.
- b) The accessory dwelling unit may be located as a separate building where permitted in an Institutional Zone.
- c) An accessory dwelling unit shall have a separate kitchen and bathroom from the principal non-residential use.
- d) An accessory dwelling unit shall have a separate entry from the principal non-residential use.
- e) For all new buildings, amenity areas shall be provided for the accessory dwelling unit in accordance with Subsection 3.4.
- f) Parking requirements shall be provided for the accessory dwelling unit in accordance with Subsection 3.34, Table 3.34(a).

**3.2 Accessory Retail Sales**

- a) The accessory retailing and display of goods manufactured, processed, fabricated or repaired on site and the accessory retailing of goods directly related to the main product manufactured, processed or fabricated on site shall be permitted as an accessory use.
- b) A minimum retail and display area of 50.0 square metres, subject to an increase to a maximum retail and display area of 5.0 percent of the gross floor area of the main use to a maximum area of 300.0 square metres shall be permitted for any one main use.

**3.3 Accessory Uses and Accessory Buildings**

The following provisions shall apply to all accessory uses, buildings and structures. These provisions shall not apply to any attached private garages and parking areas.

- a) **General**
  - i) Where this By-law provides that a lot may be used for a permitted use or a building or structure may be erected or used for a permitted use, that use shall include any accessory building or structure or accessory use, but shall not include:
    - 1. any occupation for gain or profit conducted within or accessory to a dwelling unit except where specifically permitted by this By-law;

## City of Brockville Comprehensive Zoning By-law No. 050-2014

2. any building used for human habitation, except where specifically permitted by this By-law;
  3. an outdoor furnace or outdoor wood-burning sauna;
  4. any storage container, portable storage unit, repurposed motor vehicle in whole or in part, "sea can" container, intermodal container or other suchlike container in any zone other than an Employment Zone.
- ii) The accessory use, building or structure shall be located on the same lot and in the same zone as the principal use, building or structure.

**b) Location**

- i) Except as otherwise provided herein, no person shall erect or locate an accessory building, structure or use in a required front yard or exterior side yard. Without limiting the generality of the foregoing, no person shall erect or locate a small-scale renewable energy structure in any front yard or exterior side yard.
- ii) Notwithstanding subclause 3.3 b) i), where a lot that is residentially zoned has frontage on the St. Lawrence River, one (1) detached private garage or carport shall be permitted in the front yard, provided it is located no closer than the front yard setback of the applicable zone and the structure is located no closer than 1.2 metres from any side lot line.
- iii) Except as otherwise provided herein, no person shall erect or locate a detached private garage or other accessory building:
  1. in any yard other than an interior side or rear yard;
  2. without maintaining a minimum setback of 1.2 metres from any side or rear lot line;
  3. closer to a street line than the minimum setback required for a main building on the same lot, or in the case of a detached private garage, not less than 5.5 metres to a street line; or
  4. so as to interrupt or encroach into a required planting strip.
- iv) No person shall erect or locate an accessory building less than 1.2 metres from any main building.
- v) Accessory buildings which existed prior to the effective date of this By-law having a setback to an interior side or rear property

## City of Brockville Comprehensive Zoning By-law No. 050-2014

line or setback to any main building of 1.0 metre or greater shall be deemed to be legally complying to this By-law with respect to location.

**c) Height**

- i) Except as otherwise provided herein, no person shall erect an accessory building which exceeds 5.5 metres in height in any Non-Residential Zone.
- ii) Except as otherwise provided herein, no person shall erect an accessory building which exceeds 4.0 metres in height in any Residential Zone.
- iii) Notwithstanding subclause 3.3 c) i), in any Non-Residential Zone:
  - 1. Any small-scale renewable energy structures that are attached to the main building or an accessory building shall have a maximum height of 2.0 metres or the maximum height of the building, whichever is greater.
  - 2. A solar small-scale renewable energy structure which is not attached to any main building shall have a maximum height of 2.0 metres.
  - 3. A maximum of one (1) wind turbine shall be permitted up to a maximum height of 30.0 metres. Further, the wind turbine shall be located a minimum distance equal to one-half the height of the wind turbine from all lot lines and shall only be permitted in the rear yard.
- iv) Notwithstanding subclause 3.3 c) ii), in any Residential Zone, any small-scale renewable energy structures that are attached to the main building or an accessory building shall be a maximum height of 2.0 metres, but in no case shall the structure exceed the applicable maximum height of the building or structure. Any small-scale renewable energy structures not attached to any building shall be subject to a maximum height of 2.0 metres.

**e) Lot Coverage**

The total lot coverage of all accessory buildings and structures on a lot shall not exceed 15.0 percent of the area of any lot in any zone.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

f) **Special Provisions for Certain Accessory Uses, Buildings and Structures**

This By-law contains additional specific provisions for certain accessory uses, buildings and structures, which shall be read in conjunction with Subsection 3.3:

- i) ACCESSORY DWELLING UNITS – Subsection 3.1;
- ii) ACCESSORY RETAIL SALES – Subsection 3.2;
- iii) BICYCLE PARKING REQUIREMENTS – Subsection 3.9;
- iv) DRIVE-THROUGHS – Subsection 3.13;
- v) FENCES – Subsection 3.16;
- vi) GARBAGE AND REFUSE STORAGE ENCLOSURES – Subsection 3.18;
- vii) HOME INDUSTRIES – Subsection 3.21;
- viii) HOME OCCUPATIONS – Subsection 3.22;
- ix) LOADING SPACE AND AREA REQUIREMENTS – Subsection 3.25;
- x) OUTDOOR PATIO – Subsection 3.33;
- xi) OUTDOOR STORAGE – Subsection 3.34;
- xii) PARKING AREA REQUIREMENTS – Subsection 3.35;
- xiii) PRIVATE MARINE FACILITIES AND MARINAS – Subsection 3.37;
- xiv) PRIVATE OUTDOOR SWIMMING POOLS – Subsection 3.38;
- xv) SEASONAL USES – Subsection 3.43;
- xvi) ~~SECOND SUITES AND GARDEN SUITES – Subsection 3.42;~~
- xvii) TRAILERS, RECREATIONAL VEHICLES AND BOAT PARKING AND STORAGE – Subsection 3.51; and
- xviii) YARD, SETBACK AND HEIGHT ENCROACHMENTS PERMITTED (applicable to certain accessory buildings and structures) – Subsection 3.56.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

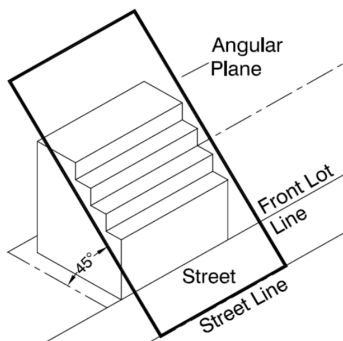
**g) Accessory Uses in Employment and Institutional Zones**

Notwithstanding Sections 3.1, 3.2 and 3.3 of this By-law, accessory uses shall not exceed 25% of the gross floor area of the main use.

**3.4 Amenity Areas for Maisonnette Dwellings, Apartment Dwellings, Mixed Commercial/ Residential Buildings AND Retirement Homes**

Amenity areas shall be provided for each maisonnette dwelling unit, apartment dwelling unit, apartment dwelling unit within a mixed commercial residential building and retirement home suite or unit in accordance with the following requirements:

- a) 10.0 square metres of amenity area shall be provided for each bachelor and one (1) bedroom dwelling unit;
- b) 20.0 square metres of amenity area shall be provided for each two (2) bedroom dwelling unit;
- c) 35.0 square metres of amenity area shall be provided for each three (3) bedroom dwelling unit;
- d) 50.0 square metres of amenity area shall be provided for each four (4) bedroom dwelling unit or dwelling unit with more than four (4) bedrooms; and
- e) ~~In addition to the amenity area requirements above, a children's play area shall be provided where a maisonnette or apartment dwelling development contains ten (10) or more dwelling units. A children's play area shall be provided at a rate of 2.5 square metres per dwelling or apartment unit. The minimum size of any children's play area shall be 46.0 square metres, while the maximum size of such children's play area shall be 140.0 square metres.~~ In addition to the amenity area requirements above, a children's play area shall be provided where a maisonnette or apartment dwelling development contains twenty (20) or more dwelling units. A children's play area shall be provided at a rate of 2.5 square metres per dwelling or apartment unit. The minimum size of any children's play area shall be 46.0 square metres, while the maximum size of such children's play area shall be 140.0 square metres.

**3.5 Angular Planes**

Where the maximum height of a building is subject to the angular plane, as indicated in the Zone provisions, the following provisions shall apply:

- a) The maximum height of a building shall be further restricted to the height of a plane, extending from the street line on the opposite side of the road and upwards at a forty-five degree (45°) angle. The upper

## City of Brockville Comprehensive Zoning By-law No. 050-2014

storeys of the building shall be stepped back in accordance with the angular plane.

- b) The angular plane shall be applied in addition to the maximum building height as indicated in the zone provisions.

### 3.6 Apartment Units in Commercial and Mixed Use Zones

Where permitted by this By-law, an apartment unit permitted in commercial and mixed use zones shall be in accordance with the following provisions:

- a) ~~Apartment unit(s) shall be located in the second or higher storey of commercial buildings.~~ Apartment unit(s) shall be located behind ground-floor commercial uses or in the second or higher storey of commercial buildings. Apartment units located behind ground-floor commercial uses on King Street shall be setback a minimum of 18.2 metres from the street.
- b) For all new buildings, amenity areas shall be provided for the apartment units in accordance with Subsection 3.4.
- c) An apartment unit shall be prohibited on the same lot as an automobile gas bar, automobile service station or automobile repair garage.
- d) Apartment units shall not exceed 100.0 percent of the gross floor area of the non-residential use in a Commercial Zone.
- e) Parking requirements shall be provided for the apartment unit(s) shall be in accordance with Subsection 3.34.
- f) Notwithstanding Section 3.6 a), for lots zoned Mixed Use (MD), apartment units may be permitted on the ground floor or basement levels of buildings located on lots that do not have a lot line abutting King Street, within the minimum 18.2 metre setback from the street.

### 3.7 Auto Repair Establishment, Auto Body Shop or Automobile Sales Establishment

- a) Where permitted by this By-law, an auto repair establishment, auto body shop or automobile sales establishment shall store or enclose all wrecked or damaged vehicles within a building or in a compound located in the rear yard which is surrounded by a solid fence or fence and sufficient landscaping to screen the damaged vehicles from public view.
- b) All auto body repair activities shall be carried out within an enclosed building.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

3.8 Automobile Service Stations and Automobile Gas Bars

Where permitted by this By-law, an automobile service station or automobile gas bar shall be in accordance with the following provisions:

- a) The minimum lot frontage shall be 36.0 metres.
- b) The minimum lot frontage on a corner lot shall be 36.0 metres and the minimum lot frontage on the exterior side shall be 36.0 metres.
- c) The minimum front yard shall be 9.0 metres.
- d) The minimum exterior side yard shall be 9.0 metres.
- e) Notwithstanding clauses 3.8 c) and 3.8 d), the face of any protection canopy may project 6.0 metres into any required front or exterior side yard.
- f) ~~No portion of any pump island shall be located on a corner lot within the triangular space formed by the street lines and a line drawn from a point on one street line to a point drawn on the other street line, each such point being 15.0 metres from the point of intersection. 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 projections of the street lines or the intersection of the tangents to the street lines.~~
- g) ~~In no case shall a pump island be located closer than 6.0 metres to any front or side lot line.~~
- f) No portion of any fuel pump island shall be located on a corner lot within the triangular space formed by the street lines and a line drawn from a point on one street line to a point drawn on the other street line, each such point being 15.0 metres from the point of intersection. 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 projections of the street lines or the intersection of the tangents to the street lines.
- g) In no case shall a fuel pump island be located closer than 6.0 metres to any front or side lot line.
- h) All other lot and building requirements of the applicable Zone shall be complied with.

3.9 Bicycle Parking Requirements

If a lot is located within the area delineated as the Downtown and Central Waterfront Area, as shown on Schedule "B", or is zoned any Residential, Mixed Use, Commercial, Employment or Institutional Zone, bicycle parking shall be

## City of Brockville Comprehensive Zoning By-law No. 050-2014

provided for the uses specified in Table 3.9 and in accordance with the provisions of Subsection 3.9.

- a) Bicycle parking and non-motorized vehicle sharing parking spaces shall be permitted as an accessory use in all zones.
- b) The minimum number of bicycle parking spaces shall be in accordance with **Table 3.9**:

**Table 3.9: Minimum Required Bicycle Parking**

Type of Use	Minimum Required Bicycle Parking
Institutional Residence	0.25 spaces per room or suite.
<del>Retirement Home, Apartment Dwelling, Maisonnette Dwelling</del>	<del>0.25 spaces per dwelling unit.</del>
<del>Apartment Dwelling, Maisonnette Dwelling</del>	<del>0.5 spaces per dwelling unit</del>
<del>Retirement Home</del>	<del>0.1 spaces per dwelling unit</del>
School	1.0 space per 100.0 square metres of gross floor area.
Retail, Office or Restaurant Use with less than 3,000.0 square metres of gross floor area	1.0 space per 250.0 square metres of gross floor area.
Retail, Office or Restaurant Use with over 3,000.0 square metres of gross floor area	1.0 spaces per 250.0 square metres of gross floor area for the first 3,000.0 square metres of gross floor area, and 1.0 space per 500.0 square metres of gross floor area thereafter.
Hotel or Motel	1.0 space per 1,000.0 square metres of gross floor area.
Any other Non-Residential Use	1.0 space per 1,000.0 square metres of gross floor area.

- c) Where the minimum number of bicycle parking spaces calculated in accordance with Table 3.9 results in a fraction, the minimum number of bicycle parking spaces shall be rounded up to the next whole number.
- d) Bicycle parking shall be located on the same lot as the use or building for which it is provided.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- e) Bicycle parking may be located within any yard, but not within a visibility triangle.
- f) A maximum of 50.0 percent of bicycle parking spaces may be located within a required landscaped area.
- g) Bicycle parking spaces shall be 0.6 metres by 1.8 metres.
- h) Bicycle parking spaces shall be accessed by an aisle with a minimum width of 1.5 metres.
- i) Any bicycle parking areas and associated aisles shall be located and designed such that they are directly accessible by cyclists from a driveway or parking aisle designed in accordance with the provisions of Subsection 3.34.
- j) Bicycle racks shall be provided for bicycle parking on a surface comprised of crushed stone, brick, asphalt or concrete.
- k) The provisions of Subsection 3.9 shall only apply to the erection of a new building, redevelopment of a lot or a change in use.
- l) Nothing in this By-law shall prevent the designation of bicycle parking spaces for a vehicle sharing service. Up to five (5) non-motorized vehicle sharing parking spaces shall count towards the fulfillment of the minimum bicycle parking requirements of Subsection 3.9.

3.10 Cataraqui Region Conservation Authority Screening Area (Appendix 1)

The Cataraqui Region Conservation Authority Screening Area, as delineated on Appendix 1, illustrates areas that may be regulated under Ontario Regulation 148/06. The actual regulated area may differ from the Screening Area shown on Appendix 1, which is shown for informational purposes and the regulated area, as determined by the Cataraqui Region Conservation Authority Screening area, shall prevail over the Screening area. The following provision shall apply:

- a) Development and redevelopment, including the placement or removal of fill, shall not be permitted in any regulated area without the prior written approval from the Cataraqui Region Conservation Authority.

3.11 Construction Uses and Sales Offices

The following uses are permitted in all zones within the Corporation:

- a) A tool shed, scaffold or other building or structure incidental to construction on the lot where it is situated and only for so long as it is necessary for the work in progress and until or unless the work is completed or abandoned. "Abandoned," for the purpose of this clause,

## City of Brockville Comprehensive Zoning By-law No. 050-2014

shall mean the failure to proceed expeditiously with the construction of a work.

- b) A temporary sales office used for the sale of residential, employment or commercial lots or units in a plan of subdivision or a plan of condominium which has received draft approval or has been zoned to permit the development shall be permitted for a maximum of five (5) years. A temporary sales office shall comply with the applicable setbacks of the zone in which the office is located.

### 3.12 Continuous Street Frontage (Schedule "B")

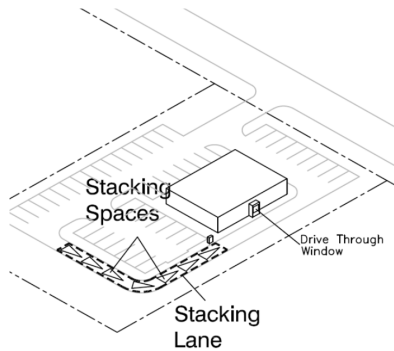
Notwithstanding any other provision of this By-law, where a property is shown as being subject to the continuous street frontage on Schedule "B", the following provisions shall apply:

- a) The width of the main building shall be a minimum of 90.0 percent of the lot frontage and set back at the applicable minimum and maximum front yard setbacks, as indicated in the applicable Zone provisions.
- b) A driveway accessing a parking area in the rear yard or a driveway accessing a permitted underground or above-ground parking garage may be permitted, provided it does not exceed 4.5 metres in width, and provided the driveway does not exceed 10.0 percent of the lot frontage.
- c) A maximum of one (1) driveway in accordance with clause 3.12 b) shall be permitted along each street frontage.
- d) Notwithstanding clauses 3.12 a) and b), where a continuous street frontage is shown on King Street, east of Buell Street and west of Market Street East, no permeations in the continuous street frontage shall be permitted, and the width of the main building shall be 100.0 percent of the lot frontage.
- e) In no case shall a new parking area be permitted in the front yard or any side yard. Existing parking areas in any side yard shall be permitted.

### 3.13 Drive-Throughs

- a) A drive-through use shall be a permitted accessory use to a commercial use, such as a restaurant or financial service.
- b) A drive-through shall include a minimum of eight (8) designated stacking spaces for restaurants and two (2) stacking spaces for any other use.
- c) A stacking space shall be 5.5 metres in length and 3.0 metres in width.

City of Brockville Comprehensive Zoning By-law No. 050-2014



d) ~~A stacking lane shall not be permitted within 20.0 metres of any residential zone. The required setback may be reduced to a minimum of 7.5 metres, provided that a noise wall, certified by a professional engineer, no taller than 1.8 metres exclusive of decorative elements, is installed prior to occupancy of the drive-through facility. The noise levels shall not exceed the maximum levels specified by the Ministry of Environment's NPC-300—Environmental Noise Guideline, as amended, for stationary sources of noise.~~

d) A stacking lane shall not be permitted within 15.0 metres of any residential zone. The required setback may be reduced to a minimum of 7.5 metres, provided that a noise wall, certified by a professional engineer, no taller than 1.8 metres exclusive of decorative elements, is installed prior to occupancy of the drive-through facility. The noise levels shall not exceed the maximum levels specified by the Ministry of Environment's NPC-300 – Environmental Noise Guideline, as amended, for stationary sources of noise.

e) Stacking spaces shall not be included in the calculation of required parking.

f) ~~Stacking spaces shall not be located within any parking aisle or driveway.~~

f) Stacking spaces shall not be located within any parking aisle, driveway, or any required yard.

g) Notwithstanding Section 3.13 a), drive-throughs are prohibited in the MD and MW zones.

3.14 Dwelling Units Below Grade

a) Where permitted by this By-law, a dwelling unit, in part or in its entirety, may be located in a basement provided that the finished floor level of such basement is located above the level of the sanitary or storm sewer serving the building or structure in which such basement is located, and provided that all other health and Building Code regulations are satisfied.

b) A dwelling unit below grade may be subject to a permit from the Conservation Authority where the unit is located in the screening area for the Cataraqui Region Conservation Authority, as shown on Appendix 1.

3.15 Existing Lots Having Less Area, Depth and/or Frontage

Where a lot having a lesser lot area, lot depth and/or lot frontage than that required herein is held under distinct and separate ownership from abutting lots as shown by a registered conveyance in the records of the Registry Office in

## City of Brockville Comprehensive Zoning By-law No. 050-2014

accordance with the *Land Titles Act* at 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 smaller lot, provided that the owner complies with all other requirements of this By-law.

**3.16 Fences**

No person shall construct a fence within the City of Brockville except in accordance with the following provisions:

**a) Fences – Provision Applicable to All Zones**

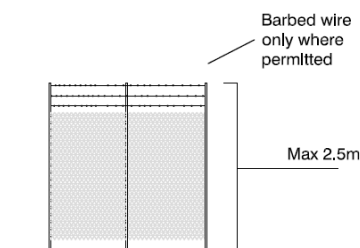
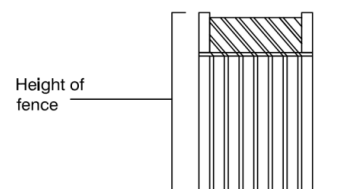
- i) No razor wire or electrical charged fences shall be permitted.

**b) Fences – Residential Zones**

- i) Fences, walls, or hedgerows described herein shall be measured from grade, and said height shall be inclusive of lattice or other fence toppers.
- ii) Fences or walls constructed in any side or rear yard in any Residential Zone shall be limited to a height of 2.0 metres. This includes fences or walls constructed on or around a deck or patio. For fences or walls constructed on a deck, height is measured from the top of deck.
- iii) Fences, walls, or unpierced hedgerows constructed or planted in any front yard in any Residential Zone shall be limited to a height of 1.0 metre.
- iv) No barbed wire, spire tips, razor wire, sharp objects or electrically charged fences shall be permitted.

**c) Fences – Mixed Use, Commercial and Employment Zones**

- i) Security fences in Commercial and Employment Zones shall be limited to a height of 2.5 metres exclusive of barbed wire where it is permitted in subclause 3.16 b) iii).
- ii) All fences shall be of sound, sturdy construction and except as provided above, limited to 2.0 metres in height.
- iii) Barbed wire shall be permitted on security fences in Commercial and Employment Zones but shall be limited to three (3) strands, shall not overhang the fence in the direction of the lot line, and shall not be used less than 2.0 metres from grade.



## City of Brockville Comprehensive Zoning By-law No. 050-2014

**d) Fences – Other Zones Except Open Space and Institutional Zones**

- i) All fences, except those described in clauses 3.16 a) and b) and those located in any Open Space or Institutional Zone, shall be limited in height to 2.0 metres.

**3.17 Frontage on an Improved Public Street**

- a) Except as outlined elsewhere in this By-law, no person shall erect any building or structure or create a lot in any zone unless the lot fronts upon an improved public street.
- b) Notwithstanding the foregoing, an existing lot, shown in registered land titles, in accordance with the *Land Titles Act*, and which is zoned for residential uses, may be built upon and existing structures altered provided the said lot or structure is connected to both municipal water and sanitary sewer services. For the purposes of establishing minimum setbacks for a lot on a private road or right-of-way, the private road or right-of-way on which the existing lot fronts shall be considered to be the front lot line.
- c) Cottages on Oriental Island, Smith's Island and Victoria Island in the St. Lawrence River shall be exempted from the provisions of Subsection 3.17.

**3.18 Garbage and Refuse Storage and Enclosures**

- a) An enclosure for the outside storage of domestic waste containers accessory to single detached dwellings, linked dwellings, semi-detached dwellings, duplex dwellings, converted dwellings, triplex dwellings or residential structures containing not less than four (4) dwelling units shall not be required, unless otherwise specified.
- b) In all other uses and zones other than those specified in clause 3.18 a), no person shall store garbage or refuse on any lot except within the main building on the lot or within a wholly enclosed accessory building or structure on such lot, or in an enclosure in the interior side yard or rear yard of such lot.
- c) Where an enclosure is provided in accordance with clause 3.18 b), said enclosure shall be surrounded by masonry, concrete or wooden walls on all sides up to the height of the structure to screen the waste container.
- d) Where an enclosure is provided in accordance with clause 3.18 b), the enclosure shall be associated with an unobstructed space of at least 9.0 metres by 3.0 metres, to be used for the purposes of picking up garbage or refuse from the enclosed container. Where a loading space

## City of Brockville Comprehensive Zoning By-law No. 050-2014

is required in accordance with the provisions of Subsection 3.24, the loading area may be jointly used for garbage or refuse pick up.

- e) Any enclosure required in accordance with clause 3.18 b) shall be located not less than 6.0 metres from any adjacent Residential Zone.
- f) Where an accessory building is provided in accordance with clause 3.18 b), said accessory building shall be located in accordance with Subsection 3.3.
- g) The provisions contained herein shall not apply to City approved recycling and composting containers placed at single detached dwellings, linked dwellings, semi-detached dwellings, duplex dwellings, converted dwellings, triplex dwellings or street townhouse dwellings used in association with the residence. Recycling and composting containers shall be stored only in a rear yard, if the storage of same is exterior to the residence.

### 3.19 Group Homes and Institutional Residences

~~Where a group home or institutional residence is permitted by this By-law, the group home or institutional residence shall be in accordance with the following provisions:~~

- ~~a) — Parking shall be provided in accordance with Subsection 3.34.~~
- ~~b) — The group home or institutional residence shall comprise the sole use of the dwelling.~~
- ~~c) — Group homes and institutional residences shall be in accordance with all other provisions of this By-law, including the provisions of the applicable Zone.~~

### 3.19 Group Homes

A group home shall be permitted in any dwelling unit in accordance with the following provisions:

- a) Parking shall be provided in accordance with Subsection 3.34 Parking Area Requirements.
- b) The group home shall comprise the sole use of the dwelling unit.
- c) Group homes shall be in accordance with all other provisions of this By-law, including the provisions of the applicable Zone.

### 3.20 Institutional Residences

Where an institutional residence is permitted by this By-law, the institutional residence shall be in accordance with the following provisions:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- a) Parking shall be provided in accordance with Subsection 3.35 Parking Area Requirements.
- b) The institutional residence shall comprise the sole use of the dwelling.
- c) Institutional residences shall be in accordance with all other provisions of this By-law, including the provisions of the applicable Zone."

3.21 Home Industries

Where a home industry is permitted as an accessory use by this By-law, a home industry:

- a) Shall be conducted by at least one (1) resident of the dwelling unit and shall not employ more than two (2) persons in addition to the resident of the dwelling unit on a full-time basis;
- b) Shall be conducted on the same lot as the principal dwelling unit;
- c) Shall be permitted within the dwelling unit or any accessory structure in accordance with the provisions of **Subsection 3.44** and subject to a building permit;
- d) Shall be clearly secondary to the principal use of the lot and shall not alter the exterior of the dwelling unit except in accordance with the provisions of **Subsection 3.21**;
- e) Shall not create noise, vibration, fumes, odour, dust, glare or radiation which is beyond the normal use of the dwelling or which becomes offensive or obnoxious or creates a nuisance;
- f) Shall not occupy more than 25.0 percent of the gross floor area of the principal dwelling on the lot;
- g) Shall:
  - i) on lots up to and including 0.4 hectares, be permitted in an accessory structure with a maximum floor area of 200.0 square metres.
  - ii) on lots greater than 0.4 hectares, be permitted in an accessory structure with a maximum floor area of 400.0 square metres.
- h) Shall only be permitted by obtaining a Certificate of Zoning Compliance under Section 1.10; and
- i) Shall not include the selling of any goods on the property other than those goods constituting the finished product of the home industry, except that the sale of goods or items over the internet, mail or

## City of Brockville Comprehensive Zoning By-law No. 050-2014

telephone is permitted, provided that customers do not enter the property to inspect or take possession of goods.

## j) Prohibited Uses

Without limiting the generality or applicability of the provisions for home industries under clause 3.21, the following uses shall not be considered home industries:

- i.) Automotive repair or automotive trade use exceeding one (1) service bay measuring a maximum of 150.0 m<sup>2</sup>;
- ii.) Painting of vehicles, trailers or boats exceeding one (1) service bay 150.0 m<sup>2</sup>;
- iii.) Arcade; and,
- iv.) Outside storage associated to the home industry.

v.) Restaurantvi.) Retailk) There shall be no food preparation or food services permitted from the premises.3.22 Home Occupationsa) **General**

A home occupation is permitted in any residential dwelling unit in any zones except the Rural (RU) Zone, where a home occupation shall not be permitted.

b) **Provisions**

Where a home occupation is permitted by this By-law, a home occupation shall not:

- i) Occupy more than 25.0 percent of the gross floor area of the dwelling unit or 28.0 square metres, whichever is lesser. Where more than one (1) home occupation operates from a dwelling unit, no more than 25.0 percent of the gross floor area shall be occupied for such purposes.
- ii) Permit non-resident employees to be engaged in a home occupation;
- iii) Alter the exterior of the dwelling unit by virtue of the operation of a home occupation;

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- v) Include the open storage of goods, materials or equipment or display of goods visible from outside the dwelling unit;
- vi) Use an accessory building for the home occupation, except for the storage of goods, materials or equipment required for the home occupation, provided that, should a garage area be used for said storage, the required parking for the dwelling unit shall be maintained;
- vi) Become offensive or obnoxious or create a nuisance to adjoining properties by reason of increased vehicular traffic or parking, or delivery of goods, materials or equipment, or electrical interference, or emission of odour, dust, smoke, noise, gas, fumes, light, vibration, radiation, or refuse;
- vii) Include the sale of any goods on the site other than those goods constituting the finished product of the home occupation;
- viii) Include more than two (2) clients, students or customers of the home occupation to be on the premises at any one time;
- ix) Use advertising media which draws attention to the fact that a dwelling unit is used for a home occupation;
- x) Operate without first obtaining a Certificate of Zoning Compliance under Subsection 1.10; and
- xi) Provide or require additional parking spaces for a home occupation.
- xii) There shall be no food preparation or food services permitted from the premises

**c) Exception**

A private home day care may be established as a home occupation, and shall not be restricted by subclauses 3.22 b) i) and viii).

**d) Prohibited Uses**

Without limiting the generality or applicability of the provisions for home occupations under clause 3.22 a), the following uses shall not be considered home occupations:

- i) kennel;
- ii) veterinary clinic or office;
- iii) automobile repairs or automotive trade use;
- iv) painting of vehicles, trailers or boats;

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- v) medical clinic or office;
- vi) multiple chair hairdresser or barber;
- vii) welding shop;
- viii) service and repair shop for large appliances or commercial and industrial equipment; and
- ix) arcade.

3.23 Intermittent Street Frontage (Schedule "B")

Notwithstanding any other provision of this By-law, where a property is shown as being subject to the intermittent street frontage on Schedule "B", the following provisions shall apply:

- a) The width of the main building shall be a minimum of 70.0 percent of the lot frontage and set back at the applicable minimum and maximum front yard setbacks, as indicated in the applicable Zone provisions.
- b) Notwithstanding clause 3.23 a), where a lot is not subject to the minimum building height requirement, as indicated on Schedule "B", the width of the main building shall be a minimum of 50.0 percent of the lot frontage.
- c) Where a parking area is proposed in a side yard, a planting strip shall be provided so as to screen the parking area from view from the street. The planting strip shall be designed and located in accordance with the provisions of Subsection 3.35.
- d) In no case shall a new parking area be permitted in the front yard.

3.24 Legal Non-Conforming Uses and Legal Non-Complying Buildings and Structures

Nothing in this By-law shall apply:

- a) to prevent the use of any land, building or structure for any purpose prohibited by the By-law, if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose;
- b) to prevent the erection or use for a purpose prohibited by the By-law of any building or structure for which a permit has been issued pursuant to the *Building Code Act*, prior to the day of the passing of this By-law, 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 permit has not been revoked pursuant to the *Building Code Act*;

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- c) to prevent an extension, addition, repair or replacement being made to all or part of a use, building or structure which legally existed at the date of passing of this By-law and which is a permitted use for the zone in which it is located, but which does not comply with one (1) or more of the Zone Provisions of this By-law (Sections 5.0 – 7.0), provided that:
  - i) such extension, addition, repair or replacement does not further reduce the front yard, interior side yard, exterior side yard or rear yard setback that does not comply with this By-law;
  - ii) such extension does not further reduce the minimum required setback from the Environmental Protection (EP) Zone, in accordance with [Subsection 3.26](#); and
  - iii) all other applicable provisions of this By-law are satisfied.
- d) to prevent the installation of exterior cladding, with or without insulation, to a maximum depth of 0.25 metres to a building or structure even though the installation of such cladding would create a non-complying yard or further decrease a legal non-complying yard. The resulting non-complying yard shall be deemed to comply with the provisions of this By-law;
- e) to permit an extension or addition to non-conforming uses, buildings or structures, except by amendment to this By-law in accordance with Section 34 of the *Planning Act*, or in accordance with a decision of the Committee of Adjustment;
- f) to permit the erection of any new freestanding building where the land, building or structure is non-conforming with respect to use in the zone. Further, the Committee of Adjustment shall not grant any such permission; or
- g) to prevent the repair of legal non-conforming uses, provided their dimensions (height, size and volume) are not increased.
- h) A non-conforming building destroyed by any means beyond the control of the owner may be replaced and rebuilt to the same extent in its former location provided that construction is commenced within one (1) year from the date of destruction and provided that the building is completed within a reasonable time thereafter. The Chief Building Official shall have regard for the clear intent of the Owner to reconstruct the damaged building in considering the issuance of a Building Permit in accordance with the aforementioned requirements.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

3.25 Loading Space and Area Requirements**a) Number of Loading Spaces Required**

The owner or occupant of any lot, building or structure erected or used for any purpose involving the receiving, shipping, loading or unloading of goods or materials, shall provide and maintain at the premises, on the lot occupied by the building or structure and not forming part of a street or lane within the zone in which such use is located, loading/unloading facilities comprising one (1) or more loading spaces in accordance with the following provisions:

**i) For Residential and Institutional Uses**

1. A loading space shall not be required for multiple unit residential or institutional buildings, but shall be permitted in accordance with the provisions of **Subsection 3.25**.

**ii) For All Commercial Uses**

1. Buildings or structures with a total floor area of 300.0 square metres or less shall not require a loading space, but a loading space may be provided in accordance with the provisions of this By-law.
2. Buildings or structures with a total floor area exceeding 300.0 square metres, but not exceeding 1,000.0 square metres, require at least one (1) loading space.
3. Buildings or structures with a total floor area exceeding 1,000.0 square metres, but not 7,500.0 square metres, require at least two (2) loading spaces.
4. Buildings or structures with a total floor area exceeding 7,500.0 square metres require at least two (2) loading spaces plus one (1) additional space for each additional 9,000.0 square metres or fractional part thereof in excess of 7,500.0 square metres.

**iii) For All Employment Uses**

1. Buildings or structures with a total floor area of 420.0 square metres or less shall not require a loading space.
2. Buildings or structures with a total floor area of 420.0 square metres to 2,300.0 square metres require at least one (1) loading space.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

3. Buildings or structures with a total floor area of over 2,300.0 square metres require at least two (2) loading spaces.

**b) Loading Area Requirements**

Loading spaces required or permitted under clause a) shall be in accordance with the following provisions:

**i) Dimensions and Vertical Clearance of Loading Space**

Each loading spaces shall be not less than 9.0 metres in length, 3.0 metres in width and having a vertical clearance of not less than 4.5 metres.

**ii) Access**

Access to loading or unloading spaces shall be by means of a driveway not less than 6.0 metres wide contained within the lot on which the spaces are located and leading to a street or land located within or adjoining the zone in which the use is located.

**iii) Loading Space Surface**

All loading spaces, and driveways connecting the loading space(s) with a street, shall be paved with an asphaltic or concrete surface and be so constructed to prevent drainage onto the travelled portion of any street or adjacent lands.

**iv) Location**

The loading space or spaces required shall only be located in an interior side yard or a rear yard.

**v) Additions to Existing Building**

1. Buildings in Existence: The loading 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 hereafter increased.
2. Later Additions: If an addition or additions are made to the building after the date of passing of this By-law, then additional loading spaces shall be provided for the increase of the floor area for the addition as required by clause 3.25 a).

## City of Brockville Comprehensive Zoning By-law No. 050-2014

3.26 Main Building Location in Relation to Environmental Protection Zone

- a) No person shall construct any main building closer than 6.0 metres to any Environmental Protection (EP) Zone boundary, as delineated on Schedule "A".
- b) Where a legally existing main building is located between 5.0 metres and 6.0 metres of any Environmental Protection (EP) Zone boundary, such structure shall be considered a legally non-complying structure and be subject to the provisions of [Subsection 3.24](#).

3.27 Micro-Brewery and/or Micro-Winery

Where permitted by this By-law, a Micro-Brewery and/or Micro-Winery shall be subject to the following provisions:

- a) Required to include retail and/or restaurant and/or sampling area component;
- b) Permitted to have an outdoor patio area (subject to outdoor patio regulations);
- c) Be restricted to a maximum building footprint of 929.0 square metres, including storage;
- d) Required to have a minimum of 50% of the building frontage to be retail and/or restaurant and/or sampling area component and must extend a minimum of 10.0 metres from the building face into the building;
- e) Contain a minimum of one (1) loading space on-site;
- f) Parking shall be in accordance with Subsection 3.34;
- g) Not be permitted to have outdoor storage; and,
- h) Not cause nuisance due to noise, odour, dust, fumes, vibration or glare.

3.28 Minimum Building Height (Schedule "B")

Notwithstanding any other provision of this By-law, where a property is shown as being subject to the minimum building height of two (2) storeys on Schedule "B", the minimum height of any main building shall be two (2) storeys or 7.0 metres.

3.29 Minimum Ground Floor Height (Schedule "B")

Notwithstanding any other provision of this By-law, where a property is shown as being subject to the minimum ground floor height on Schedule "B", the minimum height of the first storey shall be 4.5 metres.

3.30 Mixed Commercial/Residential Building

Where permitted by this By-law, a mixed commercial/residential building shall be in accordance with the following provisions:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- a) Parking shall be provided for all uses in accordance with Subsection 3.35 and bicycle parking shall be provided in accordance with Subsection 3.9.
- b) ~~Dwelling units shall not be located on the ground floor of buildings shown as being subject to the continuous building frontage provisions, as shown on Schedule "B" to this By-law.~~
- b) Dwelling units shall not be located on the ground floor of buildings shown as being subject to the continuous street frontage provisions, as shown on Schedule "B" to this By-law, except as otherwise permitted in Section 3.6.
- c) For all new buildings, amenity areas shall be provided for the units in accordance with Subsection 3.4.
- d) Dwelling units shall be prohibited on the same lot as an automobile gas bar, automobile service station or automobile repair garage.
- e) Conversions of commercial space to residential dwelling unit(s) shall be permitted in the MD and MW Zones, provided all other provisions of this By-law are complied with.

3.31 Mobile Homes

~~No person shall locate or use a mobile home in any zone.~~ No person shall locate or use a mobile home, unless identified as a permitted use within the applicable zone.

3.32 Municipal Services Required

- a) Except for an existing single detached dwelling, no person shall erect or enlarge any main building or structure for any purpose unless said main building or structure is connected solely to municipal water and sanitary sewers for the provision of water and the disposal of sanitary sewage, respectively. Further, no lot shall be created unless municipal water and sanitary sewers are available.
- b) Notwithstanding clause 3.32 a), an existing lot of record zoned Rural (RU) may be developed in accordance with the permitted uses and lot and building requirements for the RU Zone.
- c) The Sewer Use By-law may apply to a change in an industrial use.
- d) A cottage use on Oriental Island, Smith's Island and Victoria Island in the St. Lawrence River shall be exempted from the provisions of Subsection 3.32.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

3.33 Outdoor Patio

Where permitted by this by-law as an accessory use to a permitted restaurant or other food premises, an outdoor patio may be located in any yard but not within 3.0 metres of any property line, nor in a visibility triangle. Such provisions shall not apply to outdoor patios located in the MD and MW Zones.

3.34 Outside Storage

- a) Outside storage shall be prohibited unless explicitly permitted by this By-law in accordance with the Zone Provisions of this By-law (Sections 5.0 – 7.0).
- b) Where permitted by this By-law, an outside storage use shall be in accordance with the following provisions:
  - i) Outside storage shall only be permitted in the rear or interior side yards.
  - ii) Outside storage shall comply with the yard requirements for main buildings where the lot abuts a non-commercial or non-employment zone.
  - iii) Outside storage, where permitted in Commercial Zones, shall not cover more than 35.0 percent of the lot area nor exceed twice the ground floor area of the main building on the lot.
  - iv) Outside storage shall be concealed from view from any public street by a planting strip, fence or wall. The planting strip, where provided, shall be in accordance with the provisions of Subsection 3.35. A wall or fence, where provided, shall be opaque and have a minimum height of 1.8 metres and in accordance with the provisions of Subsection 3.16.
  - v) Outside storage of vehicles awaiting repair in association with an automobile repair garage or automobile service station shall be located entirely within an enclosed building, or in the rear yard and enclosed by a solid fence to screen the storage. All automobile repair activities shall be conducted only within an enclosed building.
- c) The outside storage provisions shall not apply to the storage and parking of motor vehicles which are displayed for sale.
- d) The outside storage provisions shall not apply to a marina where it is permitted by this By-law, except that outside storage shall be prohibited in any front yard.

City of Brockville Comprehensive Zoning By-law No. 050-2014

**3.35 Parking Area Requirements**

Public and private parking spaces which are accessory to the main use of a lot, building or structure are a permitted use in all zones. Parking spaces and areas required under this By-law shall be provided in accordance with the following provisions:

**a) Minimum Number of Parking Spaces**

**i) Required Number of Parking Spaces by Use**

No person shall erect, enlarge or change the use of a lot, building or structure without providing and maintaining a minimum number of parking spaces in accordance with Tables 3.35(a), 3.34(b), 3.35(c), and 3.35(d).

**Table 3.35(a): Parking Requirements for Residential Uses**

Type of Use	Minimum Required Parking
<u>Additional Dwelling Unit</u>	<u>1 space per unit, in addition to the requirement for the principal dwelling unit</u>
Apartment Dwelling or Maisonette Dwelling	<p>1.4 spaces per unit; or</p> <p>1.25 spaces per unit located south of the CNR Mainline, as shown on Schedule "A"; or</p> <p>1.1 spaces per unit located in the Downtown and Central Waterfront Area, as delineated on Schedule "B"</p> <p><u>1.4 spaces per unit; or</u></p> <p><u>1.25 spaces per unit located south of the CNR Mainline, as shown on Schedule "A"; or</u></p> <p><u>1 space per unit for an apartment dwelling located in the Downtown and Central Waterfront Area, as delineated on Schedule "B"; or</u></p> <p><u>1.1 spaces per unit for a maisonette dwelling located in the Downtown and Central Waterfront Area, as delineated on Schedule "B".</u></p>
Apartment Units as part of a Mixed Commercial/ Residential Building, where permitted in Commercial and Mixed Use Zones	<p>1.1 spaces per unit; or</p> <p>1.0 space per unit located south of the CNR Mainline, as shown on Schedule "A" and in the Downtown and Central Waterfront Area as delineated on Schedule "B".</p> <p><u>1 space per unit; or</u></p> <p><u>0.7 spaces per unit located south of the CNR Mainline, as shown on Schedule "A" and in the Downtown and Central Waterfront Area as delineated on Schedule "B".</u></p>
Bed & Breakfast	A minimum of 1.0 space for the dwelling unit, plus 1.0 space per guest room.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Type of Use	Minimum Required Parking
Boarding, Rooming or Lodging House	A minimum of 1.0 space for the dwelling unit, plus 0.5 spaces per bedroom.
Converted Dwelling	1.25 spaces per dwelling unit for the first two (2) units, 1.0 space for the third unit or any additional unit, as may be permitted through a special exception.
Duplex Dwelling	1.5 spaces per dwelling unit.
<u>Fourplex Dwelling</u>	<u>1.5 spaces per dwelling unit.</u>
Garden Suite	1.0 space per garden suite, in addition to the parking requirements for the principal dwelling unit.
Group Home	2.0 spaces per group home.
Home Occupation, including Private-Home Day Care	No additional spaces shall be required.
Institutional Residence	0.5 spaces per bed.
Linked Dwelling	2.0 spaces per dwelling unit.
Rental or Condominium Townhouse Dwelling	1.5 spaces per dwelling unit.
Retirement Home	0.5 spaces per unit.
<del>Second Suite</del>	<del>1.0 space per second suite, in addition to the parking requirements for the principal dwelling unit.</del>
Semi-detached dwelling	2.0 spaces per dwelling unit.
<u>Short Term Vacation Rental</u>	<u>1 space per guest room, in addition to the parking requirement for the dwelling. Parking for a Short Term Vacation Rental may be provided in tandem</u>
Single Detached Dwelling	2.0 spaces per dwelling unit.
Street Townhouse Dwelling	2.0 spaces per dwelling unit.
Triplex Dwelling	<del>1.5 spaces per dwelling unit. Where each triplex dwelling is on its own lot, 2.0 spaces per dwelling unit shall be provided.</del> <u>1.5 spaces per dwelling unit.</u>

**Table 3.35(b): Parking Requirements for Commercial and Mixed Uses**

Type of Use	Minimum Required Parking
Adult Entertainment Establishment	1.0 space per 15.0 square metres of gross leasable area.
Assembly Hall	<del>1.0 space per 10.0 square metres of gross floor area.</del> <u>1.0 space per 20.0 square metres of gross floor area.</u>

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Type of Use	Minimum Required Parking
Automobile Repair Garage	<del>4.0 spaces per service bay.</del> <u>3.0 per service bay or 1 per 100 square metres of gross floor area, whichever is greater.</u>
Automobile Service Station	<del>4.0 spaces per service bay.</del> <u>3.0 per service bay or 1 per 100 square metres of gross floor area, whichever is greater.</u>
Automotive Trade Use	4.0 spaces per service bay.
Automobile Sales and Used Automobile Sales Establishment, Service Establishment, Automobile Rental Agency, and Automobile Leasing Agency	<u>1.0 space per 20.0 square metres gross floor area.</u> <u>1.0 space per 30 square metres of gross floor area.</u>
Bank or Trust Company	<del>6.0 spaces per 100.0 square metres gross leasable area.</del> <u>1.0 space per 20 square metres of gross floor area.</u>
Car Wash	<del>Self service — 3.0 spaces per wash rack.</del> <del>Drive-through/conveyor — 5.0 spaces per wash rack.</del> <u>1.0 space per wash rack, plus 6 waiting spaces per wash rack.</u>
Clinic or Medical Office	<u>1.0 space per 15.0 square metres of gross leasable area.</u> <u>1.0 space per 20 square metres of gross floor area.</u>
Commercial Recreation Establishment	1.0 space per 20.0 square metres of gross floor area
Commercial Use in Mixed Commercial Residential Development	4.0 spaces per 100.0 square metres gross leasable area.
Convenience Store	<del>5.0 spaces per 100.0 square metres gross leasable area.</del> <u>1.0 space per 30 square metres of gross floor area.</u>
Hardware, Home Appliance, Home Decorating, Home Furnishing or Home Improvement Store	<del>2.0 spaces per 100.0 square metres gross leasable area.</del> <u>1.5 spaces per 100 square metres of gross floor area.</u>
Hotel or Motel	1.0 space per guestroom plus the required spaces for any

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Type of Use	Minimum Required Parking
	adjoining public or commercial uses, such as a restaurant.
Industrial Equipment Sales, Service and Rental or Industrial and/or Automotive Supply	3.0 spaces per 100.0 square metres gross leasable area.
Marina	0.5 spaces per slip, in addition to any parking requirements for accessory uses as may be permitted, such as a restaurant.
Micro-Brewery and Micro-Winery	<del>1.0 space per 15.0 square metres gross leasable area for any restaurant, retail and/or sampling area and 1.0 space per 90.0 square metres gross leasable area for all other floor space</del> <u>1.0 space per 30.0 square metres gross leasable area for any restaurant, retail and/or sampling area and 1.0 space per 100.0 square metres gross leasable area for all other floor space</u>
Offices (Business, Public, Professional)	<del>3.5 spaces per 100.0 square metres gross leasable area on the first storey and 2.0 spaces per 100.0 square metres gross leasable area above or below the first storey.</del> <u>1.0 space per 30 square metres of gross floor area on the first storey and 1 space per 50 square metres of gross floor area above or below the first storey.</u>
Personal Service Establishment	5.0 spaces per 100.0 square metres gross leasable area.
Refreshment vehicles	5.0 spaces
Restaurants, including take-out restaurants	1.0 space per 15.0 square metres gross leasable area, except that any take-out restaurant shall be 1.0 space per 8.0 square metres gross leasable area. In all cases a minimum of 5.0 spaces shall be provided. <u>1.0 space per 15.0 square metres of gross leasable area, except that any take-out restaurant shall be 1.0 space per 10 square metres of gross leasable area. In all cases, a minimum of 5.0 spaces shall be provided.</u>
Outdoor Patio	No additional parking shall be required, except that where the area of the outdoor patio exceeds 50.0 percent of the gross leasable area of the restaurant, parking shall be provided at a rate of 1.0 space per 15.0 square metres of outdoor patio seating area.
Retail Uses (General)	<del>5.0 spaces per 100.0 square metres gross leasable area.</del> <u>1.0 space per 30 square metres of gross floor area.</u>
Self-Service Storage Facility	1.0 space per 100.0 square metres gross leasable area.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Type of Use	Minimum Required Parking
Shopping Centre or Department Store	5.0 spaces per 100.0 square metres gross leasable area.
Supermarket or Grocery Store	<del>6.0 spaces per 100.0 square metres gross leasable area.</del> <u>1.0 space per 25 square metres of gross floor area.</u>
Theatre	1.0 space per 5 fixed seats.
Veterinarian's Office	3.5 spaces per 100.0 square metres gross leasable area.
Wholesale Establishment	<del>1.5 spaces per 100.0 square metres gross leasable area.</del> <u>1.0 space per 100 square metres of gross floor area.</u>
All Other Commercial Uses Not Listed Herein	5.0 spaces per 100.0 square metres gross leasable area.

**Table 3.35(c): Parking Requirements for Employment Uses**

Type of Use	Minimum Required Parking
Automobile Body Shop	1.0 space per 30.0 square metres gross leasable area.
Industrial Mall	1.0 space per 80.0 square metres gross leasable area.
Industrial Use, Light Industrial Use	<del>1.0 space per 100.0 square metres of gross leasable area for the first 900.0 square metres plus 1.0 space per 185.0 square metres thereafter.</del> <u>1.0 space per 100 square metres of gross leasable area for the first 900 square metres plus 1.0 space per 200 square meters thereafter.</u>
Transportation Terminal	1.0 space per 185.0 square metres gross leasable area.
Warehouse	1.0 space per 185.0 square metres gross leasable area.
All Other Industrial Uses Not Listed Herein	1.0 space per 90.0 square metres gross leasable area.

**Table 3.35(d): Parking Requirements for Institutional, Rural and Open Space Uses**

Type of Use	Minimum Required Parking
College or Private School or Training Facility	4.0 spaces per classroom.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Type of Use	Minimum Required Parking
Place of Worship	The greater of: (a) 1.0 space for 5 fixed seats. Where the seating is provided by open benches, every 0.5 metres of bench space shall be considered as one (1) seat for the purpose of this By-law; or (b) 1.0 space for 25.0 square metres of gross floor area.
Day Nursery	<del>2.0 spaces for 20.0 square metres of gross floor area.</del> <u>1.0 space per 28 square metres of gross floor area.</u>
Driving Range	1.0 spaces per stall.
Elementary School	2.0 spaces per classroom.
Golf Course	3.0 spaces per hole plus 1.0 space per 25.0 square metres for indoor public areas. Parking for any additional accessory uses, such as a restaurant, shall be calculated in accordance with the applicable provisions for each use.
High School	4.0 spaces per classroom.
Hospice or Hospital	0.5 spaces per bed, including any bed used for overnight stays, temporary stays and any beds used for any specific medical examination or practice.
Miniature Golf Course	1.0 space for 25.0 square metres of course area.
Museum, Art Gallery	1.0 space per 50.0 square metres of display area.
Nursing Home	0.25 spaces per bed.

**ii) Method of Calculation**1. *Rounding*

For the purposes of calculating required parking, should a fraction result from a calculation, then the required parking shall be the next highest whole number. For example, if the calculated minimum parking requirement is 3.25 spaces, then the required minimum parking is 4.0 spaces.

2. *Calculation of Parking for Multiple Uses on a Lot*

Except as otherwise provided in this By-law, when a building, lot or structure accommodates more than one (1) type of use as set out in **subclause 3.35 a) i)**, the parking space requirement for the whole building shall be the sum of the requirements for the separate parts of

City of Brockville Comprehensive Zoning By-law No. 050-2014

the building occupied by the separate types of use. This provision shall apply to any principal use(s) and accessory use(s).

3. *Calculation of Parking Requirements for Construction of Additions or Changes in Use*

When a building or structure has insufficient parking at the time of passing of this By-law to comply with the requirements herein, this By-law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition. However, no addition may be built and no change of use may occur, the effect of which would be an increase in that deficiency.

iii) **Designation of Parking for Persons with Disabilities**

~~1. a) Where a new residential building or an addition to an existing residential building must be barrier free in accordance with the Building Code Act and its regulations, one (1) parking space, with a width of not less than 3.5 metres, shall be provided at the rate of one (1) space for every fifty (50) parking spaces required to be provided by this By-law.~~

~~b) Where a new building or an addition to an existing building must be barrier free in accordance with the Building Code Act and its regulations, the following chart will apply to barrier free parking spaces. Each required space must have a minimum width of not less than 3.5 metres.~~

<b>Total number of parking spaces in parking facility for public use</b>	<b>Total number of accessible parking spaces required</b>
1-12	1
12-100	4%
101-200	3% + 1
201-1000	2% + 2
1001 +	1% + 11

~~2. Notwithstanding paragraph 3.34 a) iii) 1., not less than one (1) parking space designated for persons with disabilities shall be provided.~~

~~3. Parking spaces designated for persons with disabilities shall be included in the calculation of the required parking.~~

City of Brockville Comprehensive Zoning By-law No. 050-2014

~~4. All barrier free parking spaces shall be identified by an above ground sign and shall have the international symbol for accessibility painted within the parking space. The parking space shall be painted blue or be unpainted.~~

1. Minimum Required Width for Accessible Parking Spaces

Off-street parking facilities shall provide two types of parking spaces for the use of persons with disabilities, as follows:

- a) Type A parking space with a minimum width of 3.4 metres, including signage identifying the space as 'van accessible'; and,
- b) Type B parking space with a minimum width of 2.75 metres.

2. Access Aisles

An access aisle with a minimum width of 1.5 metres shall be provided for an accessible parking space. One access aisle may be provided between two side-by-side accessible parking spaces.

3. Minimum Number of Accessible Parking Spaces

Where a new building or an addition to an existing building must be barrier free in accordance with the Building Code Act and its regulations, the following chart will apply to barrier-free parking spaces.

<u>Total Parking Spaces</u>	<u>Minimum Accessible Parking Requirement</u>	<u>Type A / Type B Ratio</u>
<u>1-12</u>	<u>1 space</u>	<u>Type A</u>
<u>13-100</u>	<u>4% of the total parking spaces</u>	<u>Even split between Type A and Type B; odd space may be Type B</u>
<u>101-200</u>	<u>3% of the total parking spaces, minimum 1 space</u>	<u>Even split between Type A and Type B; odd space may be Type B</u>
<u>201-1,000</u>	<u>2% of the total parking spaces, minimum 2 spaces</u>	<u>Even split between Type A and Type B; odd space may be Type B</u>
<u>More than 1,1000</u>	<u>1% of the total parking spaces, minimum 11 spaces</u>	<u>Even split between Type A and Type B; odd space may be Type B</u>

4. Required Signage

Required accessible parking spaces per Section 3.35 a) iii) of this By-law shall require an accessible permit parking sign in accordance with

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Section 11 of Regulation 581 of the Revised Regulations of Ontario, 1990 made under the Highway Traffic Act.**iv) Special Exemptions for Minimum Required Parking in the Downtown and Central Waterfront Area**

1. Any change of use of existing commercial gross leasable area within the Downtown and Central Waterfront Area, as delineated on Schedule "B", to another permitted commercial use shall be exempted from the requirement, if any, to provide additional parking spaces under **subclause 3.35 a) i)**, provided that all existing on-site parking spaces are maintained.
2. Where there is a conversion of part or all of a residential unit to a commercial use permitted in the Downtown and Central Waterfront Area, as delineated on Schedule "B", and the new commercial use will occupy part or all of the ground floor area of the building, there shall be an exemption for a maximum of three (3) parking spaces required to accommodate the conversion in accordance with **subclause 3.35 a) i)**. The exemption shall be granted one time only per lot.
3. Where a lot is located in the Downtown and Central Waterfront Area, as delineated on Schedule "B", the parking required for any commercial uses in accordance with **subclause 3.35 a) i)** shall be reduced by 50.0 percent.
4. Where there is a conversion of a commercial use to a residential use, and the existing building or structure has insufficient parking spaces on the date of passing of this By-law, this By-law shall not be interpreted to require that the deficiency be made up prior to the change of use, provided that no additional parking spaces are required, and all existing on-site parking spaces are maintained.

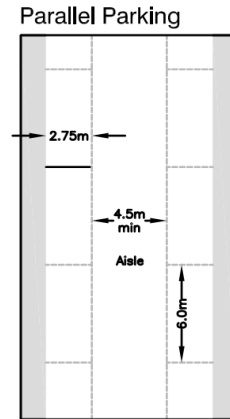
**b) Parking Space, Area and Driveway Requirements****i) Parking Space and Aisle Dimensions**

Parking spaces may be varied in width depending on the angle measured perpendicular to the axis of the access aisle of the space provided. Where an aisle serves two (2) different types of angled parking, which are located across from each other, the largest required access aisle shall be provided. The

City of Brockville Comprehensive Zoning By-law No. 050-2014

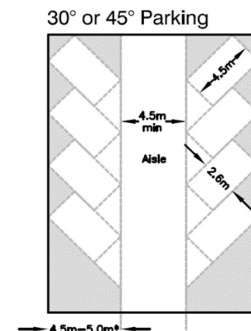
dimensions of parking spaces and parking space access aisles shall be in accordance with the following:

1. Ninety degree (90°) parking spaces shall be 2.75 metres by 5.5 metres with a minimum 6.0 metres access aisle;
2. Sixty degree (60°) parking spaces shall be 2.6 metres by 5.5 metres with a minimum 5.5 metres access aisle;
3. Forty-five degree (45°) parking spaces shall be 2.6 metres by 5.5 metres with a minimum 4.5 metres access aisle;
4. Thirty degree (30°) parking spaces shall be 2.6 metres by 5.5 metres with a minimum 4.5 metres access aisle; and
5. Parallel parking spaces shall be 6.0 metres by 2.75 metres with a minimum 4.5 metres access aisle.



**ii) Pavement Marking**

1. Where the number of off-street parking spaces required by this By-law equals five (5) or more, all such parking spaces shall be delineated with white or yellow paint.
2. Should a parking area be re-designed or re-configured in accordance with the provisions of this By-law, any markings which no longer apply shall be completely removed.
3. Parking spaces designated for persons with disabilities shall be painted and designated in accordance with the provisions of **subclause 3.35 a) iii)**.
4. Nothing in this By-law shall prevent the special delineation of parking spaces specifically for expectant mothers or families with young children. However, parking spaces for expectant mothers or families shall not be painted blue.



\*(Note: This measurement is provided for information purposes only and it is not intended to reflect the regulations).

**iii) Parking Area Surface**

In the case of a dwelling containing not more than three (3) dwelling units, such parking area and driveway shall, before being used, be constructed of one or more of the following materials: crushed stone, asphalt, brick, concrete or a permeated hard surface with gaps intended to permit infiltration of storm water, for a combined depth of not less than 0.15

## City of Brockville Comprehensive Zoning By-law No. 050-2014

metres. In all other cases, each parking area, driveway and driveway access connecting a parking area with a street shall, prior to occupancy, be paved with an asphaltic, brick or concrete surface; and, in all zones established by this By-law, except an Employment Zone or Rural Zone, shall be bounded with curbs.

**iv) Access to Parking Areas**

1. *Driveways, Access Lanes and Parking Aisles*
  - a. Ingress and egress to parking areas shall be provided by parking aisles comprised of not less than one (1) access lane for ingress and one (1) access lane for egress.
  - b. Each lane shall be a minimum width of 3.0 metres, and if combined, the lanes shall be a minimum width of 6.0 metres.
  - c. The width of the lanes shall not exceed 9.0 metres.
2. *Driveway Separation Distance on the Same Lot*

Except for the development of triplex, semi-detached, link or townhouse dwellings, no person shall locate more than one (1) driveway on a single lot without a separation distance of a minimum of 15.0 metres measured between the nearest curb faces of each private approach (driveway) along the street line.
3. *Separation between Driveways and Intersections*

The minimum distance between a driveway and an intersection of street lines measured along the street line intersected by such driveway shall be 10.0 metres.
4. *Driveway Angle in Relation to Street Line*

The minimum angle of intersection between a driveway and a street line shall be sixty degrees (60°).
5. *Access Through Residential Zones*

No lot or parcel which is residentially zoned shall be used for vehicular access purposes to any land which is non-residentially zoned.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

6. *Ingress/Egress in Flood Prone Areas*

Ingress/egress for new buildings shall be designed such that vehicular and pedestrian movement is not prevented during times of flooding.

7. *Access through Visibility Triangle*

A driveway shall not be located within any required visibility triangle.

**v) Parking Area Location**

1. Unless otherwise permitted by this By-law, all required parking shall be provided on the same lot and in the same zone as the main building or use for which the parking has been provided.

2. *Location of Parking Areas in Residential Zones*

- a. Parking areas shall be permitted in any yard except in the exterior side yard. Parking areas shall only be permitted in the front yard in accordance with **Subparagraph 3.35 b) v) 2. b.** below. Parking shall be limited to a driveway or parking area designed and located in accordance with the provisions of **Section 3.35.**

- b. Notwithstanding anything to the contrary in this subsection, any residential driveway may be used for parking purposes, provided that it shall lead to another legal parking space, garage, or carport. An additional parking area which does not lead to a legal parking space, garage or carport, may be provided in a front yard parallel to the existing legal parking space or driveway to accommodate the parking of vehicles, provided that the total width of all driveway(s) or parking areas does not exceed the lesser of 9.0 metres or 50.0 percent of the width of the lot.

- c. Parking areas for apartment dwellings and retirement homes shall be permitted in interior side yards and rear yards

- d. Planting strip(s) shall be provided in accordance with **Subsection 3.36.**

3. *Location of Parking Areas in Open Space, Commercial, Mixed Use, Institutional and Rural Zones*

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- a. Parking areas shall be permitted in any yard.
- b. No part of any parking area, other than a driveway or parking aisle, shall be located closer than 5.0 metres to any street line, or the required building setback from the street line, whichever is lesser.
- c. Planting strip(s) shall be provided in accordance with **Subsection 3.36**.

4. *Location of Parking Areas in Employment Zones*

- a. Parking areas shall be permitted in interior side and rear yards only. Driveways may be provided in the front or exterior side yards in accordance with the requirements of **subclause 3.35 b) iv)**.
- b. Planting strip(s) shall be provided in accordance with **Subsection 3.36**.
- c. Parking areas located in the front yard in Employment Zones, which existed prior to the effective date of this By-law, shall be deemed to be legally complying to this By-law with respect to location.

**vi) Setbacks for Underground Parking Structures**

- 1. The yard requirements of this By-law shall not apply to any component of an underground parking structure that is below grade. For clarity, above-ground structures associated with an underground parking structure, such as a stairwell or ventilation shaft, shall be in accordance with the provisions for accessory buildings and structures.
- 2. Underground parking structures shall be located entirely on the subject property.

**vii) Maintenance of Parking Areas**

A person shall maintain parking spaces and parking areas required by this By-law for the duration of the use served and in accordance with the provisions of **Subsection 3.35**.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**viii) Parking Attendant/Security Shelter**

Notwithstanding any other provisions of this By-law, a shelter for use solely by parking attendants or security personnel may be erected in any part of a parking area, except within a visibility triangle, provided such shelter is not more than 4.0 metres in height and has a floor area of not more than 12.0 square metres.

**ix) Landscaping within Parking Areas**

Where a surface parking area contains 50 or more parking spaces, except in the case of an employment zone, a minimum of 15% of the parking area must be provided as landscaped open space.

**c) General Prohibitions and Requirements****i) Commercial Vehicle and Non-Recreational Vehicle Trailer Parking in Private Garages**

Notwithstanding any other provision of this By-law, the owner or occupant of any lot, building or structure in any Residential Zone may use any private garage of which he is the owner or occupant, erected upon any such lot for the housing or storage of a maximum of one (1) commercial motor vehicle or non-recreational vehicle not exceeding 3,000.0 kilograms in gross vehicle weight, provided the vehicle is owned or operated by the owner or occupant and is licenced and registered in the Province of Ontario.

**ii) Parking of One (1) Commercial Vehicle or Non-Recreational Trailer per Residential Lot**

No person shall, in any Residential Zone, use any lot for the parking or temporary storage of more than one (1) commercial motor vehicle or non-recreational trailer. The commercial vehicle or non-recreational trailer shall not exceed 3,000.0 kilograms in gross vehicle weight and shall be licenced and registered in the Province of Ontario.

**iii) Parking for Vehicles in Storage**

1. The provision of parking for vehicles not in use and the storage of vehicles for gain, display or sale or awaiting maintenance shall not be included as satisfying any part of the provisions of this By-law.
2. Each vehicle storage area and driveway connecting a storage area with a street shall be paved with an asphalt, brick or concrete surface except in the RU, E1,

## City of Brockville Comprehensive Zoning By-law No. 050-2014

or E2 Zones where the storage area may be constructed of gravel with provisions for drainage facilities and dust control.

3. Vehicle storage areas, including storage for vehicles associated with a car rental establishment or vehicle sales, shall be located, designed and maintained in accordance with the provisions of Subsection 3.34.

**iv) Private Automobile Repairs on Residential Lots**

No person shall engage in private automobile repairs on a residential lot other than the periodic on-site maintenance of a validly licensed non-commercial passenger vehicle registered to the current occupant of the dwelling unit.

**v) Validly Licensed Vehicles Only**

Any area where off-street parking is permitted or required under this By-law or otherwise provided, such parking area shall be used only for the parking of operative vehicles bearing a currently valid motor vehicle license plate, and for vehicles used in operations incidental to permitted uses in respect of which such parking spaces and areas are required. Subclauses 3.34 c) i) and ii) shall apply to commercial vehicle parking in Residential Zones.

**d) Motorized Vehicle Sharing Parking Spaces**

**i) Permitted Zones**

Motorized vehicle sharing parking spaces shall be permitted in any Mixed Use, Commercial, Employment, Institutional or Multiple Residential Zone.

**ii) Relationship to Minimum Number of Parking Spaces**

In any Mixed Use, Commercial, Employment, Institutional or Multiple Residential Zone, up to three (3) of the minimum number of required parking spaces in accordance with [Subsection 3.35](#) may be used as motorized vehicle sharing parking spaces. Any additional parking spaces to be designated as motorized vehicle sharing parking spaces shall be provided in addition to the required minimum number of parking spaces.

**3.36 [Planting Strips](#)**

**a) [Planting Strips Required Abutting Residential Zones](#)**

- i) A planting strip shall be required in the following circumstances:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

1. Where a lot is used for a non-residential purpose and the interior side or rear lot line abuts a Residential Zone;
  2. Where such lot is in a Non-Residential Zone and the front, side or rear lot line abuts a portion of a street, and where the opposite side of the street abuts a Residential Zone; or
  3. Where a lot is used for an apartment dwelling that is equal to or greater than 4 storeys, a planting strip shall be required on any lot line that abuts an R1, R2 or R3 zoned lot. This provision shall not apply to any apartment dwellings that legally existed on the date of adoption of this By-law.
- ii) Where a planting strip is required in accordance with **subclause 3.36 a) i)**, the planting strip shall have a minimum width of 3.0 metres unless otherwise provided herein.
  - iii) A required planting strip shall be used for no other purpose than planting a continuous unpierced hedgerow of evergreens or shrubs not less than 1.5 metres high at maturity, immediately adjacent to the lot line or portion thereof along which such planting strip is required herein; the remainder of the strip shall be used for no other purpose than trees, hedges, shrubs, flower beds, grass or a combination thereof.
  - iv) Notwithstanding any other provision of **Subsection 3.36**, a planting strip shall not be required on any lot zoned Mixed Use Downtown (MD) or Mixed Use Waterfront (MW).
  - v) In all cases where ingress and egress driveways, access lanes or walkways extend through a planting strip, it shall be permissible to interrupt the strip within 3.0 metres of the edge of such driveway or access lane or within 1.5 metres of the edge of such walkway.
  - vi) A planting strip referred to in **Subsection 3.36** may form part of any landscaped open space required by this By-law.
  - vii) No accessory use, accessory structure or accessory building shall be permitted to locate within a required planting strip.

**b) Planting Strips Required for Parking and Loading Areas**

- i) Where a parking and/or loading area for a non-residential use abuts a residential use, a 3.0 metre planting strip as described herein, or a 1.5 metre planting strip and a solid fence 1.5

## City of Brockville Comprehensive Zoning By-law No. 050-2014

metres in height, or a solid fence 2.0 metres in height, shall be provided on the lot on which the non-residential use is located.

- ii) Where a parking area for a residential building or buildings containing more than four (4) dwellings units abuts a single detached dwelling, semi-detached dwelling, linked dwelling, duplex dwelling, or street townhouse dwelling, then a planting strip, as described herein, shall be provided.

iii) Where a parking and/or loading area for a building 5 storeys or greater is located within the front yard of said building, a 3.0 metre planting strip as described herein, shall be provided on the front lot line. A driveway is permitted to cross the planting strip.

### 3.37 Private Marine Facilities and Marinas

#### a) General

- i) A private marine facility abutting a navigable body of water shall be permitted in any zone in accordance with the provisions of Subsection 3.3 and the provisions of **Subsection 3.37**.
- ii) Private marine facilities may be constructed along the shoreline, subject to any required permit or approval from the Conservation Authority, the Province of Ontario or the Government of Canada.
- iii) A private marine facility shall only be permitted as an accessory building or structure, and shall not be permitted as the principal use of a lot.
- iv) A private marine facility shall not be used for human habitation.

#### b) Boathouses Constructed Up to Water's Edge

Notwithstanding any other provisions of this By-law, where a boathouse is permitted, a boathouse may be sited up to a lot line that corresponds to the shoreline, subject to a permit from the Conservation Authority and any other required approvals.

#### c) Boathouse Maximum Height

Notwithstanding any other provisions of this By-law, the maximum permitted height of a boathouse shall be 4.0 metres measured from the shoreline.

#### d) Marinas and Marine Service Stations

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- a) Notwithstanding any other provisions of this By-law, where a marina or marine service station is permitted, the accessory structures used for water access and structures used for mooring/fueling/activities may be sited up to a lot line that corresponds to the shoreline and on the water, subject to a permit from the Conservation Authority and any other required approvals.
- b) The main building of the marine service station or marina, including any permitted restaurant, shall be in accordance with the setbacks established in the applicable Zone Provisions.

**3.38 Private Outdoor Swimming Pools**

Notwithstanding any other provisions of this By-law, a private outdoor swimming pool may only be erected and used in any interior side yard or rear yard in accordance with the following provisions:

**a) Distance from Lot Line**

No person shall locate any part of a private outdoor swimming pool, closer than 1.5 metres to any rear or interior side lot line, nor closer than 4.5 metres to any exterior side lot line.

**b) Treatment Equipment**

Except where such equipment is located within a main or accessory building, no water circulating or treatment equipment shall be located closer than 3.0 metres to any rear or interior side lot line, nor closer than 4.5 metres to any exterior side lot line.

**c) Lot Coverage**

A private outdoor swimming pool shall not be considered part of the lot coverage.

**d) Accessory Building to Private Outdoor Swimming Pool**

Any structure used in conjunction with a private outdoor swimming pool shall only be permitted in an interior side or rear yard and shall be located in accordance with the provisions of Subsection 3.3 of this By-law.

**e) Decks Associated with a Swimming Pool**

The provisions above shall not apply to a deck erected or used in association with a private outdoor swimming pool. Decks shall be in accordance with all other applicable provisions of this By-law.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

3.39 Prohibited Uses

- a) Except where provision is made in the Special Exception Zones of this By-law, no land shall be used and no building or structure shall be erected, located or used in any zone for any of the following purposes:
- i) any use which is in contravention of this By-law and which is not a legally non-conforming use or a legally non-complying building or structure;
  - ii) any use which is in contravention of the *Environmental Protection Act*;
  - iii) any use which is classified as a health hazard by the *Health Protection and Promotion Act*, or any regulation thereto;
  - iv) any use which is offensive or dangerous by reason of the emission of obnoxious odour, smoke, dust, gas, fumes, liquid, noise, vibration or refuse matter;
  - v) the manufacturing, processing, use or storage of explosives;
  - vi) the manufacturing of pesticides, herbicides or fungicides;
  - vii) the manufacturing of fertilizer from dead animals or from human or animal waste;
  - viii) a propane storage or transfer facility, or the bulk storage, refinement or use in manufacturing of petroleum or any other combustible, highly flammable or volatile material, except where such materials are used or stored accessory to a principal use, such as a gas bar, or the incidental storage of fuels for cooking;
  - viii) No person shall erect a satellite signal broadcast or receiving dish that exceeds 0.6 metres in diameter, except in accordance with the following provisions:
    - 1. Satellite signal broadcast or receiving dishes shall be permitted only in rear yards provided that no part of such dishes are located closer than 1.0 metre to any rear lot line or interior side lot line nor closer than 4.5 metres from any exterior side lot line. Satellite signal broadcast or receiving dishes shall be ground mounted unless otherwise stated herein.
    - 2. Notwithstanding the foregoing, satellite signal broadcast or receiving dishes may be erected on the roof of a building in any Commercial Zone, Employment Zone, General Institutional Zone or the St. Lawrence College

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Educational Zone subject to applicable Building Code requirements.

3. The maximum height of any ground mounted satellite signal broadcast or receiving dish which may be erected on a lot abutting any Residential Zone shall be 5.5 metres measured from the ground to the highest part of the dish.
4. No satellite dish exceeding 0.6 metres in diameter shall be permitted in a Residential Zone.

### 3.40 Public Uses

- a) ~~Notwithstanding any other provisions of this By-law, the Corporation of the City of Brockville, the United Counties of Leeds and Grenville, Ontario Hydro, any local Board, any Commission, any communications/telecommunications company, any transportation system owned or operated by or for the City of Brockville, or any local Board of the Corporation as defined by the *Municipal Act*, and any Department or Ministry of the Federal or Provincial Government, may, for the purpose of public service, use any land, or erect any building or structure in any zone notwithstanding that such building or structure or proposed use does not conform to the provisions of this By-law for such zone, provided that when such use, building or structure is located in any Residential Zone, it shall comply with the regulations for the most restrictive use with regard to height and lot coverage regulations prescribed for such zone. This provision shall not be construed to apply to the administrative offices or other such buildings operated by a utility provider.~~
- a) Notwithstanding any other provisions of this By-law, the Corporation of the City of Brockville, Ontario Hydro, any local Board, any Commission, any communications/telecommunications company, any transportation system owned or operated by or for the City of Brockville, or any local Board of the Corporation as defined by the *Municipal Act*, and any Department or Ministry of the Federal or Provincial Government, may, for the purpose of public service, use any land, or erect any building or structure in any zone notwithstanding that such building or structure or proposed use does not conform to the provisions of this By-law for such zone, provided that when such use, building or structure is located in any Residential Zone, it shall comply with the regulations for the most restrictive use with regard to height and lot coverage regulations prescribed for such zone. This provision shall not be construed to apply to the administrative offices or other such buildings operated by a utility provider.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- b) There shall be no outside storage of goods, material, or equipment unless it is permitted in the zone in which the essential service or utility has been located. Where permitted, outside storage shall be in accordance with the provisions for the zone.
- c) The provisions of this By-law shall not be construed to limit or interfere with the construction, installation, occupation and maintenance of streets, roadways, water and gas pipelines, mains and conduits, sewers and sewer mains, electrical transmission lines, communications/telecommunications lines, pipelines or accessory structures used to provide regular access and maintenance to any such lines.

**3.41 Reduction in Regulations Due to Expropriation****a) Reduced Lot Area and/or Lot Frontage and/or Lot Depth of a Vacant Lot**

If the lot area and/or frontage and/or depth is reduced on a vacant lot as a result of the action of the Corporation or of the Provincial or Federal Government or a Crown Agency, such as an expropriation, then a permitted use may be located on the vacant lot provided all other regulations of the By-law are complied with.

**b) Reduced Regulations of a Lot with an Existing Permitted Use**

Where, as a result of the action of the Corporation or of the Provincial or Federal Government or Crown Agency, a lot with an existing permitted building, structure, or use becomes non-complying with one or more regulations of this By-law, then the existing building, structure or use may be repaired, renovated, altered or enlarged, provided that the repair, renovation, alteration, or enlargement does not cause further contravention to the regulations of this By-law. Furthermore, the non-complying circumstance shall be considered to comply with this By-law.

**3.42 REFRESHMENT VEHICLES**

Where permitted by this By-law, a Refreshment Vehicle shall be subject to the following:

- a) Required to obtain an annual Certificate of Zoning Compliance to confirm compliance with required provisions. Owners of Refreshment Vehicles must provide the City with prod of inspection by the Fire Department and Health Unit, prior to the Certificate of Zoning Compliance approval each year. The Certificate of Zoning Compliance must be displayed in a location that is visible to the public.
- b) Must maintain the minimum required parking spaces in accordance with Subsection 3.35, Table 3.35(b).

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- c) One (1) bicycle parking space shall be provided for the Refreshment Vehicle.
  - d) Permitted to have an outdoor patio (subject to outdoor patio regulations).
  - e) Required to apply for Minor Change to Site Plan, if the property is under a Site Plan Control Agreement.
  - f) Required to have a grey water system or provide connection to city services. Connections to city services must be approved by the city and all relevant permits must be applied for and approved.
  - g) Maximum size of a Refreshment Vehicle cannot exceed 250.0 square feet (23.22 square metres).
  - h) No outside storage or accessory structures are permitted in association with the Refreshment Vehicle except for a fenced enclosure, screened from the public and located behind said Refreshment Vehicle.
  - i) All provisions of the Zone in which the Refreshment Vehicle is located, shall be the same, save and except for parking requirements.
  - j) A minimum 3.0 metre setback from any building or property line is required.
  - k) A 15.0 metre setback is required from fuel dispensers, propane dispensing tanks and cylinders.
  - l) When closed for the season, storage of the Refreshment Vehicle shall comply with Section 3.34 of the Zoning By-law.
  - m) All signage must be in accordance with the current Sign By-law.
  - n) No portion of a Refreshment Vehicle shall be located in front of an entrance or exist of a building.
  - o) All large garbage/refuse bins shall be concealed from view from the street and stored in accordance with the applicable general provisions of this by-law.
  - p) A minimum of two (2) planter boxes shall be provided adjacent to the Refreshment Vehicle.
- The City has the right to revoke a Certificate of Zoning Compliance, if it is found that a Refreshment Vehicle is in violation of any requirements stated above.

3.43 Seasonal Uses

Where permitted by this By-law, a seasonal use shall be subject to the following provisions:

- a) A seasonal use shall be prohibited on a vacant lot;

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- b) A seasonal use shall not be located closer than 1.0 metre to any side or rear lot line;
- c) A seasonal use shall not be located closer to a street line than 3.0 metres;
- d) A seasonal use shall not be located within a visibility triangle; and
- e) A seasonal use shall not exceed a cumulative period of one hundred and twenty (120) days per calendar year.
- f) Seasonal use(s) shall not occupy more than 25% of the required parking for the entire property.

3.44 Second Suites and Garden Suites

~~Notwithstanding any other provisions of this By-law, where a second suite or garden suite is permitted by this By-law, it shall be in accordance with the following provisions:~~

- ~~a) Only one (1) second suite or garden suite shall be permitted per lot.~~
- ~~b) A second suite shall be permitted only in association with a single detached dwelling or semi-detached dwelling and shall only be located within the principal dwelling.~~
- ~~c) A garden suite, defined as being located in a separate accessory building, shall only be permitted by way of a temporary use by-law.~~
- ~~d) A second suite shall occupy a maximum of 45.0 percent of the total dwelling unit area.~~
- ~~e) A second suite or garden suite shall not be permitted in a detached private garage.~~
- ~~f) Notwithstanding the permitted uses in the Zone provisions, a second suite or garden suite shall not be permitted on a lot with more than one (1) dwelling unit, including a converted dwelling.~~
- ~~g) Parking shall be in accordance with Subsection 3.34.~~
- ~~h) Notwithstanding any other provision of this By-law, the maximum height of any garden suite shall be 4.0 metres.~~

3.44 Additional Dwelling Units

Additional dwelling units are permitted in all areas where a single-detached dwelling, semi-detached dwelling, townhouse dwelling, or linked dwelling is permitted. Notwithstanding any other provisions of this By-law, where an additional dwelling unit is permitted by this By-law, it shall be in accordance with the following provisions:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- a) A maximum of two additional dwelling units are permitted on a lot, which may consist of either:
  - i. one (1) additional dwelling unit within the main single-detached dwelling, semi-detached dwelling unit, townhouse dwelling unit or linked dwelling unit, and one additional dwelling unit within a separate accessory building on the same lot; or,
  - ii. two (2) additional dwelling units within the main single-detached dwelling, semi-detached dwelling unit, townhouse dwelling unit or linked dwelling unit.
- b) Each additional dwelling unit shall not require more than one parking space that is provided for the sole use of the additional dwelling unit. Tandem Parking shall be permitted.
- c) Where the Zoning By-law restricts maximum lot coverage on a Parcel of Urban Residential Land, the maximum lot coverage shall be increased to 45 percent, except where a provision in this By-law permits a lot coverage in excess of 45 percent, then the maximum lot coverage shall be as otherwise specified in the By-law.

3.45 Setbacks from Railways

- a) Notwithstanding any other provision of this By-law, no residential, commercial, institutional or open space use, building or structure shall be erected closer than 30.0 metres from any principal mainline railway right-of-way or secondary main line railway right-of-way. In addition, an earthen berm designed with a slope of 2.5 to 1 and minimum height of 2.5 metres shall be erected in conjunction with the use on the subject property. The minimum height of the earthen berm shall be 2.0 metres where the use abuts a secondary mainline railway right-of-way. Where no berm is provided, the minimum setback shall be 120.0 metres.
- b) Notwithstanding any other provision of this By-law, no residential, commercial, institutional or open space use, building or structure shall be erected closer than 15.0 metres from any principal branch line railway right-of-way. In addition, an earthen berm designed with a slope of 2.5 to 1 and minimum height of 2.0 metres shall be erected in conjunction with the use on the subject property.
- c) A chain link security fence with a minimum height of 1.83 metres shall be designed and maintained by the property owner at the mutual property line with any right-of-way of a principal mainline, secondary main line or principal branch line railway.

3.46 Setback Requirements Adjacent to Highway 401

- a) Notwithstanding any other provision of this By-law, no person shall erect any building or structure within 14.0 metres of the boundary of the Highway 401 corridor.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- b) No person shall erect any building or structure without a permit from the Ontario Ministry of Transportation where such building or structure is:
- i) located within 45.0 metres of the Highway 401 corridor;
  - ii) located within 180.0 metres from the intersection of any road with Highway 401; and/or
  - iii) located within 395.0 metres of a Highway 401 interchange.

**3.47 Setback Requirements Adjacent to the Waterfront**

- a) Notwithstanding any setback requirements in this By-law, no person shall erect any main building on a lot abutting the St. Lawrence River waterfront without providing a minimum setback from the shoreline in the rear yard, interior side yard and exterior side yard, as the case may be, of 6.0 metres.
- b) Where a legally existing main building is located between 5.0 metres and 6.0 metres of any shoreline, such structure shall be considered a legally non-complying structure and be subject to the provisions of Subsection 3.23.

**3.48 Source Protection**

- a) Intake Protection Zones (IPZ)
- IPZ-1: IPZ-1 is composed of those lands identified as IPZ-1 in “Appendix 3: Source Water Protection Vulnerable Areas”. IPZ-1 has a vulnerability score of 9.
- IPZ-2: IPZ-2 is composed of those lands identified as IPZ-2 in “Appendix 3: Source Water Protection Vulnerable Areas”. IPZ-2 has a vulnerability score of 8.1.
- b) Vulnerable Areas  
Vulnerable areas are those lands identified as Highly Vulnerable Aquifer and Significant Groundwater Recharge Areas in “Appendix 3: Source Protection Vulnerable Areas”.
- c) Permitted Uses  
All uses existing at the date of passing this By-Law shall be permitted uses within the Intake Protection Area. All uses permitted within the underlying zone shall be permitted within the vulnerable area with the exception of those listed in **Section 3.47.4** of this By-Law.

City of Brockville Comprehensive Zoning By-law No. 050-2014

d) Prohibited Uses

IPZ-1:

The following activities, where they would be significant drinking water threats are designated for the purpose of section 57 of the Clean Water Act, and are therefore prohibited from becoming established in Brockville IPZ-1:

the application and/or storage of agricultural source material to land

the management of runoff that contains chemicals used in the de-icing of aircraft

The use of land as livestock grazing or pasturing, an outdoor confinement area or farm animal yard

the handling and storage of more than 2,500 kilograms or litres of pesticide at a facility where it is sold or used for application at other sites, except where it is sold or used for application at other sites, except where it is manufactured or processed.

the storage of agricultural source material

the handling and storage of more than 5,000 tonnes of road salt in a manner that may result in its exposure to precipitation or runoff from precipitation or snow melt.

at or above-grade snow storage that is more than 1 hectare.

IPZ-2:

The following activities, where they would be significant drinking water threats, are designated for the purpose of section 57 of the Clean Water Act, and are therefore prohibited from becoming established in Brockville IPZ-1:

the application of agricultural source material to land.

The use of land as livestock grazing or pasturing an outdoor confinement area or farm animal yard the storage of agricultural source material.

e) Restricted Uses

Where the following uses are permitted in an underlying zone, a Risk Mitigation Report must be prepared in accordance with section 3.6.10 of the Official Plan, as amended, prior to the issuance of a building permit in areas with a vulnerability score of 8 or less:

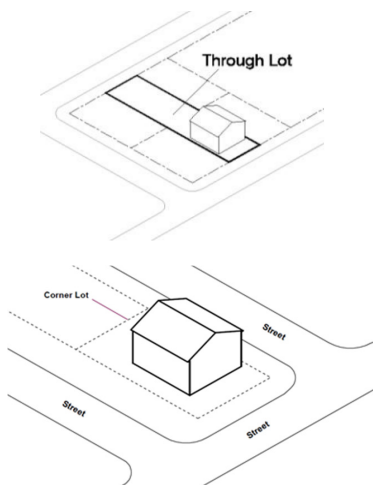
City of Brockville Comprehensive Zoning By-law No. 050-2014

- i. Handling or storage of more than 250 litres of a dense non-aqueous phase liquid (DNAPL) and/or organic solvent associated with metal manufacturing facilities, electroplating and fabrication industry facilities, automotive or equipment repair shops, furniture refinishing shops, dry cleaning establishments other facilities.
- ii. Handling and storage of more than 2,500 kilograms or litres of commercial fertilizer and/or the handling and storage of more than 2,500 kilograms or litres of pesticides to sell or use for application at other sites associated with lawn and garden centres, farm supply stores, lawn maintenance contractor yards, golf courses and other facilities except those that manufacture or process commercial fertilizer or pesticides.

**3.49 Special Setbacks On California Avenue**

Notwithstanding any other provision of this By-law, on any lot abutting California Avenue, the minimum front yard and exterior side yard setbacks shall be 12.0 metres and 9.0 metres respectively.

**3.50 Through Lots and Corner Lots**



**a) Through Lots**

Where a lot which is not a corner lot has frontage on more than one street, the 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.

**b) Corner Lot**

Where a lot which is a corner lot has frontage on more than two (2) streets, the 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.

**3.51 Trailers, Rec. Vehicles and Boat Parking and Storage**

**a) Vacant Lot**

No person shall in any zone use any vacant lot for the parking or storage of any trailer, mobile home or boat or other recreational vehicle, unless specifically permitted by this By-law.

**b) Private Storage - Outside**

No person shall, on a developed lot:

- i) store or park more than one (1) boat or trailer or other recreational type vehicle without maintaining at least one (1) legal parking space on the subject site;

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- ii) store or park any boat or trailer or other recreational type vehicle that exceeds 10.0 metres in length;
- iii) store or park a boat or trailer or other recreational type vehicle at any time except:
  - 1. during any season of the year, within the rear or interior side yard, on a properly surfaced parking area, or
  - 2. from May 15 to October 15 of any year, in a legal parking area, provided the vehicle is a minimum of 5.0 metres from the curb face abutting the street or edge of the paved surface of the street where no street curb exists.
- iv) use a boat, trailer or recreational type vehicle or tent for human habitation unless specifically permitted by this By-law.

**c) Marinas, etc.**

Notwithstanding the provisions of [clause 3.47 b\)](#), where the principal use of the land, building, structure or lot is that of retail or brokerage, repair or reconditioning, seasonal storage for compensation, private or public recreational uses, or uses commonly referred to as marinas, yacht clubs or rowing clubs, multiple storage of boats shall be permitted, subject to the following provisions:

- i) no boat or trailer or other recreational type vehicle shall obstruct any public street, sidewalk, public walkway or water access.
- ii) No part of any boat or trailer storage or parking area, other than a driveway or access lane, shall be located closer than 3.0 metres to any lot line, or the required building setback from the street line, whichever is greater.
- iii) Planting strip(s) shall be provided for boat or trailer storage or parking areas in accordance with [Subsection 3.36](#).

**d) Trailer Sales, etc.**

Notwithstanding any other provisions of this By-law, where the principal use of the land, building, structure or lot is that of retail or wholesale, repair or reconditioning, seasonal storage for sales purposes as in businesses referred to as recreational vehicles sales and service, parking or storage of said vehicles shall be permitted in accordance with the following:

- i) No trailer shall obstruct any public street, sidewalk or public walkway.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- ii) No part of trailer storage or parking area, other than a driveway or access lane, shall be located closer than 3.0 metres to any lot line, or the required building setback from the street line, whichever is lesser.
  - iii) Planting strip(s) shall be provided for boat or trailer storage or parking areas in accordance with **Subsection 3.36**.
- e) **Trailers, Recreational Vehicles and Boat Storage as a Principal Use**

Notwithstanding **clause 3.51 a)**, storage of trailers, boats, and other recreational type vehicles may be permitted as a principal use of a lot in specified zones subject to all other applicable provisions of this By-law.

**3.52 TransCanada Pipelines Limited AND Trans-Northern Pipelines (Appendix 2)**

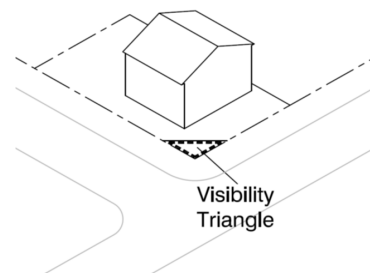
Where the locations of the TransCanada **Pipelines Limited** and Trans-Northern Pipelines are approximated on Appendix 2, the following provisions shall apply:

- a) No development or redevelopment shall take place on a lot abutting the TransCanada **Pipelines Limited** or Trans-Northern Pipeline without written consent from TransCanada **Pipelines Limited** or Trans-Northern, as the case may be, where written consent is required in accordance with applicable Provincial and Federal legislation.
- b) The delineations of the TransCanada **Pipelines Limited** and Trans-Northern Pipelines on Appendix 2 are intended to be approximate. The precise alignment of the pipelines and applicability of **clause 3.52 a)** may need to be determined through consultation with TransCanada **Pipelines Limited** and Trans-Northern or through a survey of the pipeline.
- c) **TransCanada Pipelines Limited (TCPL)**
  - i) **Notwithstanding any other provision of this By-law, a minimum setback of 7.0 metres shall be required from any part of a building or structure to the edge of the TCPL pipeline right-of-way.**
  - ii) **Notwithstanding any other provision of this By-law, a minimum setback of 7.0 metres shall be required from any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces and any associated aisle or driveway to the edge of the TCPL pipeline right-of-way.**

City of Brockville Comprehensive Zoning By-law No. 050-2014

**3.53 Visibility Triangles**

- a) Notwithstanding any other provision of this By-law, within any visibility triangle as defined and required by this By-law, no person shall:
  - i) erect any building, structure, opaque fence or use land within a visibility triangle for the purpose of planting or growing of trees, or the planting or growing of hedges or shrubs to a height exceeding 1.0 metre measured from the grade at the centreline of the street;
  - ii) use land in any visibility triangle on a lot for the parking or storage of a vehicle; and
  - iii) for clarity, and without limiting the generality of the foregoing, no person shall use a visibility triangle for any driveway, access, stacking lane, parking area or outdoor storage use.
- b) Notwithstanding any other provision of this By-law, a visibility triangle shall be required on a corner lot at any at-grade intersection of two (2) or more streets or of a street and a rail line right-of-way that is measured according to that set out in **Table 3.51** below.



**Table 3.53: Size of Visibility Triangles**

Classification of Street (1)	Classification of Intersecting Street	Size of Visibility Triangle
i) Local Road	Local Road	6.0 m
	Collector Road	6.0 m
	Arterial Road	10.0 m
ii) Collector Road	Local Road	6.0 m
	Collector Road	10.0 m
	Arterial Road	10.0 m
iii) Arterial Road	Local Road	10.0 m
	Collector Road	10.0 m
	Arterial Road	10.0 m
iv) Railway	Any type of street	15.0 m

Note to **Table 3.53**:

- (1) The street classifications shall be as indicated in the City of Brockville's Official Plan.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- c) Notwithstanding **clause 3.47 b)** and **Table 3.53**, on any corner lot located at the intersection of Water Street and Market Street East, St. Andrew, Apple, Home, Kincaid and John Streets, a visibility triangle, measured 3.0 metres along the appropriate lot line, shall be provided.

**3.54 Waterlots**

Except where otherwise shown on Schedule "A" to this By-law, all unfilled waterlots are hereby deemed to be zoned as the Open Space (OS) Zone; however, filled waterlots shall be deemed to have the same zoning as the balance of the parcel. Waterlots shall not be included in the calculation of lot area unless the waterlot has been filled in accordance with all applicable Provincial, Federal and Municipal laws and regulations.

- a) **Docks may be permitted, subject to the following provisions:**
- i) **Docks shall be setback a minimum of 5 metres from any side lot line and project a maximum of 15 metres from the shoreline;**
  - ii) **The maximum width of a dock shall be the lesser of 25% of the lot frontage or 6 metres;**
  - iii) **The maximum width of a perpendicular ramp connecting to a dock shall be 1.5 metres and shall maintain a 5 metre setback from any side lot line.**
  - iv) **A dock shall be wholly located within the area defined by the straight-line projection of the interior side lot lines from the shoreline into the waterbody.**

**3.55 Unenclosed Porches, Steps and Decks****a) Structures**

Notwithstanding the yard provisions of this By-law, clothes lines, flag poles, garden trellises, fences, retaining walls, pergolas or lawful signs, shall be permitted in any required yard, except where specifically excluded in a corner lot visibility triangle or a planting strip in accordance with the provisions of this By-law.

**b) Bay Windows**

Notwithstanding the yard provisions of this By-law, no person shall permit a bay window, excluding eaves and cornices, with a maximum width of 3.0 metres and a maximum height not exceeding the required height specified in this By-law, to project into a required front, rear or exterior side yard further than a maximum distance of 1.0 metre.

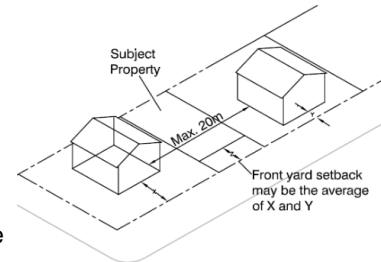
**c) Awnings and Balconies**

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Notwithstanding any other provisions of this By-law, awnings which do not exceed 4.0 metres in height and which are structurally attached to the main wall of a building, and unenclosed balconies shall be permitted to encroach up to a maximum of 1.5 metres within a required front yard and/or exterior side yard.

**d) Building in Built-up Area (Residential Zones)**

Notwithstanding any other provision of this By-law, in any Residential Zone, a main building between existing main buildings or adjacent to existing main buildings which are adjacent to the lot and which are separated by no more than 20.0 metres, may be built with a front yard setback equal to, or greater than, the average front yard setback of the adjacent buildings.



**e) Height Exceptions**

Notwithstanding any height provisions contained in this By-law, nothing in the By-law shall apply to prevent the erection or use of:

- i) a stair tower, elevator shaft, chimney stack or other heating, cooling or ventilating equipment on the roof of the building, provided:
  1. the maximum height at the top of such elevators or elements is no higher than 6.0 metres above the roof of the building;
  2. no structure shall enclose space so as to constitute a part or all of a penthouse or other habitable space; and
  3. such elements are screened by an enclosure or architectural feature not exceeding 6.0 metres above the roof, and where applicable, shall not encroach into a required angular plane.
- ii) a spire or feature ornamental to a place of worship, a belfry, a flag pole, a clock tower, a chimney, a radio or television tower, or an antenna or satellite dish; and
- iii) elements such as free standing chimney stacks, scrubbers, and other similar equipment for the purpose of pollution abatement in the case of an industrial building.

**f) Ornamental Structures**

Notwithstanding the yard provision of this By-law, no person shall permit a sill, belt course, chimney, cornice, eave, awning, gutter, parapet, pilaster or other ornamental structure with or without a

## City of Brockville Comprehensive Zoning By-law No. 050-2014

foundation to project into any required yard further than a maximum distance of 0.5 metres.

**g) Covered or Uncovered Porches, Steps and Decks**

~~i) Porches and stairs may project into any required front, rear or exterior side yard, a distance of not more than 1.5 metres provided said structure is not higher than 1.5 metres from grade.~~

i) Porches and stairs may project into any required front, rear or exterior side yard, a distance of not more than 1.5 metres provided said structure is not higher than 1.2 metres from grade.

ii) In an interior side yard, the setback requirements for the main building shall apply with the exception of steps not higher than 0.5 metres above grade.

~~iii) Stairs that lead to areas below grade are permitted within any side yard or rear yard but not within a required yard; however, they may project a maximum of 1.5 metres into a required rear yard.~~

iii) Stairs that lead to areas below grade are not permitted to project into a required yard setback by more than 1.5 metres.

~~iv) Uncovered decks may project into any required front or exterior side yard a distance of not more than 1.5 metres provided said structure is not higher than 4.0 metres from grade.~~

iv) Uncovered decks may project into any required front or exterior side yard a distance of not more than 1.5 metres provided said structure is not higher than 1.5 metres from grade.

v) Uncovered decks may project a maximum of 3.75 metres into the required rear yard, provided said structure is not higher than 1.5 metres from grade.

**h) Accessibility Ramps and Lifts**

Notwithstanding the yard provisions of this By-law, lifts, hoists, ramps, and railings used for barrier-free access shall be permitted in any required yard, but not in a visibility triangle.

**i) Driveways, Parking and Walkways**

Driveways, parking areas and walkways shall be permitted to traverse required yards in accordance with the provisions of **Subsection 3.35**.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**j) Heat Pumps and Air Conditioners**

- i) Heat pumps and air conditioners shall be permitted to encroach into any interior side or rear yard, but not closer than 1.2 metres to any lot line.
- ii) Heat pumps and air conditioners shall not be permitted in any front yard.
- iii) Heat pumps and air conditioners shall be permitted in an exterior side yard, but not closer than 3.0 metres to a street line.
- iv) Heat pumps and air conditioners located 1.0 metre from any lot line that legally existed on the date of passing of this By-law shall be permitted in accordance with the provisions for legal non-complying structures in [Subsection 3.24](#).

**3.56 Yard Requirements With Respect to Certain Streets**

Where any of the following streets have a right-of-way width of less than 20.0 metres, then notwithstanding the yard requirements established in this By-law for any zone, no building or structure shall be erected closer than a distance equal to the sum of 10.0 metres, and the required setback (front yard) in that zone from the original centre line of the improved public street right-of-way:

- i) Centennial Road;
- ii) Centre Street;
- iii) King Street;
- iv) North Augusta Road;
- v) Oxford Avenue (between King Street and Reynolds Drive);
- vi) Ormond Street;
- vii) Parkedale Avenue;
- viii) William Street; and
- ix) Stewart Boulevard.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

3.57 Schools Permitted in Urban Residential Zones

Notwithstanding any provision to the contrary, an elementary or secondary school of a district school board including any accessory uses to such schools, including the use of a childcare centre located in the school, is permitted on any parcel of urban residential land.

3.58 Bed and Breakfast Establishments

A bed and breakfast establishment is only permitted within a single-detached dwelling. Where a bed and breakfast establishment is permitted in this by-law, it shall be in accordance with the following provisions:

- a) A bed and breakfast establishment shall contain a maximum of three (3) guest rooms.
- b) A bed and breakfast establishment shall be operated by the person or persons whose principal residence is the single-detached dwelling.
- c) A bed and breakfast establishment may provide separate dining areas for guests. Establishment of a restaurant catering to persons other than guests shall not be permitted.
- d) The use of accessory buildings to accommodate guests is prohibited.
- e) The use of additional dwelling units to accommodate guests is prohibited.
- f) Parking shall be provided in accordance with Section 3.35.

3.59 Short Term Vacation Rentals

Where short term vacation rentals are permitted in this by-law, it shall be in accordance with the following provisions:

- a) A short term vacation rental shall contain a maximum of three (3) guest rooms.
- b) The use of accessory buildings to accommodate guests is prohibited.
- c) The use of additional dwelling units to accommodate guests is prohibited.
- d) Parking shall be provided in accordance with Section 3.35.

City of Brockville Comprehensive Zoning By-law No. 050-2014

This page has intentionally been left blank.

## 4.0 ZONE CLASSIFICATIONS

### CONTENTS

4.1 Establishment of Zone Classifications .....4-1

4.2 Special Exception Zones .....4-4

4.3 Holding Zones .....4-4

4.4 Temporary Use Zones .....4-6

### 4.1 ESTABLISHMENT OF ZONE CLASSIFICATIONS

- a) The zones classifications are established in Table 4.1.
- b) The zones may be referred to by their by their name or their corresponding symbol, as indicated in Table 4.1.
- c) Whenever in this By-law the word “Zone” is used, preceded by any of the symbols, such Zones shall mean any area within the Corporation within the scope of this By-law delineated on Schedule “A”, and designated by the symbol.
- d) The interpretation of Schedule “A” shall be in accordance with Subsection 1.6.
- e) For convenience in referencing zones, the zones are categorized into one of three categories, as shown in Table 4.1. The categories are:
  - 1. Residential Zones;
  - 2. Mixed Use Zones and Commercial Zones; and
  - 3. Non-Commercial and Non-Residential Zones.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 4.1: Zone Categories**

Zone Symbol	Zone Name	Description of Zone
<b>Residential Zones</b>		
R1	Single Detached Residential	Permits single detached dwellings on relatively large lots.
R2	Single Detached Residential	Permits single detached dwellings.
R2A	Single Detached Residential	Permits single detached dwellings and linked dwellings on smaller lots than the R2 Zone.
R3	General Residential	Permits single detached, linked, semi-detached, duplex and triplex dwellings.
R3A	General Residential	Permits single detached, linked, semi-detached, duplex and triplex dwellings on smaller lots than the R3 Zone.
R4	General Residential	Permits a variety of residential uses except apartment dwellings.
R4A	General Residential	Permits a variety of residential uses, except apartment dwellings, on smaller lots than the R4 Zone.
R5	Multiple Residential	Permits townhouses, maisonettes, retirement homes and apartment dwellings.
R6	Multiple Residential	Permits maisonettes and apartment dwellings.
R7	Multiple Residential	Permits maisonettes and apartment buildings at a higher density than the R6 zone.
R8	Multiple Residential	Permits apartment dwellings.
R9	Multiple Residential	Permits apartment dwellings at a higher density than the R8 zone.
<b>Mixed Use and Commercial Zones</b>		
MC	Mixed Use Corridor	Permits a variety of commercial uses as well as residential dwellings.
MD	Mixed Use Downtown	Permits a variety of uses in Brockville's Downtown area.
MW	Mixed Use Waterfront	Permits a variety of uses in Brockville's Central Waterfront area.
C1	Local Commercial	Permits a limited range of commercial uses intended to serve an immediate neighbourhood.
C2	General Commercial	Permits a broad range of commercial uses.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 4.1: Zone Categories (continued)**

Zone Symbol	Zone Name	Description of Zone
C3	General Commercial – Arterial	Permits a broad range of commercial uses oriented towards the travelling public.
C4	Highway Commercial	Permits commercial uses that are oriented towards the travelling public.
C5	Office Retail Commercial	Permits a range of office and retail commercial uses.
C6	Power Centre Commercial	Permits commercial uses intended for shopping centres.
<b>Non-Commercial and Non-Residential Zones</b>		
E1	Business Park Employment	Permits a range of employment uses suited for a business park setting.
E2	General Employment	Permits a broad range of employment uses, including various types of manufacturing.
E3	Restricted Employment	Permits a restricted range of specialized employment uses.
I1	General Institutional	Permits a broad range of institutional uses.
I2	St. Lawrence College/Special Education	Permits uses related to St. Lawrence College.
EP	Environmental Protection	Protects environmentally significant features and hazardous lands.
OS	Open Space	Permits a limited range of passive recreational and open space uses.
RU	Rural	Permits uses suited to rural areas including accessory dwellings.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- f) In addition, the prefixes and suffixes listed in Table 4.2 may be added to the foregoing zones, in which case Subsections 4.2, 4.3 and 4.4 respectively shall apply:

**Table 4.2: List of Zone Prefix and Suffix Categories**

Prefix or Suffix to Zone Symbol	Name
-X	Special Exception Zone
HX-	Holding Zone
T -	Temporary Use Zone

**4.2 SPECIAL EXCEPTION ZONES**

- a) Where a Zone Symbol designating certain land, as shown on Schedule "A" is followed by a dash and a number (for example, R1-1), then special provisions apply to such land. Such special provisions will be found by reference to Subsections 5.3, 6.3 or 7.3. Special exceptions to residential zones are listed in Subsection 5.3. Special exceptions to commercial and mixed use zones are listed in Subsection 6.3. Special exceptions to non-commercial and non-residential zones are listed in Subsection 7.3. Land designated in this manner shall be subject to all the restrictions of the Zone, except as otherwise provided for by the special provisions.
- b) The addresses or names immediately following the special exception zone, shown in parenthesis in Subsections 5.3, 6.3 and 7.3, are for information purposes only and do not form part of this By-law.

**4.3 HOLDING ZONES**

- a) Any zone may be further classified by one or more holding zones by the addition of the "H-" Holding prefix, and any zone to which the holding prefix is applicable will be shown on Schedule "A" to this By-law. A number shall be indicated after the "H" to signify which requirement(s) are to be satisfied prior to the development or use of land, buildings or structures as specified in the zone associated with the "HX" symbol, where X represents a number.
- b) More than one holding zone may apply to a zone classification. Multiple holding zones are separated by a comma. For example, H1, H2-R1 is indicative of multiple holding zones.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- c) Where one or more holding zones apply, no land shall be used and no building or structure shall be erected, altered or used for any purpose other than those uses which existed for such land, building or structure on the date of passing of this By-law, unless otherwise specified.
- d) Notwithstanding clause 4.3 c), in the case of an existing residential building located in a zone subject to a holding symbol, a home occupation may be established in accordance with Subsection 3.21.
- e) The "HX" Holding prefix shall only be removed by an amendment to this By-law.

f) **Types of Holding Zones**

In order to remove the respective holding zone symbol, Council shall be satisfied that the conditions specified have been met.

i) **Servicing Holding Zone ("H1")**

Servicing shall be available, or Council shall be satisfied that an appropriate servicing agreement is in place to service the lands.

ii) **Special Design Features Holding Zone ("H2")**

Special features shall be incorporated into the design of the development.

iii) **Phasing Holding Zone ("H3")**

Council shall be satisfied that the development is not premature, and is required immediately.

iv) **Land Assembly Holding Zone ("H4")**

Sufficient lands shall be assembled to meet the minimum lot frontage and area requirements specified in the applicable zone, or to eliminate landlocked parcels.

v) **Environmental Hazard Holding Zone ("H5")**

The Ministry of the Environment shall be satisfied that any remedial measures required to ensure the elimination of hazardous materials or contaminated soils have been undertaken.

City of Brockville Comprehensive Zoning By-law No. 050-2014

vi) **Cash-in-Lieu of Parking Holding Zone (“H6”)**

Council shall be satisfied that the appropriate agreement and payments pertaining to Cash-in-lieu of Parking have been made, or the requirement has been removed.

g) Additional details respecting the application of any of the “H” Holding Zone symbols noted in clause 4.3 f) to specific lands in the City of Brockville, may be found attached to this By-law for information purposes only.

h) Notwithstanding the H1 prefix, vacant lands zoned as H1-E1 may be used in accordance with note (4) to Table 7.1.

**4.4 TEMPORARY USE ZONES**

Where a zone symbol designating certain lands, as shown on Schedule “A” is preceded by a “T” and a dash and followed by a number (e.g., T-R1-1), then a use, otherwise prohibited by the By-law, is permitted in accordance with Section 39 of the *Planning Act*. Such use shall be specified in Subsections 5.3, 6.3 or 7.3.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

## 5.0 RESIDENTIAL ZONES

### 5.1 PERMITTED USES

Unless otherwise permitted in this By-law, no person shall, within any Residential Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the uses permitted in **Table 5.1**.

**Table 5.1 - Uses Permitted in the Residential Zones**

The following uses are permitted in the zones corresponding to the columns where an “X” is identified.

Use	Residential – Singles			Residential – General				Residential – Multiple				
	R1	R2	R2A	R3	R3A	R4	R4A	R5	R6	R7	R8	R9
Single Detached Dwelling	X	X	X	X	X	X	X					
Linked Dwelling			X	X	X	X	X					
Semi-Detached Dwelling	X	X	X	X	X	X	X					
Duplex Dwelling				X	X	X	X					
Triplex Dwelling				X	X	X	X					
Fourplex Dwelling				X	X	X	X	X				
Townhouse Dwelling (Street)						X	X	X				
Townhouse Dwelling						X	X	X				
Maisonette Dwelling						X	X	X	X	X		
Boarding/Rooming/Lodging House						X		X				
Apartment Dwelling								X	X	X	X	X
Retirement Home								X	X	X	X	
Group Home Dwelling (†)	✖	✖	✖	✖	✖	✖	✖	✖	✖	✖	✖	✖
Institutional Residence (1)						X		X				
Converted Dwelling	✖	✖		✖		✖		✖				
Bed and Breakfast	X	X	X	X	X	X	X					
Additional Dwelling Unit (1)	X	X	X	X	X	X	X	X				
Short Term Vacation Rental (1)	X	X	X	X	X	X	X					
Boarding/Rooming/Lodging House	X	X	X	X	X	X	X					
Second Suite (†)	✖	✖	✖	✖	✖	✖	✖					

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Use	Residential – Singles			Residential – General				Residential – Multiple				
	R1	R2	R2A	R3	R3A	R4	R4A	R5	R6	R7	R8	R9
Garden Suite (1)	*	*	*	*	*	*	*					

**Notes to Table 5.1:**

- (1) This use is subject to specific use provisions under the General Provisions (Section 3.0).

**5.2 LOT AND BUILDING REQUIREMENTS**

Unless otherwise permitted in this By-law, no person shall, within any Residential Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the lot and building requirements indicated in **Table 5.2**, which is inclusive of **Table 5.2(a) – (c)**.

**Table 5.2 – Lot and Building Requirements for Residential Zones**

Table 5.2(a): Lot and Building Requirements for Residential – Singles Zones				
Requirement	Use	R1	R2	R2A
Minimum Lot Frontage	All permitted uses	17.0 m interior lots	14.0 m interior lots	10.0 m linked dwellings (interior lots)
		20.0 m exterior lots	17.0 m exterior lots	12.0 m interior lots 14.0 m exterior lots
Minimum Lot Area	All permitted uses except Converted Dwelling	525.0 m <sup>2</sup>	425.0 m <sup>2</sup>	300.0 m <sup>2</sup> or 270.0 m <sup>2</sup> for linked dwellings
	Converted Dwelling	540.0 m <sup>2</sup>	540.0 m <sup>2</sup>	Not permitted
Minimum Lot Frontage	Single Detached Dwelling	16.0 m for interior lots 19.0 m for exterior lots	14.0 m for interior lots 16.0 m for exterior lots	12.0 m for interior lots 14.0 m for exterior lots
	Semi Detached Dwelling & Linked Dwelling	9 m per unit plus 3.0 m for exterior lots	7 m per unit, plus 3.0 m for exterior lots	7 m per unit, plus 3.0 m for exterior lots
Minimum Lot Area	Single Detached Dwelling	480.0 m <sup>2</sup> for interior lots 500.0 m <sup>2</sup> for exterior lots	425.0 m <sup>2</sup>	300.0 m <sup>2</sup>

## City of Brockville Comprehensive Zoning By-law No. 050-2014

	<u>Semi Detached Dwelling &amp; Linked Dwelling</u>	<u>270.0 m<sup>2</sup> per unit</u>	<u>200.0 m<sup>2</sup> per unit</u>	<u>200.0 m<sup>2</sup> per unit</u>
Minimum Front Yard	All permitted uses	6.0 m	6.0 m	4.5 m
Minimum Exterior Side Yard	All permitted uses	4.5 m	4.5 m	3.0 m
Minimum Interior Side Yard (1)	All permitted uses	1.2 m	1.2 m	1.0 m
Minimum Rear Yard	All permitted uses	7.5 m	7.5 m	6.0 m
Minimum Landscaped Open Space	All permitted uses	40%	40%	40%
Maximum Height	All permitted uses	10.5 m	10.5 m	11.0 m
Other Provisions	All permitted uses			The maximum width of an attached private garage shall be 6.0 m or 50% of the width of the main building, whichever is less. The attached private garage shall not be permitted to encroach further into the front yard than the principal building, inclusive of any front porch.

**Note: Other General Provisions may apply. Schedule “B” applies to properties in the Downtown and Central Waterfront Area.**

**Notes to Table 5.2(a):**

(1) Attached garages to residential dwellings, which existed prior to the effective date of this By-law, having a setback to a side property line of 1.0 m or greater shall be deemed to be legally complying to this By-law with respect to location.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Table 5.2(b): Lot and Building Requirements for Residential – General Zones

Requirement	Use	R3	R3A	R4	R4A
Minimum Lot Frontage	Single Detached Dwelling, Group Home, Bed and Breakfast	12.0 m interior lots 15.0 m exterior lots	9.0 m interior lots 12.0 m exterior lots	12.0 m interior lots 15.0 m exterior lots	9.0 m interior lots 12.0 m exterior lots
	Semi-Detached Dwelling, Duplex Dwelling, Linked Dwelling	9.0 m per unit, plus 3.0 m for exterior lots	7.5 m per unit, plus 3.0 m for exterior lots	9.0 m per unit, plus 3.0 m for exterior lots	7.5 m per unit, plus 3.0 m for exterior lots
	Triplex Dwelling	21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls	21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls	21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls	21.5 m or in accordance with Street Townhouse provisions where separated by vertical walls
	Street Townhouse Dwelling	Not permitted	Not permitted	6.0 m per unit, plus 3.0 m for exterior lots	6.0 m per unit, plus 3.0 m for exterior lots
	Converted Dwelling	As legally existing	Not permitted	As legally existing	Not permitted
	Townhouse Dwelling	Not permitted	Not permitted	30.0 m	30.0 m
	Maisonette Dwelling	Not permitted	Not permitted	25.0 m	25.0 m
	Boarding/Rooming/ Lodging House	Not permitted	Not permitted	18.0 m	18.0 m
Minimum Lot Area	Single Detached Dwelling, Group Home, Bed and Breakfast	360.0 m <sup>2</sup>	250.0 m <sup>2</sup>	360.0 m <sup>2</sup>	250.0 m <sup>2</sup>
	Semi-Detached Dwelling, Duplex Dwelling, Linked Dwelling	270.0 m <sup>2</sup> per unit	200.0 m <sup>2</sup> per unit	270.0 m <sup>2</sup> per unit	200.0 m <sup>2</sup> per unit
	Triplex Dwelling	600.0 m <sup>2</sup> or in accordance with Street Townhouse provisions where separated by vertical walls	600.0 m <sup>2</sup> or in accordance with Street Townhouse provisions where separated by vertical walls	600.0 m <sup>2</sup> or in accordance with Street Townhouse provisions where separated by vertical walls	600.0 m <sup>2</sup> or in accordance with Street Townhouse provisions where separated by vertical walls

City of Brockville Comprehensive Zoning By-law No. 050-2014

	Street Townhouse Dwelling	Not permitted	Not permitted	180.0 m <sup>2</sup>	180.0 m <sup>2</sup>
	Converted Dwelling	540.0 m <sup>2</sup>	Not permitted	540.0 m <sup>2</sup>	Not permitted
	Townhouse Dwelling	Not permitted	Not permitted	180.0 m <sup>2</sup> per unit	180.0 m <sup>2</sup> per unit
	Maisonette Dwelling	Not permitted	Not permitted	1000.0 m <sup>2</sup>	1000.0 m <sup>2</sup>
	Boarding/Rooming/ Lodging Dwelling	Not permitted	Not permitted	700.0 m <sup>2</sup>	Not permitted
Amenity Area	Maisonette Dwelling	Not permitted	Not permitted	<a href="#">In accordance with Section 3.4 - Amenity Areas for Maisonnette Dwellings, Apartment Dwellings, Mixed Commercial/ Residential Buildings AND Retirement Homes of this Zoning By-law.</a>	

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Table 5.2(b): Lot and Building Requirements for Residential – General Zones (Continued)					
Requirement	Use	R3	R3A	R4	R4A
Minimum Front Yard	All uses except Converted Dwellings and Maisonette Dwellings	6.0 m	4.5 m	6.0 m	4.5 m
	Converted Dwellings	As legally existing	Not permitted	As legally existing	Not permitted
	Maisonette Dwelling	Not permitted	Not permitted	8.0 m	4.5 m
Minimum Exterior Side	All uses except Converted Dwellings and Maisonette Dwellings	4.5 m	4.5 m	<del>6.0 m</del> 4.5 m	4.5 m
	Converted Dwellings	As legally existing	Not permitted	As legally existing	Not permitted
	Maisonette Dwellings	Not permitted	Not permitted	<del>6.0 m</del> 4.5 m	4.5 m
Minimum Interior Side Yard (1, 2)	All uses except Converted Dwellings and Maisonette Dwellings	1.2 m	1.0 m	1.2 m	1.0 m
	Converted Dwellings	As legally existing	Not permitted	As legally existing	Not permitted
	Maisonette Dwelling	Not permitted	Not permitted	5.0 m	1.0
Minimum Rear Yard	All permitted uses except Converted Dwellings	7.5 m	6.0 m	7.5 m	6.0 m
	Converted Dwellings	As legally existing	Not permitted	As legally existing	Not permitted
Minimum Landscaped Open Space	Single Detached Dwelling, Group Home, Bed and Breakfast	40%	35%	40%	35%
	Boarding, Rooming, Lodging House	Not permitted	Not permitted	30%	Not permitted

City of Brockville Comprehensive Zoning By-law No. 050-2014

	All other uses	30%	30%	30%	30%
Maximum Height	All permitted uses	10.5 m	10.5 m	10.5 m	11.0 m
Other Provisions	All permitted uses		The maximum width of an attached private garage shall be 4.0 m or 50% of the width of the main building, whichever is less. The attached private garage shall not be permitted to encroach further into the front yard than the principal building, inclusive of any front porch.		The maximum width of an attached private garage shall be 4.0 m or 50% of the width of the main building, whichever is less. The attached private garage shall not be permitted to encroach further into the front yard than the principal building, inclusive of any front porch.

**Note: Other General Provisions may apply. Schedule “B” applies to properties in the Downtown and Central Waterfront Area.**

**Notes to Table 5.2(b):**

- (1) Attached garages to residential dwellings, which existed prior to the effective date of this by-law, having a setback to a side or rear property line of 1.0 m or greater shall be deemed to be legally complying to this By-law with respect to location.
- (2) An interior side yard shall not be required where dwelling units share a common wall.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 5.2(c): Lot and Building Requirements for Residential – Multiple Zones**

Requirement	Use	R5	R6	R7	R8	R9
Minimum Lot Frontage	Street Townhouse Dwelling	6.0 m per unit, plus 3.0 m for exterior lots	Not permitted			
	Townhouse Dwelling	30.0 m	Not permitted			
	Maisonette Dwelling	25.0 m	25.0 m	25.0 m	Not permitted	
	Boarding/Rooming/Lodging House	18.0 m	Not permitted			
	Apartment Dwelling	25.0 m	25.0 m	25.0 m	25.0 m	25.0 m
	Retirement Home	25.0 m	<del>Not permitted</del> 25.0 m	<del>Not permitted</del> 25.0 m	<del>Not permitted</del> 25.0 m	Not permitted
	Converted Dwelling	As legally existing	Not permitted			
Minimum Lot Area	Street Townhouse Dwelling	180.0 m <sup>2</sup>	Not permitted			
	Townhouse Dwelling	180.0 m <sup>2</sup> per unit	Not permitted			
	Maisonette Dwelling	1,000.0 m <sup>2</sup>	1,000.0 m <sup>2</sup>	1,000.0 m <sup>2</sup>	Not permitted	
	Boarding/Rooming/Lodging House	900.0 m <sup>2</sup>	Not permitted			
	Apartment Dwelling	1,000.0 m <sup>2</sup>	1,000.0 m <sup>2</sup>	1,000.0 m <sup>2</sup>	1,000.0 m <sup>2</sup>	1,000.0 m <sup>2</sup>
	Retirement Home	1,000.0 m <sup>2</sup>	1,000.0 m <sup>2</sup>	1,000.0 m <sup>2</sup>	1,000.0 m <sup>2</sup>	Not permitted
	Converted Dwelling	540.0 m <sup>2</sup>	Not permitted			
Minimum Front Yard	Townhouse Dwelling or Street Townhouse Dwelling	4.5 m	Not permitted			
	All other Uses	6.0 m	8.0 m	8.0 m	8.0 m	8.0 m
Minimum Exterior Side Yard	Townhouse Dwelling or Street Townhouse Dwelling	4.5 m	Not permitted			
	All other Uses	6.0 m	6.0 m	6.0 m	6.0 m	6.0 m
Minimum Interior Side Yard (1)	Townhouse Dwelling or Street Townhouse Dwelling	1.2 m	Not permitted			
	All other Uses	5.0 m	5.0 m	5.0 m	5.0 m	5.0 m

City of Brockville Comprehensive Zoning By-law No. 050-2014

Minimum Rear Yard	All permitted uses	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m
Minimum Lot Depth	All permitted uses	25.0 m	25.0 m	25.0 m	25.0 m	25.0 m
Minimum Landscaped Open Space	All permitted uses	30%	30%	30%	30%	30%
Maximum Height	All permitted uses	12.5 m	14.5 m (2)	16.5 m (2)	18.5 m (2)	22.5 m (2)
Maximum Density	All permitted uses	<del>75 units per hectare</del> <b>99 units per hectare</b>	100 units per hectare	125 units per hectare	160 units per hectare	Greater than 160 units per hectare
Amenity Area	Maisonette Dwelling	In accordance with Section 3.4 - Amenity Areas for Maisonnette Dwellings, Apartment Dwellings, Mixed Commercial/ Residential Buildings AND Retirement Homes of this Zoning By-law.			Not permitted	Not permitted
	Apartment Dwelling	In accordance with Section 3.4 - Amenity Areas for Maisonnette Dwellings, Apartment Dwellings, Mixed Commercial/ Residential Buildings AND Retirement Homes of this Zoning By-law.				
	Retirement Home	In accordance with Section 3.4 - Amenity Areas for Maisonnette Dwellings, Apartment Dwellings, Mixed Commercial/ Residential Buildings AND Retirement Homes of this Zoning By-law.				Not permitted

**Note: Other General Provisions may apply. Schedule “B” applies to properties in the Downtown and Central Waterfront Area.**

**Notes to Table 5.2(c):**

- (1) An interior side yard shall not be required where dwelling units share a common wall.
- (2) Maximum height subject to angular plane provisions in accordance with Section 3.0 – General Provision Subsection 3.5 – Angular Planes

### 5.3 Residential Special Exception Zones

Notwithstanding any other provision of this By-law, the following special provisions shall apply to the areas identified below and shown on Schedule “A”:

#### 5.3.1 R1 Zone

(None)

#### 5.3.2 R2 Zone

##### 5.3.2.1 R2-1 Zone (168 Brock Street)

Notwithstanding Section 3.42 – Setback from Railways, the uses permitted in the R2-1 Zone shall be those permitted in the R2 Zone.

Furthermore, notwithstanding the minimum front and rear yard requirements for a single unit dwelling contained in Section 5.2, the minimum front yard and rear yard requirements shall be 4.0 metres and 6.0 metres respectively. No part of the main building shall be located within 14.0 metres of the edge of Butlers Creek, although an accessory building less than 10.0 square metres in size may be located within such 14.0 metre setback. No building openings shall be below 80.3 metres geodetic. The rear yard is to be fully fenced to a minimum height of 1.2 metres.

##### 5.3.2.2 R2-2 Zone (west end of Brock Street - Lots 80 to 90 incl., Plan 388)

The uses permitted in the R2-2 Zone shall be those uses permitted in an R2-General Residential Zone.

Notwithstanding the minimum lot frontage requirement for a single unit dwelling contained in Section 5.0 of this By-law, the minimum lot frontage for a single unit dwelling within the R2-2 Zone shall be 13.5 metres.

#### 5.3.3 R2A Zone

(None)

#### 5.3.4 R3 Zone

##### 5.3.4.1 R3-1 Zone (Brockwoods Subdivision)

The uses permitted in the R3-1 Zone shall be single unit dwellings, semi-detached dwellings and triplex dwellings.

Notwithstanding the minimum lot frontage for a triplex dwelling contained in Section 5.2, the minimum lot frontage for a triplex dwelling within the R3-1 Zone shall be 26.0 metres.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

A maximum of 40 percent of all lots contained within the R3-1 Zone are to be occupied by any combination of semi-detached dwellings and triplex dwellings.

A minimum of 50 percent of all lots contained within the R3-1 Zone are to be occupied by single unit dwellings.

Where a triplex dwelling located in a R3-1 Zone is divided vertically into three (3) separate dwelling units, a minimum lot area of 185.0 square metres and minimum lot frontage of 6.0 metres will apply if the triplex dwelling is to be severed into freehold units.

#### **5.3.4.2 R3-2 Zone (East side of Centre Street)**

The uses permitted in the R3-2 Zone shall be those uses permitted in the R3 Zone.

The zone provisions for the R3-2 Zone shall be the R3-General Residential Zone provisions save and except that the minimum front yard setback shall be 9.0 metres for all permitted uses.

#### **5.3.4.3 R3-3 Zone (16 Reynolds Drive)**

The uses permitted in the R3-3 Zone shall be a residential unit, an unlicensed private club for the Brockville and District Shrine Club, a single unit dwelling, and a semi-detached dwelling only.

#### **5.3.4.4 R3-4 Zone (63 Waverly Drive)**

The uses permitted in the R3-4 Zone shall be those uses permitted in the R3 Zone with the exception of a triplex dwelling.

#### **5.3.4.5 R3-5 Zone (Hunter's Hill Subdivision)**

The uses permitted in the R3-5 Zone shall be limited to single unit dwellings and semi-detached dwellings only.

The minimum lot frontage, within the R3-5 Zone, for single unit dwellings shall be 15.2 metres and for semi-detached dwellings shall be 21.3 metres.

#### **5.3.4.6 R3-6 Zone (40, 42 Edward Street)**

Notwithstanding Section 3.17 of this By-law, the lands zoned R3-6 Zone may be developed in accordance with the provisions of this By-law as they apply to the R3 Zone.

#### **5.3.4.7 R3-7 Zone (42 Bartholomew Street)**

The uses permitted in the R3-7 Zone shall be those permitted in the R3 Zone.

The zone provisions for the R3-7 Zone shall be the same as the R3 Zone, save and except for the following:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Minimum Lot Area (existing)	215.58 m <sup>2</sup>
Minimum Lot Frontage (Wellington Street)	14.15 m
Minimum Lot Depth	15.24 m
Minimum Landscaped Open Space	25%
Minimum Yards	All existing yards, as of April 10, 2012, are the minimum yards.
Minimum Required Parking	Two (2) parking spaces
Maximum Number of Dwelling Units	Two (2)

**5.3.4.8 R3-8 Zone (Pt Lot 22, Plan 206, being Part 2, Reference Plan 28R-12501; East Side of Centre Street) Amending By-law 029-2015**

The uses permitted in the R3-8 Zone shall be those uses permitted in the R3 Zone in addition to a Street Townhouse Dwelling.

The zone provisions for the R3-8 Zone shall be the R3-General Residential Zone provisions save and except that the minimum front yard setback shall be 9.0 metres for all permitted uses.”

**5.3.4.9 R3-9 Zone (Lots 7, 8 and 9, Part of Lots 5 and 6, Block 3, Plan 67; 72, 74, 76 and 78 Murray Street) Amending By-law 020-2014**

The uses permitted in the R3-X3-1 Zone shall be those uses permitted in the R3-General Residential Zone.

The zone provisions for the R3-X3-1 Zone shall be the same as for the R3-General Residential Zone, sand and except for the following:

	<b>72 Murray Street</b>	<b>74 Murray Street</b>	<b>76 Murray Street</b>	<b>78 Murray Street</b>
Minimum Lot Area	270.0 m <sup>2</sup>	270.0 m <sup>2</sup>	270.0 m <sup>2</sup>	255.5 m <sup>2</sup>
Minimum Lot Frontage	11.7 m (corner lot)	9.0 m	9.0 m	9.0 m
Minimum Interior Side Yard to an accessory structure	1.0 m	0.0 m (North)	0.0 m (South)	1.0 m

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**5.3.4.10 R3-10 Zone (414 King Street West)**

The permitted uses in the R3-10 Zone shall be those permitted in the R3-General Residential Zone and a Maisonette Dwelling.

The zone provisions for development of uses permitted in the R3 – General Residential Zone shall be those applicable for such permitted use.

The zone provisions for development of a Maisonette Dwelling in the R3-10 Zone shall be the R3 – General Residential Zone provisions save and except, as follows:

Minimum Lot Area	983.0 m <sup>2</sup>
Minimum Lot Frontage	17.8 m
Front Yard to a Maisonette	6.0 m
Interior Side Yard (West)	4.2 m
Interior Side Yard (East)	2.5 m
Minimum Number Parking Spaces	4.0
Rear Yard to Maisonette	18.0 m
Minimum Landscaped Open Space	38.0%

**5.3.4.11 R3-11 Zone (Part of Block 54, Plan 67, Brockville) (Strowger/Schofield/Havelock)**

The uses permitted in the R3-11 Zone shall be those permitted in the R3-General Residential Zone. The zone provisions for the R3-11 Zone shall be the same as for the R3-General Residential Zone, except for the minimum exterior side yard shall be 4.0 metres.

**5.3.4.12 R3-12 Zone (0 Granite Street)** Amending By-law 013-2024

The uses permitted in the R3-12 Zone shall be limited to a Single Detached Dwelling on Private Services, well and septic.

The zone provisions of the R3-12 Zone shall be the same as the R3 Zone, save and except, the minimum required frontage for a single detached dwelling shall be 0.0 metres.”

**5.3.5 R3A Zone**

(None)

**5.3.6 R4 Zone****5.3.6.1 R4-1 Zone (84 Perth Street)**

That the permitted uses in the R4-1 Zone shall be those uses permitted in an R4 Zone and the office of a chiropractor.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**5.3.6.2 R4-2 Zone (Leeder - Edward Street)**

The zone provisions for the R4-2 Zone shall be as follows:

Minimum Lot Area	4,400.0 m <sup>2</sup>
Minimum Lot Frontage	42.5 m
Minimum Front Yard	2.0 m
Minimum Interior Side Yard	3.0 m
Minimum Rear Yard	5.0 m
Minimum Lot Depth	60.0 m
Minimum Unit Size	110.0 m <sup>2</sup>
Minimum Landscaped Open Space	30%
Maximum Building Height	10.5 m
Maximum Number of Dwelling Units	18
No building shall be constructed in the R4-2 Zone with an opening below 78.2 metres - Canadian Geodetic Datum.	

**5.3.6.3 R4-3 Zone (Blocks B & C and Lot 1, Plan 28M-1 - Suzanna Lane)**

The uses permitted in the R4-3 Zone shall be a maximum of 11 townhouse units.

Notwithstanding Section 3.17 - Frontage on an Improved Public Street, lots may be created with frontage on a private right-of-way held in common by all dwelling unit owners.

Minimum lot area	240.0 m <sup>2</sup>
Minimum lot frontage on private right-of-way	8.0 m
Minimum front yard measured from private right-of-way	6.0 m
Minimum setback from King Street West	10.0 m
Minimum setback from Centre Street	10.0 m
Minimum interior side yard ( <i>No side yard is required for the side of a dwelling which is attached to an adjoining dwelling unit.</i> )	1.5 m
Minimum rear yard ( <i>with rear lot line being opposite Centre Street</i> )	7.5 m
Minimum landscaped open space	30%
Maximum building height as measured from grade at the front of the building	10.5 m
Dwelling units per freehold lot	1
Minimum parking spaces per dwelling unit	2
Maximum lot coverage	30%

No accessory buildings shall be permitted in the yards between the public streets and the dwelling units, nor in the yards between the rows of dwelling units.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**5.3.6.4 R4-4 Zone (South side of Downey Street)**

The uses permitted in the R4-4 Zone shall be those permitted in the R4 Zone and a mini warehouse.

The zone provisions for development of uses permitted in the R4 Zone shall be those applicable for such permitted uses.

The zone provisions for development of a mini warehouse in the R4-4 Zone shall be as follows:

Minimum Lot Area	2189.0 m <sup>2</sup>
Minimum Lot Frontage	87.0 m
Minimum Front Yard	6.0 m
Interior Side Yard	1.5 m
Rear Yard Setback to Existing Garage	1.5 m
Rear Yard Setback to Mini Warehouse	6.0 m
Minimum Lot Depth	25 m
Minimum Landscaped Open Space	16%
Maximum Height	5.5 m
Minimum Number of Parking Spaces	5
Loading Spaces Required	0
A minimum setback of 3.5 metres for parking shall be required from the Downey Street lot line.	
Open storage of vehicles, boats and trailers only is permitted in accordance with Section 3.33. Said open storage shall not exceed 10% of the lot area, and shall only be permitted at the west end of the site and screened from view from the street.	
Security fencing in the front yard may not exceed 2.0 m in height.	
A solid wood fence 2.0 metres in height is to be provided along the east and south property lines.	

**5.3.6.5 R4-5 Zone (597 - 607 King Street West)**

The uses permitted in the R4-5 Zone shall be those uses permitted in the R4 Zone.

The zone provisions for the R4-5 Zone shall be the same as for the R4 Zone, save and except for the following:

Maximum number of dwelling units	6
Minimum Rear Yard Setback	9.5 m
A landscaped buffer is required abutting any low density residential zone to include retention of as many mature trees as possible in addition to additional plantings.	
Access shall be provided via a common driveway off of King Street West.	

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**5.3.6.6 T-R4-6 Zone (67 Church Street)**

The uses permitted in the T-R4-6 Zone shall be a maximum of one (1) owner-occupied bachelor dwelling unit and five (5) rental rooms within the definition of a "Boarding/Rooming/Lodging House" only.

The zone provisions for the T-R4-6 Zone shall be the same as the zone provisions for the R4 Zone, save and except for the following zone provisions:

Minimum Lot Area	232.0 m <sup>2</sup>
Minimum Landscaped Open Space	4%
Minimum On-Site Parking	2 spaces
Minimum 90° On-Site Parking Space Length	5.4 m

The T-R4-6 Zone shall be in effect for a three (3) year period commencing on October 26, 2013 to October 25, 2016, in accordance with Section 39 of the *Planning Act*.

**5.3.6.7 R4-7 Zone (69 King Street East)**

The uses permitted in the R4-7 Zone shall be a Boarding, Rooming or Lodging House with a maximum of six (6) rooms and one (1) apartment unit only.

The zone provisions for the R4-7 Zone shall be the same as the zone provisions for a Boarding, Rooming or Lodging House within the R4 Zone, save and except for the following:

Parking - Maximum two (2) parking spaces

Landscaped Open Space – Nil

**5.3.6.8 R4-8 Zone (58 James Street West and 61-67 Buell Street)**

The uses permitted in the R4-8 Zone shall be:

- a) 58 James Street West - two dwelling units.
- b) 65 Buell Street - two (2) dwelling units. Should one of the dwelling units be owner occupied, a "bed and breakfast establishment" would be permitted.

The zone provisions for 58 James Street West and 65 Buell Street shall be as follows:

Minimum Lot Area	450.0 m <sup>2</sup>
Minimum Lot Frontage	15.0 m
Minimum Front Yard	Nil
Minimum Exterior Side Yard	Nil

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Minimum Interior Side Yard	Nil
Minimum Rear Yard	7.5 m
Minimum Lot Depth	25.0 m
Minimum Landscaped Open Space	15%
Maximum No. of Dwelling Units	4
Maximum Building Height:	As existing as of the date of the by-law to establish the R4-8 Zone.
Minimum Required Parking:	1.25 spaces per dwelling unit plus an additional 2 spaces for the owner occupied dwelling unit when utilized as a "Bed and Breakfast Establishment".

The parking lot, located at 67 Buell Street, shall be used in association with the uses zoned R4-8 on adjacent lands and in accordance with the following:

Minimum Setback of Parking from Buell Street	2.5 m
Minimum Landscaped Open Space (67 Buell Street)	10.7%

**5.3.6.9 R4-9 Zone (89 Church Street)**

The uses permitted in the R4-9 Zone shall be a maximum of two (2) dwelling units, a home occupation, private home daycare and a bed and breakfast establishment. Said bed and breakfast establishment may operate within a single detached dwelling only.

The zone provisions for the R4-9 Zone shall be the same as for the R4 Zone; except that a minimum of 30 percent landscaped open space must be maintained.

**5.3.6.10 R4-10 Zone (119-121 James Street West)**

The uses permitted in the R4-10 Zone shall be those permitted in the R4 General Residential Zone.

The zone provisions for the R4-10 Zone shall be the same as for the R4 Zone, except for the following:

Zone Provision	119 James Street West	121 James Street West
Minimum Lot Area	170.4 m <sup>2</sup>	157.2 m <sup>2</sup>
Minimum Lot Frontage	7.49 m	4.69 m
Minimum Interior Side Yard (west)	N/A	0.0 m
Minimum Setbacks	All existing setbacks, for the existing main building only, as of the date of passing of this by-law with the exception of the above noted western setback.	
Minimum Required Parking	One (1) legal parking space per unit.	

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**5.3.6.11 R4-11 Zone (7 - 29 Maple Avenue)**

In the R4-11 Zone, at least one (1) parking space per unit shall be provided per dwelling unit. Additionally, the required parking may be provided in a common parking area located within 60.0 metres of all dwelling units.

**5.3.6.12 R4-12 Zone (Extension of Deer Trails Subdivision – Flanders Road)**

Those uses permitted in the R4-12 Zone shall be limited to semi-detached, triplex, and street townhouse dwelling types, as well as home occupation and private home day nursery.

The maximum building height for dwellings within this zone shall be 4.0 metres [one (1) storey].

**5.3.6.13 R4-13 Zone (1 - 54 Country Club Place)**

The uses permitted in the R4-13 Zone shall be restricted to 54 townhouses along with normal accessory uses except for any facilities which would provide for or aid with the launching or docking of boats. The zone provisions for the R4-13 Zone shall be as follows:

Minimum Lot Size	2.80 hectares
Minimum Frontage	105 m
Minimum Front Yard	30 m
Minimum East Side Yard ( <i>for a distance of 230.0 metres south of Highway No. 2</i> )	16 m
Minimum East Side Yard ( <i>from a distance of 230.1 metres south of Highway No. 2 south to the St. Lawrence River</i> )	6.5 m
Minimum West Side Yard	6 m
Minimum Rear Yard	15 m
Minimum Dwelling Unit Size	140 m <sup>2</sup>
Maximum Lot Coverage	18%
Maximum Main Building Height	10.5 m
Number of parking spaces per dwelling unit	2 spaces
Minimum Distance Between any Group of Townhouses	6.5 m
There shall be no Habitable Space constructed or occupied below the 76.8 m contour.	
No Children's Play Area shall be required.	
Curbs on the internal road system shall not be required.	
Notwithstanding Subsection 3.3 of this By-law, accessory recreational facilities may be erected and carried on in the front yard. Additionally, entrance gates with required supporting pillars to a maximum height of 2.5 metres shall be permitted.	

**5.3.6.14 R4-14 Zone (23 Abbott Street)**

In addition to those uses permitted in the R4 Zone, business and professional office(s) and/or clinic(s) shall be permitted in the existing building only.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**5.3.6.15 R4-15 Zone (33 James Street East)**

The uses permitted in the R4-15 Zone shall be an apartment unit and two (2) doctors' offices.

**5.3.6.16 R4-16 Zone (8, 10, 12 George Street)**

The uses permitted in the R4-16 Zone shall be those uses permitted in an R4 Zone and a three (3) unit dwelling converted to contain a maximum of six (6) dwelling units.

The zone provisions for the R4-16 Zone shall be as follows: all provisions shall be those which were in existence on June 14, 1988.

**5.3.6.17 R4-17 Zone (86-88 George Street)**

The uses permitted in the R4-17 Zone shall be a semi-detached dwelling. The zone provisions for the R4-17 Zone shall be as follows:

Minimum Lot Area	52.0 m <sup>2</sup>
Minimum Lot Frontage	6.0 m
Minimum Front Yard	Nil
Minimum Interior Side Yard on the West	Nil
Minimum Interior Side yard on the East	3.0 m
Minimum Rear Yard	14.0 m
Minimum Lot Depth	24.0 m
Minimum Landscaped Open Space	17%
Maximum Building Height	As existing at date of passing of this By-law.
Minimum Parking	One (1) parking space per unit

**5.3.6.18 R4-18 Zone (581 King Street West)**

The uses permitted in the R4-18 Zone shall be restricted to a twelve (12) bed alcohol and drug recovery home for women. The zone provisions in the R4-18 Zone shall be as follows:

Minimum Lot Area	840.0 m <sup>2</sup>
Minimum Lot Frontage	29.0 m
Minimum Front Yard (King Street Frontage)	6.0 m
Minimum Interior Side Yard	3.0 m
Minimum Rear Yard (Jones Street Frontage)	6.0 m
Minimum Landscaped Open Space	30%
Maximum Building Height	10.5 m
Minimum Number of Parking Spaces (stacked permitted)	4 spaces

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**5.3.6.19 R4-19 Zone (58 Wall Street)**

The uses permitted in the R4-19 Zone shall be restricted to an eighteen (18) bed alcohol and drug recovery home for men.

**5.3.6.20 R4-20 Zone (58 Davison Avenue)**

The use permitted in the R4-20 Zone shall be an institutional residence for a maximum of ten (10) residents.

The zone provisions in the R4-20 Zone shall be as follows:

Minimum Lot Area	3,185.0 m <sup>2</sup>
Minimum Lot Frontage	25.0 m
Minimum Front Yard	5.75 m
Minimum Interior Side Yard	3.5 m
Minimum Rear Yard	50.0 m
Minimum Landscaped Open Space	50%
Maximum Building Height	10.5 m
Minimum Number of Parking Spaces	5

**5.3.6.21 R4-21 Zone (17 Edgewood Avenue)**

The use permitted in the R4-21 Zone shall be an institutional residence for a maximum of nine (9) residents.

The zone provisions for the R4-21 Zone shall be the same as the zone provisions for the R4 Zone, save and except for the following:

Minimum Lot Area	511.0 m <sup>2</sup>
Minimum Lot Frontage	15.24 m
Minimum Front Yard	4.45 m
Minimum Interior Side Yard	1.14 m
Parking - a minimum of two (2) on-site parking spaces shall be provided for staff parking only. No parking area shall be provided for residents of the facility.	

**5.3.6.22 R4-22 Zone (54, 56 and 58 Pearl Street East)**

The uses permitted in the R4-22 Zone shall be those permitted in the R4-General Residential Zone. The zone provisions for the R4-22 Zone shall be the same as for the R4-General Residential Zone, save and except for the following:

54, 56 and 58 Pearl Street East			
	54 Pearl Street East	56 Pearl Street East	58 Pearl Street East
Minimum Lot Area	190.2 m <sup>2</sup>	122.0 m <sup>2</sup>	109.4 m <sup>2</sup>
Minimum Lot Frontage	10.79 m	6.1 m	5.5 m

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Minimum Front Yard	1.19 m	1.78 m	1.8 m
Minimum Front Yard to a Porch, Step or Deck	0.0 m	0.0 m	0.0 m
Minimum Interior Side Yard (west)	N/A	0.63 m	N/A
Minimum Interior Side Yard (east)	0.0 m	0.0 m	0.0 m
Minimum Rear Yard	5.58 m	3.2 m	3.2 m
Minimum Landscaped Space	27.4%	22.4%	0.0%
Minimum Parking Required	1	0	0
Minimum Rear Yard to a deck	N/A	2.0 m	2.0 m

**5.3.6.23 R4-23 (9 – 11 Pearl Street East)**

The uses permitted in the R4-23 Zone shall be those permitted in the R4-General Residential Zone.

The zone provisions for development of uses permitted in the R4 – General Residential Zone shall be those applicable for such permitted use, save an except for a building containing five (5) apartment dwelling units, the zone provisions shall be as follows:

Minimum Front Yard	2.0 m
Interior Side Yard (West)	1.5 m
Interior Side Yard (East)	2.1 m
Minimum Number Parking Spaces	7.0"

**5.3.6.24 R4-24 (Welling's of Brockville, Parkdale Ave)**

Amending By-law 085-2021 and By-law 020-2024

For the purpose of the R4-24 Zone a Cluster Townhouse Dwelling shall be defined as one (1) of a group of two (2) or more but not more than ten (10), attached dwellings divided vertically by common walls, with each dwelling unit having an independent entrance directly from the outside and is not intended for freehold ownership.

The uses permitted in the R4-24 Zone shall be restricted to a maximum of 120 Cluster Townhouse Dwellings along with the following ancillary uses intended primarily for the use by residents of the same lot: artist's workshop, assembly hall, health club, office, and private club.

Within the R4-24 Zone, a building or structure is considered to have frontage on an improved public street under Section 3.17 of this By-law if it has access to a private road connected to an improved public street.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Parking shall be provided at a rate of 1.5 spaces per Cluster Townhouse Dwelling with no parking being permitted within 8.0 meters of Parkdale Avenue.

The maximum cumulative gross floor area of all accessory and ancillary uses in the development shall not exceed 750.0 m<sup>2</sup>.

No accessory buildings shall be permitted in the yards between the private roads and the dwelling units, nor in the side yards between the rows of the Cluster Townhouse Dwelling Units.

The zone provisions for the R4-24 Zone shall be as follows:

Minimum Lot Frontage (Parkdale)	180.0m
Minimum Lot Area (Entire Lot)	5.0 hectares
Minimum Front Yard Setback (Parkdale)	8.0 m
Minimum Interior Side Yard (East and West)	6.0 m
Minimum Rear Yard (North)	7.5 m
Minimum Rear Yard (per Cluster Townhouse Block)	6.0 m
Minimum Landscaped Open Space (Entire Lot)	30%
Maximum Height	10.5 m
Minimum Interior Side Yard (per Cluster Townhouse)	1.2 m
Minimum Setback between a Building and a Private Road	
Side yard:	2.4 m
Front Yard:	6.0 m
Rear Yard:	6.0 m

## City of Brockville Comprehensive Zoning By-law No. 050-2014

any setback required from a Private Street shall be measured from the back of the curb.

**5.3.6.25 R4-25 Zone (58 James Street West)** Amending By-law 054-2022

The uses permitted in the “R4-24 General Residential Special Exception Zone” shall be those permitted in the “R4 General Residential Zone” as well as a “Business and Professional Office.”

The zone provisions for the “R4-24 Zone” shall be the same as the “R4 General Residential Zone”, save and except the following:

Minimum Lot Frontage	16.0 m
Minimum Lot Area	512.0 m <sup>2</sup>
Minimum Landscaped Open Space	5.7%
Maximum Number of Dwelling Units	2
Minimum Parking Spaces Provided	4

**5.3.6.26 R4-26 Zone (86 John Street)** Amending By-law 034-2024

The uses permitted in the R4-26 Zone shall be limited to a Maisonette Dwelling containing a maximum of 4 Dwelling Units with each dwelling unit containing a maximum of 3 bedrooms. 2 of the Dwelling Units may be rented as a Co-living Unit as defined within this By-law.

The zone provisions within the R4-26 Zone shall be as follows:

- Minimum Lot Frontage: 25.0m to 12.0m.
- Minimum Lot Area: 1,000.0 sq m. to 275.0 sq m.
- Minimum Front Yard Setback: 0.0m.
- Recognize the existing Exterior Side Yard Setback: 0.0m.
- Recognize the existing Interior Side Yard Setback: 0.0m.
- Recognize the existing Rear Yard Setback: 0.0m.
- Reduction to the Minimum Landscaped Open Space from 30% to 18%.
- Reduction to the Minimum Amenity Space required from 155.0 sq m. to 16.0 sq m.
- Reduction to the Minimum Number of Parking Spaces from 5.0 spaces to 0.0 spaces."

**5.3.7 R4A Zone****5.3.7.1 R4A-1 Zone (Oxford Avenue at Broadway Avenue)** Amending By-law 065-2020

The uses permitted in the R4A-1 Zone shall be those permitted in the R4A – General Residential Zone.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

In addition to the uses permitted in the R4A-1 Zone, a Private Club Shall also be permitted. The zone provisions for all uses permitted within the R4A-1 Zone shall be the same as the R4A – General Residential Zone, save and except the following:

Minimum Lot Frontage for a Private Club	15.0 m
Minimum Lot Area for Private Club	450.0 m <sup>2</sup>
Maximum width of an attached garage on properties with 12.0 m of frontage or greater	6.5 m
Maximum width of a driveway for properties with 12.0 metres of frontage or greater	6.5 m

**5.3.7.2 R4A-2 (Windsor – Centennial)** Amending By-law 086-2022

In addition to the uses permitted in the R4A – General Residential Zone, a Back-to-Back Townhouse Dwelling shall also be permitted. The zone provisions for all users permitted within the R4A-2 Zone shall be the same as the R4A – General Residential Zone, save and except the following as they relate to a Back-to-Back Townhouse Dwelling:

Minimum Lot Frontage	6.0m, plus 3.9m for exterior lots.
Minimum Lot Area	81.0 sq m.
Maximum Lot Coverage	No maximum
Minimum Front Yard	6.0m
Minimum Interior Side Yard	1.2m, 0.0m for a common wall
Minimum Exterior Side Yard	3.0m
Minimum Rear Yard	0.0m
Maximum Height	12.0m
Minimum Parking	2.0 spaces per unit
Maximum Driveway Width	3.0m
Decks exceeding 1.5 meters in height may project into the required front yard to a maximum of 2.0 meters.	

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**5.3.8 R5 Zone****5.3.8.1 R5-1 Zone (4 James Street East) (75 & 75A Victoria Avenue)**

The permitted uses in the R5-1 Zone shall be restricted to a funeral home and chapel with apartment unit above, a six (6) unit apartment building and an eight (8) unit apartment building and associated parking. The zone provisions for the R5-1 Zone shall be as follows:

Minimum Lot Area, Minimum Lot Frontage, Minimum Front Yard, Minimum Interior Side Yard, Minimum Rear Yard, Maximum Height and Maximum Lot Coverage - As legally existing at the date of passing of this By-law.
Minimum Landscaped Open Space - 25%
Parking may be provided in the interior side yard or rear yard without providing a planting strip as required in Subsection 3.35 of this By-law, so long as a solid fence or wall of at least 1.2 metres in height is constructed adjacent to the parking areas provided.

**5.3.8.2 R5-2 Zone (10 John Street and 31 Saint Paul Street)**

The uses permitted in the R5-2 Zone shall be those uses permitted in the R5 Zone. The zone provisions for the R5 Zone shall apply to the R5-2 Zone except as follows:

Parking Spaces	Not less than 1.0 spaces per dwelling unit.
Maximum Building Height	10.5 m
Parking Setback, Saint Paul St.	Minimum 3.0 m from property line. Area is to be landscaped, including street trees.
Maximum Number of Dwelling Units	23

**5.3.8.3 R5-3 Zone (244 Ormond Street)**

The uses permitted in the R5-3 Zone shall be limited to an apartment dwelling containing a maximum of four (4) dwelling units and a home occupation.

The zone provisions for the R5-3 Zone shall be as follows:

Minimum Lot Area	754.0 m <sup>2</sup>
Minimum Lot Frontage	16.8 m
Number of Parking Spaces per Dwelling Unit	1 space
Minimum Setbacks	All existing setbacks as of January 24, 2012.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**5.3.8.4 R5-4 Zone (Liston Avenue)**

The zone provisions for the R5-4 Zone shall be the zone provisions as outlined in Section 5.0 of this By-law for a particular use, save and except that the maximum required height shall be 18.5 metres. Additionally, a buffer consisting of a 2.5 metre high pressure treated wood or cedar fence and a 3.0 metre wide planting strip along the west limit of Lots 3, 4 and 5, Registered Plan 380, commencing at the north limit of the drainage easement, is required.

**5.3.8.5 R5-5 Zone (245 King Street East)**

In the R5-5 Zone, the permitted uses shall be restricted to a twenty-five (25) unit apartment dwelling and accessory uses thereto.

The zone provisions for the R5-5 Zone shall be as follows:

Minimum Front Yard	15.0 m
Minimum Rear Yard	30.0 m
Minimum North Side Yard	2.0 m
Minimum South Side Yard	23.0 m
Maximum Main Building Height	as per existing
Minimum Parking	28 spaces
Minimum Landscaped Open Space	25%

**5.3.8.6 R5-6 Zone (Bridlewood Manor - Bridlewood Drive)**

The uses permitted in the R5-6 Zone shall be limited to a Retirement Home containing a maximum of seventy (70) units, and an Adult Day Care as a secondary use to the Retirement Home.

The zone provisions for the R5-6 Zone shall be the R5 Zone provisions except that the building height for any main building within the R5-6 Zone shall be 10.5 metres.

**5.3.8.7 R5-7 Zone (1115 Millwood Avenue) – Amending By-law 044-2016**

The uses permitted in the R5-7 Zone shall be those uses permitted in the R5 – Multiple Residential Zone. The zone provisions for the R5-7 Zone shall be the same as for the R5 – Multiple Residential Zone save and except for the following:

Minimum Lot Frontage Required for a Block Townhouse Dwelling.	25.3 metres
Minimum Rear Yard	4.9 metres

City of Brockville Comprehensive Zoning By-law No. 050-2014

Minimum setbacks from the creek embankment of Windsor Creek to any building or structure shall be determined by the Cataraqui Region Conservation Authority.

**5.3.8.8 R5-8 Zone (210 Pearl Street West)** *Amending By-law 035-2020*

The uses permitted in the R5-8 Zone shall be those permitted in the R5- General Residential Zone.

The zone provisions for development of uses permitted in the R5 – Multiple Residential Zone shall be those applicable for such permitted use, save and except: Minimum Setback from Pearl Street	4.5 metres
Maximum Building Height	16.5 metres

**5.3.8.9 R5-9 Zone (100 Perth Street West)** *Amending By-law 047-2021 and 007-2024*

The uses permitted in the R5-9 Zone shall be those permitted in the R5- General Residential Zone.

In addition to the R5-Multiple Residential Zone an apartment dwelling containing a maximum of eight (8) dwelling units and one (1) internal office shall be permitted in the R5-9 Zone.

All existing setbacks, as per the date of passing of this by-law shall be recognized for the existing building only.

The zone provisions for the R5-9 Zone shall be the same as the R5-Multiple Residential Zone, save the except the following:

The maximum density of the property shall be 160 unit per hectare
The Minimum number of parking spaces shall be Three (3)
Stacking of parking spaces shall be permitted
Curbing of the parking area is not required

**5.3.8.10 R5-10 Zone (25 Windsor Drive)**

The uses permitted in the R5-10 Zone shall be those permitted in the R5-Multiple Residential Zone.

The zone provisions for the R5-10 Zone shall be the R5-Multiple Residential Zone save and except for the Minimum Lot Frontage of 22.8 metres.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**5.3.8.11 R5-11 Zone (12 Scace Avenue)** Amending By-law 028-2025

The uses permitted in the R5-10 Zone shall be those uses permitted in the R5 Zone. The zone provisions of the R5-10 Zone shall be the same as the R5-Zone except the following:

Minimum Lot Frontage	18.8 metres
Minimum Lot Area	876.8 sq. m.
Minimum Int. Side Yard – West	3.29 metres
Minimum Int. Side Yard – East	4.5 metres
Minimum Required Amenity Space	75.0 sq. m.
Planting Strip (min.) – West	2.17 metres
Planting Strip (min.) – East	1.64 metres

**5.3.9 R6 Zone****5.3.9.1 R6-1 Zone (235 King Street East)**

The R6-1 Zone, the permitted uses shall be limited to a twenty-seven (27) unit apartment dwelling containing four (4) one bedroom and twenty-three (23) two bedroom units.

The zone provisions for the R6-1 Zone shall be as follows:

Minimum Lot Area	500.0 m <sup>2</sup>
Minimum Lot Frontage	91.0 m
Minimum Front Yard	4.0 m
Minimum West Side Yard	9.5 m
Minimum East Side Yard	30.0 m
Minimum Rear Yard	2.0 m
Minimum Landscaped Open Space	25%
Minimum Lot Depth	27.5 m
Maximum Height	12.2 m

Parking - A total of 34 parking spaces shall be provided. Parking may be provided in the required front yard, east of the main building provided the said parking is screened from King Street by brick columns, a maximum of 1.5 metres in height with wrought iron fencing placed between the said brick columns which said wrought iron fencing being a maximum of 1.5 metres in height.

City of Brockville Comprehensive Zoning By-law No. 050-2014

The exterior walls of any building erected in the R6-1 Zone shall be of brick construction.

**5.3.9.2 R6-2 Zone (12 Central Avenue East)**

The zone provisions in the R6-2 Zone shall be the zone provisions in the R6 Zone save and except where the R6-2 Zone abuts a low-density residential use, the maximum building height of any building so abutting a low density residential use shall be 13.0 metres.

**5.3.9.3 R6-3 Zone (75 & 75A Victoria Avenue) Amending By-law 034-2021**

The uses permitted in the R6-3 Zone shall be those permitted in the R6 – Multiple Residential Zone.

The zone provisions in the R6-Multiple Residential Zone shall be those applicable for such permitted use, save and except the following, to recognize existing apartment Buildings only:

Parking required for an Apartment Dwelling	1.0 parking space per unit
Minimum Front Yard	0.0 m
Minimum Interior Side Yard (north)	0.0 m
Minimum Rear Yard	2.9 m

**5.3.10 R7 Zone**

**5.3.10.1 R7-1 Zone (33 Pearl Street West)**

The uses permitted in the R7-1 Zone shall be an apartment dwelling containing up to four (4) dwelling units.

A minimum of four (4) on-site parking spaces shall be provided. Three (3) of the said required parking spaces shall have a dimension not less than 2.75 metres in width and 5.5 metres in length. One (1) of the said required parking spaces shall have dimensions not less than 2.75 metres in width and 4.8 metres in length.

All required parking spaces shall be kept clear of snow and non-vehicular obstructions at all times.

**5.3.10.2 R7-2 Zone (31 Pearl Street West)**

The uses permitted in the R7-2 Zone shall be an apartment dwelling containing up to four (4) dwelling units. The zone provisions for the R7-2 Zone shall be as follows:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Minimum On-site Parking	4 parking spaces
Minimum Lot Frontage	12.19 m
Minimum Lot Area	371.6 m <sup>2</sup>
Minimum Setbacks	All existing setbacks as of March 8, 2011

**5.3.10.3 R7-3 Zone (550 King St. W. – north of UCDSB) By-law 010-2023**

The zone provisions for the R7-3 Zone shall be the same as the R7-Multiple Residential Zone, save and except the following:

- Children's Play Areas shall not be required.

**5.3.10.4 R7-4 Zone (550 King St. W. – east side) By-law 010-2023**

The zone provisions for the R7-4 Zone shall be the same as the R7-Multiple Residential Zone, save and except the following:

- The maximum height permitted shall be 14.5 meters.

**5.3.11 R8 Zone****5.3.11.1 R8-1 Zone (101 Water Street West)**

The uses permitted in the R8-1 Zone shall be the uses permitted in the R8-Multiple Residential Zone. The zone provisions for the R8-1 Zone shall be as follows:

Minimum Lot Area	5,000.0 m <sup>2</sup>
Minimum Lot Frontage	18.0 m
Front Yard	Build-to Plane (2.0 m)
Minimum Interior Side Yard	Nil
Exterior Side Yard	Build-to Plane (2.0 m)
Minimum Rear Yard (measured to the top of the bank of the St. Lawrence River)	70.0 m
Minimum Landscaped Open Space	10%
Maximum Building Height	17.5 m
Minimum Building Height	10.5 m
F.S.I. Requirement	2.0
Maximum Lot Coverage	60%

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**5.3.11.2 R8-2 Zone (19 Clarissa Street)**

The uses permitted in the R8-2 Zone shall be a 45-unit apartment dwelling. The zone provisions for the R8-2 Zone shall be as follows:

Minimum Lot Area	2,700.0 m <sup>2</sup>
Minimum Lot Frontage	43.0 m
Minimum Front Yard	20.0 m
Minimum Interior Side Yard	5.0 m
Minimum Rear Yard	13.0 m
Minimum Lot Depth	60.0 m
Minimum Dwelling Unit Sizes:	
1 Bedroom	39.0 m <sup>2</sup>
2 Bedroom	60.0 m <sup>2</sup>
Minimum Landscaped Open Space	700.0 m <sup>2</sup>
Maximum Number of Dwelling Units	45
Maximum Building Height	18.25 m
Parking (which may be provided in the front yard)	12 spaces

**5.3.11.3 R8-3 Zone (137 George Street)**

The uses permitted in the R8-3 Zone shall be two (2) apartment dwellings containing a maximum of forty-eight (48) dwelling units. The zone provisions for the R8-3 Zone shall be the same as for the R8 Zone save and except for the following:

Minimum Front Yard – Clarissa Street (measured to building face)	1.0 m
Minimum Front Yard – George Street (measured to building face)	1.0 m
Minimum Front Yard – Gilmore Street (measured to building face)	2.5 m
Minimum Interior Side Yard (measured to building face)	4.6 m

Notwithstanding Section 3.34 of this By-law, parking may be permitted in the front yard adjacent to George Street at a setback of 0.0 metres from the street line;

Notwithstanding Section 3.4 of this By-law, a Children's Play Area is not required; and,

Notwithstanding Section 3.51 f) of this By-Law, an eave may be constructed at a minimum setback of 0.25 metres."

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**5.3.12 R9 Zone****5.3.12.1 R9-1 Zone (South East Corner of George Street and Gilmour Street)**

The uses permitted in the R9-1 Zone shall be an apartment dwelling. The zone provisions for the R9-1 Zone shall be as follows:

Minimum Lot Area	2215.0 m <sup>2</sup>
Minimum Lot Frontage	31.0 m
Minimum Lot Depth	68.0 m
Minimum Front Yard Setback	13.5 m
Minimum Exterior Side Yard Setback	0.0 m
Minimum Interior Side Yard Setback	0.0 m
Minimum Rear Yard Setback	1.5 m
Maximum Building Height	17.0 m subject to the bonus provisions outlined in this subsection
Maximum No. of Storeys	5, subject to the bonus provisions outlined in this subsection
Maximum No. of Residential Units	45, subject to the bonus provisions outlined in this subsection
Minimum Landscaping Open Space	30%
Parking Spaces	1.1 spaces per residential dwelling unit
Location of Parking: Surface parking to a maximum of 10 parking spaces may be provided in the front yard (adjacent to Gilmour Street) with a minimum 1.5 m planting strip	
Minimum Amenity Area: One Bedroom: 10.0 m <sup>2</sup> per unit; Two Bedroom: 20.0 m <sup>2</sup> per unit	

**Bonus Provisions Specific to the R9-1 Zone:**

A bonus of additional building height (maximum height: 37.0 m; maximum number of storeys: 11) and density (maximum number of residential units: 94) is permitted where the developer has agreed to all of the following:

- a) development to contain a minimum of six (6) affordable units, that is, at selling prices which would meet the United Counties of Leeds and Grenville definition of affordable;
- b) development to include sustainable (LEED-NC or equivalent) building design elements including a five (5) vehicle car share program; and

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- c) off-site improvements to municipal lands at Rotary Park, including but not limited to development of approximately 28 paved and curbed parking spaces, and installation of a footbridge or other tangible element, as determined by the City in consultation with the Rotary Park Revitalization Committee, equivalent in value to not less than \$30,000.00.

**5.3.12.2 R9-2 Zone (80 Henry Street)**

The uses permitted in the R9-2 Zone shall be an apartment dwelling containing a maximum of one hundred and six (106) dwelling units. The zone provisions for the R9-2 Zone shall be as follows:

Minimum Lot Frontage	27.0 m
Minimum Front Yard (measured to the main building face)	49.0 m
Minimum Exterior Side Yard	2.8 m
Minimum Interior Side Yard	2.2 m
Minimum Rear Yard (measured from the south edge of the waterlot abutting lands zoned R9-2 Zone)	36.5 m
Landscaped Open Space	30%
Maximum Building height	33.0 m above grade at front door of building
Children's Play Area	Not required
Parking	1.08 spaces/unit

Notwithstanding the minimum front yard setback required for a building within the R9-2 Zone, a tiered parking structure may be permitted in the front yard but not within 9.5 m of the front lot line. The elevation on top of the parking structure, located in the front yard, shall not be more than 3.0 metres above the finished grade of Water Street where it abuts the front lot line.

Notwithstanding the minimum exterior side yard required for a building within the R9-2 Zone, a canopy over the main entry to the building shall be permitted within the exterior side yard.

Notwithstanding the minimum rear yard required for a building within the R9-2 Zone, a pool enclosure shall be permitted to encroach into the required rear yard.

Notwithstanding clause 3.51 b) of this By-law, the maximum width of bay windows within a building in the R9-2 Zone shall be 3.7 metres.

Notwithstanding clause 3.51 c) of this By-law, balconies for individual dwelling units within a building in the R9-2 Zone shall be permitted to project 1.7 metres into any required yard.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

In no case shall any habitable space within any building built in the R9-2 Zone be constructed below an elevation of 77.3 metres Canadian Geodetic Datum. Further, no main building shall be constructed in the R9-2 Zone with any opening, save for an opening leading to a parking area, below an elevation of 77.3 metres Canadian Geodetic Datum.

Section 3.44 of this By-law does not apply.

**5.3.12.3 R9-3 Zone (Wall Street Village– Wall Street, James Street and Victoria Avenue) Amending By-law 056-2015**

The uses permitted in the R9-3 Zone shall be an apartment dwelling containing a maximum of eighty-five (85) dwelling units. The zone provisions for the R9-3 Zone shall be the same as for the R9 Zone save and except for the following:

Minimum Front Yard – Wall Street (measured to the building face)	3.0 m
Minimum Front Yard – James Street (measured to the building face)	3.0 m
Minimum Front Yard – Victoria Avenue (measured to the building face)	3.0 m
Maximum Density	245 units per hectare
Landscaped Open Space	26%
Maximum Building Height	21.5 m
Minimum Parking Requirement	0.5 spaces per unit
Minimum required Amenity Space	618.0 m <sup>2</sup>
Minimum required bicycle parking spaces	12
Minimum separation distance between driveways	11.0 m
Maximum allowable encroachment for a balcony within a front yard	1.6 m

Notwithstanding Section 3.4 of this By-law, a Children's Play Area is not required.

Notwithstanding Section 3.34, Sub-section iv) 5., access through the R9-3 Zone from Wall Street and/or from Victoria Avenue for vehicular access purposes shall be permitted to any adjacent land which is non-residentially zoned.

Notwithstanding Section 3.34 of this By-law, parking may be permitted in the front yards adjacent to Wall Street and Victoria Avenue at a setback of 0.0 metres from the street lines.

Notwithstanding Section 3.51 j) of this By-law, air conditioning units may be permitted within the front yard, within the confines of the balconies.”

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**5.3.12.4 R9-5 Zone (48 Church Street)**

Notwithstanding any other provision of this By-law, the maximum number of dwelling units shall be 79 and the minimum number of parking spaces shall be 35.

**5.3.12.5 R9-6 Zone (10 and 12 Charlotte Place)**

The maximum number of units shall be 50 at 10 Charlotte Place and 40 at 12 Charlotte Place. The minimum number of parking spaces shall be 20 at 10 Charlotte Place and 16 at 12 Charlotte Place.

**5.3.12.6 R9-7 Zone (42 Garden Street)**

The uses permitted in the R9-7 Zone shall be an apartment dwelling containing a maximum of 88 units (Phase I) and 96 units (Phase II). The zone provisions for the R9-7 Zone shall be the same as for the R9 Zone save and except the following:

Minimum Front Yard (measured to building face)	5.0 m – Pine Street
Maximum Building Height	28.5 m – Phase II
Angular Plane	Encroachment permitted to a maximum of: 1.0 metre on James Street 2.0 Metres on Victoria Avenue
Driveway Separation Distance	11.0 m – Victoria Avenue 11.6 m – Garden Street
Minimum required Bicycle Parking Spaces	30
Maximum allowable encroachment for a balcony within a front yard	1.5 metres
Minimum Parking Required	Phase I – 85 spaces Phase II – 57 spaces

## 6.0 COMMERCIAL AND MIXED USE ZONES

### 6.1 PERMITTED USES

Unless otherwise permitted in this By-law, no person shall, within any Commercial or Mixed Use Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the uses permitted in **Table 6.1**.

**Table 6.1 – Permitted Uses in Commercial and Mixed Use Zones**

The following uses are permitted in the zones corresponding to the columns where an “X” is identified. Where an “E” is identified, only legally existing uses shall be permitted.

Use	Mixed Use			Commercial					
	MD	MW	MC	C1	C2 <sup>(2)</sup>	C3 <sup>(2)</sup>	C4	C5	C6 <sup>(3)</sup>
<b>Residential Uses</b>									
Apartment Dwelling as part of a Mixed Commercial/Residential Building (1)	X	X	X						
Apartment Unit (1)	X	X	X	X	X	X	X	X	X
Bed and Breakfast	X	X							
<u>Single Detached Dwelling (6)</u>	<u>X</u>	<u>X</u>							
<u>Semi-Detached Dwelling (6)</u>	<u>X</u>	<u>X</u>							
Dwelling Unit (1, 5)		X							
<u>Additional Dwelling Unit (7)</u>	<u>X</u>	<u>X</u>							
<u>Triplex Dwelling</u>	<u>X</u>	<u>X</u>							
<u>Fourplex Dwelling</u>	<u>X</u>	<u>X</u>							
<u>Block Townhouse Dwelling</u>	<u>X</u>	<u>X</u>							
<u>Cluster Townhouse Dwelling</u>	<u>X</u>	<u>X</u>							

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 6.1 – Permitted Uses in Commercial and Mixed Use Zones**

The following uses are permitted in the zones corresponding to the columns where an “X” is identified. Where an “E” is identified, only legally existing uses shall be permitted.

Use	Mixed Use			Commercial					
	MD	MW	MC	C1	C2 <sup>(2)</sup>	C3 <sup>(2)</sup>	C4	C5	C6 <sup>(3)</sup>
<a href="#">Home Occupation</a>	X	X							
<a href="#">Short Term Vacation Rental</a>	X	X							
Group Home (1)	X	X	X						
Retirement Home	X	X	X						
<a href="#">Nursing Home</a>	X	X	X						
Boarding/Rooming/ Lodging House	X	X	X						
<a href="#">Homeless or Emergency Shelter</a>			X	X	X	X	X	X	X

[\(6\) Only existing uses are permitted.](#)

[\(7\) Only permitted within an existing Single-Detached Dwelling or Semi-Detached Dwelling.](#)

**Non-Residential Uses****A**

Adult Day Care	X	X	X	X	X	X	X	X	X
Arcade	X	X	X		X	X	X	X	X
<a href="#">Art Gallery</a>	X	X							
Artist's Workshop	X	X	X	X	X	X		X	X
Assembly Hall	X	X	X		X	X	X		X
Auctioneer's Establishment						X	X		
Automobile Body Shop (1)							X		
Automobile Rental Agency	X	X				X	X		X
Automobile Repair Garage (1)	E					X	X		

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 6.1 – Permitted Uses in Commercial and Mixed Use Zones**

The following uses are permitted in the zones corresponding to the columns where an “X” is identified. Where an “E” is identified, only legally existing uses shall be permitted.

Use	Mixed Use			Commercial					
	MD	MW	MC	C1	C2 <sup>(2)</sup>	C3 <sup>(2)</sup>	C4	C5	C6 <sup>(3)</sup>
Automobile Gas Bar (1)	E				E	X	X		
Automobile Sales Establishment (1)	E					X	X		X
Automobile Service Station (1)	E				E	X	X		
Automotive Trade Use						X	X		
<b>B</b>									
Bakery	X				X				X
Bake Shop	X	X	X	X	X	X		X	X
Business and Professional Offices	X	X	X		X	X		X	X
Business Incubator/Accelerator	X	X	X		X	X		X	X
Business Service Establishment	X	X	X		X	X		X	X
<b>C</b>									
Car Wash (as a principal use)						X	X		X
Catering Service	X	X	X		X	X	X		X
<u>Child Care Centre</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Clinic or Medical Office	X	X	X	X	X	X		X	X
Commercial Greenhouse						X	X		
Commercial Recreation Establishment	X	X	X		X	X	X	X	X
Commercial School	X	X	X		X	X			X
Commercial Use	X	X	X		X	X			X
Community Centre	X	X	X	X	X	X	X	X	X

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 6.1 – Permitted Uses in Commercial and Mixed Use Zones**

The following uses are permitted in the zones corresponding to the columns where an “X” is identified. Where an “E” is identified, only legally existing uses shall be permitted.

Use	Mixed Use			Commercial					
	MD	MW	MC	C1	C2 <sup>(2)</sup>	C3 <sup>(2)</sup>	C4	C5	C6 <sup>(3)</sup>
Computer Service	X	X	X		X	X		X	X
Contractor's Establishment	X				X	X	X		X
Convenience Store	X	X	X	X	X	X	X	X	X
Courier Service	X		X		X	X	X		X
Custom Workshop	X	X	X		X	X			X

**D, E**

Day Nursery	X	X	X	X	X	X	X	X	X
Delicatessen	X	X	X	X	X	X		X	X
Department Store			X						X
Dry Cleaning Outlet	X	X	X	X	X	X		X	X
Dry Cleaning Plant			X		X	X		X	X

**F**

Factory Outlet									X
Farmer's Market	X	X	X			X	X		
Film, Television and Recording Studio	X	X	X		X	X			X
Financial Service	X	X	X		X	X		X	X
Flea Market					X	X	X		

**G**

Grocery Store	X	X	X		X	X		X	
---------------	---	---	---	--	---	---	--	---	--

**H**

Health Club	X	X	X		X	X	X		X
High Technology Retail Store	X	X	X		X	X	X	X	X

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 6.1 – Permitted Uses in Commercial and Mixed Use Zones**

The following uses are permitted in the zones corresponding to the columns where an “X” is identified. Where an “E” is identified, only legally existing uses shall be permitted.

Use	Mixed Use			Commercial					
	MD	MW	MC	C1	C2 <sup>(2)</sup>	C3 <sup>(2)</sup>	C4	C5	C6 <sup>(3)</sup>
Home Appliance Store	X		X		X	X	X	X	X(3)
Home Decorating Store	X		X		X	X	X	X	X(3)
Home Furnishing Store	X		X		X	X	X	X	X(3)
Home Improvement Store	X		X		X	X	X		X
Hotel	X	X	X		X	X	X		X
<b>I, J, K</b>									
Industrial Equipment Sales, Service and Rental									X
Industrial and/or Automotive Supply						X	X		X
Industrial Mall									X
Industrial Service									X
Industrial Use, Light									X
<b>L</b>									
Large Format Retail Uses									X(3)
Laundromat	X	X	X	X	X	X		X	X
<b>M, N</b>									
Marina		X							
Marine Sales and Service		X				X	X		X
Medical/Dental Laboratory	X		X	X	X	X		X	X
<u>Museum</u>	<del>X</del>	<del>X</del>							
Micro-Brewery	X	X	X						

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 6.1 – Permitted Uses in Commercial and Mixed Use Zones**

The following uses are permitted in the zones corresponding to the columns where an “X” is identified. Where an “E” is identified, only legally existing uses shall be permitted.

Use	Mixed Use			Commercial					
	MD	MW	MC	C1	C2 <sup>(2)</sup>	C3 <sup>(2)</sup>	C4	C5	C6 <sup>(3)</sup>
Micro-Winery	X	X	X						
Mixed Commercial/Residential Building (1)	X	X	X		X	X			
Motel					X	X	X		X
<b>O</b>									
Outside Storage (1) (as an accessory use)						X	X		X
<b>P, Q</b>									
<u>Park</u>	<del>X</del>	<del>X</del>							
Parking Lot/Parking Garage (as a principal use)	X	X	X						X
Personal Service Establishment	X	X	X	X	X	X		X	X
Pet Shop	X	X	X		X	X		X	X
Photographic Service	X	X	X		X	X		X	X
<u>Place of Worship</u>	<del>X</del>	<del>X</del>	<del>X<sup>(8)</sup></del>						
<u>Post-Secondary Institution</u>	<del>X</del>	<del>X</del>							
Printing Establishment	X	X	X		X	X		X	X
Private Club	X	X	X		X	X			X
<u>Private School</u>	<del>X</del>	<del>X</del>							
<b>R</b>									
Recreational Vehicle Sales, Service and Rental						X	X		
Refreshment Vehicle	X	X	X	X	X	X	X	X	X

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 6.1 – Permitted Uses in Commercial and Mixed Use Zones**

The following uses are permitted in the zones corresponding to the columns where an “X” is identified. Where an “E” is identified, only legally existing uses shall be permitted.

Use	Mixed Use			Commercial					
	MD	MW	MC	C1	C2 <sup>(2)</sup>	C3 <sup>(2)</sup>	C4	C5	C6 <sup>(3)</sup>
Research and Development Establishment	X	X	X		X	X		X	X
Restaurant	X	X	X		X	X	X	X	X
Restaurant - Take-Out	X	X	X	X	X	X		X	X
Retail Store	X	X	X		X	X		X	X(3)
Retail Warehouse			X		X	X	X		X(3)
<b>S</b>									
<del>School</del>	<del>X</del>	<del>X</del>							
Seasonal Use	X	X	X		X	X	X	X	X
Self-Service Storage Facility						X	X		
Semi-Permanent Covered Structure (as an accessory structure)				X	X	X	X	X	X
Service and Repair Shop	X	X	X	X	X	X			X
Shopping Centre			X						
Sub Post Office	X	X	X	X	X	X	X	X	X
Supermarket	X		X		X	X	X		
Swimming Pool Sales and Service							X		X
<b>T</b>									
Taxi Dispatch Office	X	X	X		X	X		X	X
Taxi or Vehicle Sharing Service Facility						X	X		
Testing or Research Laboratory									X
Theatre	X	X	X		X	X	X		X

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 6.1 – Permitted Uses in Commercial and Mixed Use Zones**

The following uses are permitted in the zones corresponding to the columns where an “X” is identified. Where an “E” is identified, only legally existing uses shall be permitted.

Use	Mixed Use			Commercial					
	MD	MW	MC	C1	C2 <sup>(2)</sup>	C3 <sup>(2)</sup>	C4	C5	C6 <sup>(3)</sup>
Towing Service							X		
Transportation Depot			X			X	X		X
<b>U</b>									
Undertaker's Establishment (4)	X	X				X	X		X
Used Automobile Sales Establishment (1)					X	X	X		
<b>V</b>									
Veterinarian's Office	X			X	X	X		X	X
Vocational Training Centre	X	X	X		X	X	X	X	X
<b>W, X, Y, Z</b>									
Warehouse							X		X
Wholesale Establishment	X		X		X	X			X

**Notes to Table 6.1:**

- (1) This use is subject to additional provisions under the General Provisions (Section 3.0).
- (2) Total commercial space on any lot in the C2 and C3 Zones is limited to a gross leasable area of not more than 7,500.0 m<sup>2</sup>.
- (3) Notwithstanding any other provision of this By-law, the C6 Zone shall be subject to the following special provisions:
  - a) The maximum gross leasable area of individual retail uses denoted shall be limited to 7,700.0 m<sup>2</sup>.
  - b) The maximum cumulative gross leasable area of all retail uses denoted shall be as follows:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- i) 21,135.0 m<sup>2</sup> on lands zoned C6-1, of which 16,722.0 m<sup>2</sup> shall be allocated for a department store;
  - ii) on other lands zoned C6, the maximum cumulative gross leasable area of all retail uses 11,380.0 m<sup>2</sup>.
- c) Of the maximum cumulative gross leasable area prescribed in clause b) above, a maximum of 4,645.0 m<sup>2</sup> may be occupied by retail stores. Of this maximum, no more than 1,858.0 m<sup>2</sup> gross leasable area may be occupied by retail stores on lands zoned C6-1 prior to two years after the first day on which a department store on lands zoned C6-1 is open to the public.
- d) No warehouse use shall be permitted on a lot that has any frontage on Parkedale Avenue.
- e) On any lot that abuts Parkedale Avenue, California Avenue, Crocker Crescent or Broome Road, parking areas shall be permitted in the front and exterior side yards, provided that no part of any front or exterior side yard parking area is located closer than 6.0 metres to the improved public street.
- (4) An accessory dwelling unit to an Undertaker's Establishment shall be permitted in accordance with the provisions in Subsection 3.1 of this By-law.
- (5) Where a building has been used in whole or in part for commercial purposes, the space occupied by the commercial use(s) may be converted to one or more residential dwelling units. Furthermore, existing legal residential dwelling units shall be recognized as being permitted. Vacant lands may be developed for residential dwelling units, provided all applicable zone provisions can be met, and direct access is provided from outside the building, rather than from a common hallway or stairway inside the building. Parking spaces for new residential developments shall be provided at the rates established in Subsection 3.34. Screening or buffering may be required to be installed on property being developed for new residential projects, where the potential for conflicts between residential and adjacent commercial uses exists, and screening or buffering is not in place on the adjacent commercial property. The requirement for the installation of screening or buffering shall be determined at Site Plan Approval stage.
- (6) Only existing uses are permitted.
- (7) Only permitted within an existing Single-Detached Dwelling or Semi-Detached Dwelling.
- (8) Subject to a Maximum Lot Area of 2 hectares (20,000 m<sup>2</sup>)

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.2 LOT AND BUILDING REQUIREMENTS**

Unless otherwise permitted in this By-law, no person shall, within any Commercial or Mixed Use Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the lot and building requirements indicated in **Table 6.2**, which shall be inclusive of **Tables 6.2(a) and 6.2(b)**.

**Table 6.2 – Lot and Building Requirements for Commercial and Mixed Use Zones**

<b>Table 6.2(a): Lot and Building Requirements for Commercial Zones</b>						
<b>Requirement</b>	<b>C1</b>	<b>C2</b>	<b>C3</b>	<b>C4</b>	<b>C5</b>	<b>C6</b>
Minimum Lot Frontage	15.0 m	20.0 m	45.0 m	35.0 m	45.0 m	35.0 m
Minimum Lot Area	500.0 m <sup>2</sup>	600.0 m <sup>2</sup>	1,850.0 m <sup>2</sup>	2,000.0 m <sup>2</sup>	1,850.0 m <sup>2</sup>	2,000.0 m <sup>2</sup>
Minimum Front Yard	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	6.0 m
Minimum Exterior Side Yard	4.5 m	6.0 m	6.0 m	6.0 m	7.5 m	6.0 m
Minimum Interior Side Yard	2.0 m	2.0 m	6.0 m	6.0 m	7.5 m	6.0 m
Minimum Rear Yard	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m
Maximum Lot Coverage	40%	40%	40%	40%	40%	40%
Minimum Landscaped Open Space	15%	15%	15%	15%	15%	15%
Maximum Building Height	10.5 m	13.5 m	10.5 m (30.0 m for hotels)	10.5 m (30.0 m for hotels)	10.5 m (30.0 m for hotels)	15.0 m (30.0 m for hotels)

Note: Other General Provisions may apply. Schedule "B" applies to properties in the Downtown and Central Waterfront Area.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 6.2(b): Lot and Building Requirements for Mixed Use Zones**

Requirement	MD	MW	MC
Minimum Lot Frontage	12.0 m	15.0 m	15.0 m
Minimum Lot Area	500.0 m <sup>2</sup>	500.0 m <sup>2</sup>	500.0 m <sup>2</sup>
Minimum Front Yard	0.0 m	0.0 m	1.5 m
Maximum Front Yard	0.0 m where the lot is subject to Continuous Street Frontage as shown on <b>Schedule "B"</b>  1.2 m where the lot is subject to Intermittent Street Frontage as shown on <b>Schedule "B"</b>	0.0 m where the lot is subject to Continuous Street Frontage as shown on <b>Schedule "B"</b>  3.0 m where the lot is subject to Intermittent Street Frontage as shown on <b>Schedule "B"</b>	No requirement
Minimum Exterior Side Yard	0.0 m where the lot is subject to Continuous Street Frontage as shown on <b>Schedule "B"</b>  1.2 m where the lot is subject to Intermittent Street Frontage as shown on <b>Schedule "B"</b>	0.0 m where the lot is subject to Continuous Street Frontage as shown on <b>Schedule "B"</b>  3.0 m where the lot is subject to Intermittent Street Frontage as shown on <b>Schedule "B"</b>	3.0 m
Minimum Interior Side Yard	0.0 m	0.0 m or 2.0 m where abutting a Residential Zone	1.5 m or 4.5 m where abutting a Residential Zone
Minimum Rear Yard	6.0 m or 50% of the height of the building, whichever is greater	0.0 m or 2.0 m where abutting a Residential Zone	6.0 m
Maximum Lot Coverage	90%	80%	70%
Minimum Landscaped Open Space	No requirement	10%	10%
Minimum Ground Floor Height	As indicated on <b>Schedule "B"</b> , or no requirement if not specified on <b>Schedule "B"</b>	As indicated on <b>Schedule "B"</b> , or no requirement if not specified on <b>Schedule "B"</b>	No requirement
Minimum Building Height	As indicated on <b>Schedule "B"</b> , or no requirement if not specified on <b>Schedule "B"</b>	As indicated on <b>Schedule "B"</b> , or no requirement if not specified on <b>Schedule "B"</b>	No requirement

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 6.2(b): Lot and Building Requirements for Mixed Use Zones**

Requirement	MD	MW	MC
Maximum Building Height	As indicated on <b>Schedule “B”</b> and subject to Angular Plane provisions ( <b>Section 3.5</b> )	As indicated on <b>Schedule “B”</b> and subject to Angular Plane provisions ( <b>Section 3.5</b> )	15.0 m or 30.0 m for hotels
Other Provisions	Any storey above the third storey shall be set back a minimum of 1.5 m from the main wall of the first three storeys	Any storey above the third storey shall be set back a minimum of 1.5 m from the main wall of the first three storeys	Any storey above the third storey shall be set back a minimum of 1.5 m from the main wall of the first three storeys

Note: Other General Provisions may apply. Schedule “B” applies to all lands zoned MD and MW.

City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.3 MIXED USE AND COMMERCIAL SPECIAL EXCEPTION ZONES**

Notwithstanding any other provision of this By-law, the following special provisions shall apply to the areas identified below and shown on Schedule “A”:

**6.3.1 MD Zone**

**6.3.1.1 T-MD-1 Zone (Northwest Corner of King Street West and Clarissa Street) Amending By-law 036-2020**

In addition to the uses permitted in the MD – Mixed Use Downtown Zone, a Refreshment Vehicle shall be permitted in the T-MD-1 Zone, for a three (3) year period ending 24 March 2023.

The Refreshment Vehicle shall be located a maximum of 20.0 metres from the rear property line and a minimum of 4.5 metres from the exterior side property line (Clarissa Street).

No outside storage or accessory structures are permitted in association with the Refreshment Vehicle except for a fenced enclosure, screened from the public and located behind said Refreshment Vehicle.

One (1) bicycle rack shall be provided adjacent to the Refreshment Vehicle.

All large garbage/refuse bins shall be concealed from view from the street and stored in accordance with the applicable general provisions of this by-law.

Landscaping in the form of a minimum of two (2) planter boxes shall be provided adjacent to the south and east faces of the Refreshment Vehicle.

When closed for the season, items associated with said Refreshment Vehicle shall be concealed from view from the street.”

**6.3.1.2 MD-2 Zone (Southwest Corner of George Street and Clarissa Street)**

The uses permitted in the MD-2 Zone shall be:

Adult Day Care	Day Nursery	Radio and Television Studio
Artist’s Workshop	Dental Laboratory	Research and Development Est.
Assembly Hall	Delicatessen	Restaurant
Bakery	Farmer’s Market	Restaurant - Take-Out
Bake Shop	Film and Recording Studio	Restaurant - Outdoor Patio

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Business/Professional Offices	Health Club	Retail Store
Business Incubator	High Technology Retail Store	Seasonal Use
Business Service Establishment	Home Appliance Store	Service and Repair Shop
Catering Service	Home Decorating Store	Service Use
Church	Home Furnishing Store	Sub Post Office
Clinic	Home Improvement Store	Theatre
Commercial School	Micro Brewery	Undertaker's Est.
Commercial Use	Museum/Art Gallery	Veterinarian's Office
Computer Design and Development Facility	Personal Service Establishment	Vocational Training Centre
Computer Service	Photographic Establishment	Video Rental Establishment
Contractor's Establishment	Photographic Service	Workplace Day Nursery
Custom Workshop	Printing Establishment	
Data Processing Centre	Private Club	

For purposes of the MD-2 Zone, a "museum" shall be defined as "a public art gallery or a public archives".

For purposes of the MD-2 Zone, a "micro brewery" shall be defined as "a craft brewing operation that may include a restaurant, tasting room, and public tours. The craft brewing operation process water, malt, hops, and yeast into beer or ale by mashing, cooking, and fermenting."

The zone provisions with respect to a micro brewery in the MD-2 Zone shall be:

- a) The use shall be licensed by the Alcohol and Gaming Commission of Ontario (AGCO) as required by the Liquor Licence Act, as amended from time to time;
- b) The method and frequency of ingredient material shipments to the site shall be provided; and
- c) The method and frequency of finished product shipments shall be provided.

The zone provisions for the MD-2 Zone shall be:

Minimum Lot Area	1280.0 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Minimum Front Yard Setback (from Clarissa St.)	Existing
Build-to Plane	N/A
Minimum Exterior Side Yard Setback (from George St.)	Existing

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Minimum Interior Side Yard Setback	Existing
Minimum Rear Yard Setback	0.0 m
Minimum Landscaped Open Space	10%
Maximum Building Height	Existing
Maximum Lot Coverage	80%
Parking	0 spaces

All reference to zone provisions as “existing” are as of May 24th, 2011.

**6.3.1.3 MD-3 Zone (6 Court Terrace)**

Parking is to be provided for the residential units at a rate of one (1) parking space per unit, with a minimum of five (5) spaces in total to be provided on-site and maintained.

**6.3.1.4 MD-4 Zone (10 Garden Street)**

The uses permitted in the MD-4 Zone shall be those uses permitted in the MD Zone and a four (4) unit converted dwelling.

**6.3.1.5 MD-5 Zone (2 Court Terrace)**

The uses permitted in the MD-5 Zone shall be restricted to the offices of a drugless medical practitioner. The provisions for the MD-5 Zone shall be the same as the MD Zone save and except that the required parking for commercial uses in the MD-5 Zone shall be three (3) parking spaces.

**6.3.1.6 MD-6 Zone (68 King Street East)**

The uses permitted in the MD-6 Zone shall be those uses permitted in the MD Zone. The zone provisions for the MD-6 Zone shall be the same as for the MD Zone except for the following:

Minimum Front Yard Setback	0.8 metres
Parking	Maximum 17 spaces

**6.3.1.7 MD-7 Zone (213-221 King Street West)**

The uses in the MD-7 Zone shall be those uses permitted in the MD Zone. Residential dwelling units shall also be permitted on the ground floor at the rear of the building provided that ground floor commercial use is maintained along the King Street frontage.

**6.3.1.8 MD-8 Zone (15 Market Street East)**

The uses permitted in the MD-8 Zone shall be restricted to a mixed commercial/residential development containing the following:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Phase 1/North Portion (Lots 8, 9, 99 and 100 and Part of Lot 10, Block 10, Plan 67):

Commercial Component: Not less than 198.0 square metres of gross leasable ground floor area (King St. East level) for one or more of the commercial uses permitted in the MD Zone.

Residential Component: Retirement Home

Phase 2/South Portion (Lots 24, 101 & 102 and Part of Lots 25 & 26, Block 10, Plan 67):

Commercial Component: Not less than 279.0 sq.m. gross leasable ground floor area (Water St. East level) for one or more of the following:

- a) Restaurant
- b) Restaurant – Take-out
- c) Restaurant – Outdoor Patio

Residential Component: Retirement Home or Apartment Units or a combination thereof. The zone provisions in the MD-8 Zone shall be as follows:

Minimum Lot Area	1500.0 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Minimum Front Yard	As prescribed by the build-to plane which is to apply to the entire width of the property and not less than 80% of the main wall of any building or structure constructed along a front yard and/or exterior side yard shall be established at the setbacks indicated below.
Build-to Plane: Phase 1	<p><u>At King St. East:</u> 1<sup>st</sup> and 2<sup>nd</sup> stories: Between 0.5 and 1.0 m 3<sup>rd</sup> to 6<sup>th</sup> stories: Between 4.0 m and 5.5 m A canopy may project into the yard established by the build-to plane.</p> <p><u>At Market St. East:</u> 1<sup>st</sup> and 2<sup>nd</sup> stories: Between 0.8 and 1.2 m 3<sup>rd</sup> to 6<sup>th</sup> stories: Between 1.5 m. and 3.0 m Not less than 35% of the main wall of the building shall be constructed along the Market St. East build-to plane.</p>
Minimum Exterior Side Yard	As prescribed by the build-to plane requirements
Minimum Interior Side Yard	Nil
Minimum Rear Yard	Nil
Minimum Land Open Space	5%

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Minimum Building Height	7.0 m [2 storeys]
Maximum Building Height	<p><u>Phase 1</u>:</p> <p>At King St. East frontage: 10.0 m [3 storeys]  Along Angular Plane: 21.5 m [7 storeys]  The commencement height of the angular plane, measured from the build-to plane, shall be 17.5 m</p> <p><u>Phase 2</u>:</p> <p>At Water St. East frontage: 10.0 m [3 storeys]  Along Angular Plane: 26.1 m [8 storeys]  The commencement height of the angular plane, measured from Water St. East, shall be 20.0 m</p>
Floor Space Index (F.S.I.)	Phase 1: 3.8 / Phase 2: 2.6

No open storage shall be permitted. Furthermore, the provisions of this By-law with respect to visibility triangles shall not apply at the King St. East and Market St. East intersection. At the intersection of Water St. East and Market St. East, a visibility triangle, measured 3.0 metres along each lot line, shall be provided.

Parking shall be provided as follows:

- a) Phase 1: Retirement Home – 0.2 parking spaces per unit
- b) Commercial component – nil
- c) Notwithstanding Subsection 3.34, not more than one (1) of the required parking spaces may be provided in tandem to another parking space.
- d) Phase 2: Retirement Home – 0.2 parking spaces per unit
- e) For all other uses, parking shall be provided at the rates established in Subsection 3.34.

#### 6.3.1.9 MD-9 Zone (176-194 King Street West)

The uses permitted in the MD-9 Zone shall be those uses permitted in the MD Zone and a rooming house containing a maximum of six (6) bed unit rooms located on the second floor of the building with municipal address 186 King Street West only.

For purposes of this zone, a rooming house is defined as a permanent form of accommodation, provided in separate, habitable bed-unit rooms, each of which may contain limited food preparation facilities or sanitary facilities, but not both.

#### 6.3.1.10 MD-10 Zone (23 King Street West)

Those uses permitted in the MD-10 Zone shall be those uses permitted in the MD Zone and a maximum of two (2) residential dwelling units on the main level (King

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Street) but not closer than 18.9 metres from the King Street building face, and a maximum of one (1) residential dwelling unit on the lower level (Water Street) of the building.

**6.3.1.11 MD-11 Zone (36-46 King Street West)**

The uses permitted in the MD-11 Zone shall be those permitted in the MD Zone with the addition of a Self-Service Storage Facility.

No part of a Self-Service Storage Facility is to be located on the first storey within 15.0 m of the King Street building face.

**6.3.1.12 T-MD-12 Zone (35 Broad Street)**

In addition to the uses permitted in the MD Zone, a refreshment vehicle shall be permitted in the T-MD-12 Zone, for a three (3) year period ending April 9, 2016.

No additional accessory storage or structures are permitted.

Removal of the refreshment vehicle from the site is mandatory when closed for the season.

The refreshment vehicle must be oriented east/west along the south curb line of the existing parking lot and located towards the easterly lot line so as to not impede traffic.

**6.3.1.13 MD-13 Zone (1 Court Terrace)**

The uses permitted in the MD-13 Zone shall be restricted to a business office, a clinic, a commercial use, a custom workshop, a retail store and a studio. Further, the commercial uses shall be restricted to the George Street level of the premises and shall occupy a maximum of 75.0 square metres of floor space. The upper storeys of the premises shall be restricted to residential uses.

**6.3.1.14 MD-14 Zone (62 King St .E. and 31 and 33 Bethune St.)  
Amending By-law 017-2015**

The uses permitted in the MD-14 Zone shall be those uses permitted in the MD – Mixed Use Downtown Zone. Furthermore, notwithstanding Subsection 3.6, apartment unit(s) may be located on the first storey.

Maximum Density: 6 dwelling units

The amenity area which existed as of the date of establishment of this zone shall be deemed to be legally complying.

**6.3.1.15 MD-15 Zone (26 Victoria Avenue) Amending By-law 018-2015**

The uses permitted in the MD-15 Zone shall be those uses permitted in the MD – Mixed Use Downtown Zone and a Single Detached Dwelling.

City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.3.1.16 MD-16 Zone (22 Perth Street)** Amending By-law 028-2015

The uses permitted in the MD-16 Zone shall be those uses permitted within the MD – Mixed Use Downtown Zone. Furthermore, notwithstanding Subsection 3.6, an apartment unit is a permitted use on the first storey.

**6.3.1.17 MD-17 Zone (10 John Street) – Amending By-law 044-2016**

The uses permitted in the MD-17 Zone shall be those uses permitted in the MD-Mixed Use Downtown Zone and a Community Health and Resource Centre.”

The zone provisions for the MD-17 Zone shall be the same as for the MD Zone except for the following:

Minimum Front Yard Setback	0.8 m
Parking Area Setback to St. Paul Street	1.0 m

**6.3.1.18 MD-18 Zone (224 King Street West) Amending By-law 056-2022**

“MD-18 Zone (224 King Street West)

*The uses permitted in the MD-18 Zone shall be those permitted in the MD-Mixed Use Downtown Zone and a maximum of 10 residential dwelling units with 8 residential dwelling units being located on the main level but not closer than 18.0 metres from the King Street West building face. The zone provisions for the MD-18 Zone shall be the same as for the MD - Mixed Use Downtown Zone save and except the following:*

- *Notwithstanding Section 3.22 of this By-law, the property shall not be subject to the Intermittent Street Frontage requirements contained herein;*
- *A Garbage Enclosure shall be permitted within the front yard area without the requirement for an access aisle; and,*
- *Recognize the existing accessory building (garage) at 12.4m from George Street, 0.0m from the interior side yard (north) and 0.3m from the interior side yard (west).”*

**6.3.1.18 T-MD-18 Zone (205 King Street West)** Amending By-law 043-2022

The uses permitted in the T-MD-18 Zone shall be those permitted in the MD Zone as well as the following:

A maximum of 2 sea-cans shall be permitted to be utilized as refreshment vehicles and/or retail uses for a maximum of 3 years as portrayed on Attachment 1 as per report 2022-81, and expiring 24 May 2025, subject to the following criteria:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

1. No outside storage or accessory structures are permitted in association with the refreshment vehicle and retail uses, other than what is outlined as per Attachment 1 to report 2022-81.
2. One (1) bicycle rack shall be provided.
3. Garbage/refuse bins shall be concealed from view from the street and stored in accordance with the applicable general provisions of by-law 050-2014.
4. If/when closed for the season, accessory items associated with said refreshment vehicle and retail uses shall be concealed from view from the street.

**6.3.1.19 MD-19 (10 Victoria Avenue)** Amending By-law 041-2025

The uses permitted in the MD-19 Zone shall be those uses permitted in the MD Zone. The zone provisions of the MD-19 Zone shall be the same as the MD Zone except the following:

- That residential occupancy on the ground floor of the existing building be permitted.
- That 0 parking spaces be required for a maximum of 4 residential units.

**6.3.1.20 MD-20 (10, 12, 14 Perth Street)** Amending By-law 098-2022

The uses permitted in the MD-20 Zone shall be those uses permitted in the MD Zone. The zone provisions of the MD-20 Zone shall be the same as the MD Zone except the following:

- That residential occupancy on the ground floor of the existing building be permitted.

**6.3.1.21 MD-21 (71 King Street East)** Amending By-law 063-2023

The uses permitted in the MD-21 Zone shall be those uses permitted in the MD Zone. The zone provisions of the MD-21 Zone shall be the same as the MD Zone except the following:

- That residential occupancy on the ground floor of the existing building be permitted.
- That a maximum of 4 “Apartment Units” be permitted within the existing building.
- That the existing ceil height on the ground floor of the building being less than 4.5m be permitted.
- That the 3 existing parking space only be provided for the 4 “Apartment Dwelling” units on the subject property measuring 5.5m deep and 2.29m wide.

**6.3.1.22 MD-22 (36-46 King Street West)** Amending By-law 036-2024

The uses permitted in the MD-22 Zone shall be a mixed-use building containing a minimum of 700.0 square metres of gross leasable commercial space, with up to a maximum of 66 residential units. The zone provisions for the MD-22 Zone shall be the same as the MD Zone except the following:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Maximum Building Height	33.0 metres
Angular Plane	Encroachment permitted to a maximum of 2.0 metres
Minimum Parking Required for all uses	42 spaces
Maximum Lot Coverage	100%

- Notwithstanding Section 3.4 of this By-law, a Children's Play Area is not required."

**6.3.1.23 H6-MD-23 (107-119 King Street West)** Amending By-law 060-2025

The uses permitted in the MD-23 Zone shall be a mixed-use building containing a minimum of 615.0 square metres of gross leasable commercial space, with up to a maximum of 128 residential units. The zone provisions for the MD-22 Zone shall be the same as the MD-Mixed Use Downtown Zone save and except the following:

Maximum Building Height	21.0 metres
Maximum Continuous Street Frontage Setback	1.2 metres
Maximum Intermittent Street Frontage Setback	3.0 metres
Minimum Rear Yard Setback	9.4 metres
Angular Plane - Home Street	59 degrees
Loading Spaces	0 spaces
Parking Required (min.)	103 spaces
Ground Floor Height (min.)	3.35 metres

- Residential Units may be permitted on the ground floor level but not fronting King Street.
- Notwithstanding Table 6.2(b), under the "MD" category, titled "Other Provisions", Balconies/Terraces are permitted to encroach into the 1.5 metre setback from the main wall requirement above the third floor.
- Notwithstanding Section 3.4 of this By-law, a Children's Play Area is not required."

**6.3.1.24 MD-24 (51 King Street West)** Amending By-law 050-2025

The uses permitted in the MD-24 Zone shall be those uses permitted in the MD Zone. The zone provisions of the MD-24 Zone shall be the same as the MD Zone except the following:

- In addition to residential occupancy on the upper floors, residential occupancy shall be permitted to a maximum of 3 residential units on the main level (King Street) but not closer than 15.0 metres from the King Street building face, and a maximum of 2 residential dwelling units on the lower level (Broad Street) near the rear of the building.

City of Brockville Comprehensive Zoning By-law No. 050-2014

- That 0 parking spaces be required for the 5 residential units referenced above and that a minimum of 17 parking spaces be maintained on the property.

**6.3.1.25 MD-25 (143-145 King Street West)** Amending By-law 018-2026

The uses permitted in the MD-25 Zone shall be those uses permitted in the MD Mixed Use Downtown Zone and a Self-Service Storage facility on the lower level/Basement of the existing building. The zone provisions of the MD-25 Zone shall be the same as the MD-Mixed Use Downtown Zone except the following:

- In addition to residential occupancy on the upper floors, residential occupancy shall be permitted to a maximum of 1 residential unit on the main level (King Street) but not closer than 9.0 metres from the King Street building face, and a maximum of 1 residential dwelling unit on the lower level of the building.
- That 0 parking spaces be required for a maximum of 3 residential units and 1 commercial unit on the basement/lower level of the existing building.
- That a minimum of 2 legal parking spaces be maintained on the property."

**6.3.2 MW Zone**

**6.3.2.1 MW-1 Zone (5 - 19 Jessie Street)**

Uses in the MW-1 Zone shall be restricted to the existing marina operation and three (3) residential dwelling units.

**6.3.2.2 MW-2 Zone (South Side of Water Street West Between Apple and Home Streets)**

The uses permitted in the MW-2 Zone shall be the uses permitted in the MW Zone. The zone provisions for the MW-2 Zone shall be as follows:

Maximum Building Height	17.5 m [5 storeys]
-------------------------	--------------------

**6.3.2.3 MW-3 Zone (Tall Ships Landing)**

Notwithstanding any other provision of this By-law, the following zoning provisions shall apply to the whole site:

The uses permitted in the MW-3 Zone shall be: apartment dwelling, multiple unit dwelling, townhouse dwelling, mixed commercial/residential development, hotel, commercial building, mixed use building, marina, marine sales and service, museum, maritime educational center, convention centre and assembly hall. The following uses shall be permitted within a mixed commercial/residential development, a commercial building, a mixed use building, and as secondary uses in association with an apartment dwelling,

City of Brockville Comprehensive Zoning By-law No. 050-2014

multiple unit dwelling, townhouse dwelling, mixed commercial/residential development, hotel, marina, marine sales and service, museum, maritime educational center:

- Artist’s workshop;
- Assembly hall;
- Bake shop;
- Catering service;
- Commercial recreation establishment;
- Commercial school;
- Computer service;
- Convenience store;
- Custom workshop;
- Delicatessen;
- Dry cleaning distribution station;
- Financial service;
- Health club;
- High technology retail store;
- Laundromat;
- Personal service establishment;
- Photographic service;
- Printing establishment;
- Private club;
- Restaurant;
- Restaurant outdoor patio;
- Restaurant take-out;
- Retail store;
- Service use;
- Service and repair shop;
- Sub-post office;
- Video rental establishment

These uses shall be part of a mixed-use development site, as shown below, and may be situated within mixed-use buildings or side by side in separate buildings.

These uses can be legally severed or divided at a later time without each use having to meet the zone requirements or specific area provisions, provided that the original lot, as defined by Reference Plan Number 28R-11711, continues to meet the overall requirements.

For purposes of this zone, a mixed use building is defined as a building which contains two or more primary or secondary uses. A commercial building is defined as a building which contains only commercial uses.

General Provisions

The zone provisions in the MW-3 Zone shall be as follows:

Minimum Lot Area	929.0 m <sup>2</sup>
Minimum Lot Frontage	Subsection 3.17 (Frontage on an Improved Street) does not apply
Minimum Front Yard	0

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Minimum Exterior Side Yard	0
Minimum Rear Yard	0
Minimum Building Setback from St. Lawrence River	Setback of 5.0 m or a mutually agreed to distance between the property owner/developer and the Cataraqui Region Conservation Authority.
Minimum floor area of non-residential uses	850.0 m <sup>2</sup>
Minimum Landscaped Open Space	10%, which includes gardens, terraces, landscaped areas, walking paths, roof gardens and marina walkways that are accessible to residents of the site.
Maximum lot coverage	95%
Minimum loading spaces	1 loading space for commercial/retail component
Maximum Height	34.0 m [10 stories], subject to Figure 6.3.2.3.1 and to the Bonus provisions outlined in this Subsection.
Floor Space Index	3.6

Waterfront Development Regulations

Living spaces shall be constructed above the 1:100 year water level (75.8 m) or as required by the Cataraqui Region Conservation Authority. Exterior building openings should be a minimum of 0.3 m. above the regulatory floodplain (77.0 m) or as required by the Cataraqui Region Conservation Authority.

Parking

Site development requires the provision of on-site parking spaces. Such spaces shall meet a minimum requirement of 1.1 parking spaces per dwelling unit. Parking for the non-residential uses shall be provided in accordance Subsection 3.34.

Barrier-free parking shall be provided at the rate of one parking space for every 100 parking spaces, at a minimum of one parking space.

Massing and Height

Figure 6.3.2.3.1 to this by-law provides the requirements for maximum building heights, setbacks, and floor plates. Building height is measured from the geodetic elevation. The maximum building heights indicated on Figure 6.3.2.3.1 to this by-law can only be achieved subject to the following bonus provisions:

A bonus of additional building height is allowed, to the limits and in the locations specified in Figure 6.3.2.3.1, where the owner/developer has agreed to financially contribute, subject to the terms of a Public Private Partnership with the City, for the maritime discovery centre as follows:

Phase 1:

1<sup>st</sup> level above 38 m: \$30,000.00



## City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.3.2.4 MW-4 Zone (Sherman Lane)**

The uses permitted in the MW-4 Zone shall be those uses permitted in the MW Zone as well as a maximum of ten (10) townhouse dwelling units. The zone provisions for the MW-4 Zone shall be the same as the zone provisions for the MW-4 Zone, save and except for the following zone provisions which shall apply to the development of townhouse dwelling units.

Zone Provisions for Townhouse Dwelling Units: Notwithstanding Section 3.17 of this By-law, lots may be created with frontage on a private right-of-way held in common by all dwelling unit owners.

Minimum lot area	175.0 m <sup>2</sup>
Minimum lot frontage on private right-of-way	6.0 metres
Minimum front yard from private right-of-way	Nil
Build-to Plane along Kincaid Street	1.5 metres
Minimum interior side yard (No side yard is required for the side of a dwelling which is attached to an adjoining dwelling unit.)	1.5 metres
Minimum rear yard	1.5 metres
Minimum landscaped open space	10%
Maximum building height as measured from grade at the front of the building	14.0 metres
Minimum building height as measured from grade at the front of the building	7.0 metres
Dwelling units per freehold lot	1
Minimum parking spaces per dwelling unit	1
Maximum lot coverage	80%
Floor space index	1.5
Minimum separation between groups of townhouses	7.5 metres
Minimum setback from side or rear lot lines for detached garages, with or without a covered walkway linking the dwelling units to the garages	Nil

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.3.2.5 MW-5 Zone (26-28 Water Street)**

The uses permitted in the MW-5 Zone shall be those permitted in the MW-Mixed Use Waterfront Zone with the addition of a “Veterinarian’s Office” being a permitted use, provided a minimum of 16 parking spaces be available and maintained on-site.”

**6.3.3 MC Zone****6.3.3.1 MC-1 Zone (1000 Islands Mall, 2399 Parkedale Avenue)**

Notwithstanding any other provision of this By-law, parking space sizes for 90 degree parking spaces shall be 2.7 metres by 5.5 metres with a 6.0 metre access aisle.

The minimum required number of parking spaces shall be 4.5 spaces per 100.00 m<sup>2</sup> of gross leasable area.

**6.3.3.2 MC-2 Zone (125 Stewart Boulevard) Amending By-law 012-2022, further amended by By-law 022-2024**

The uses permitted in the MC-2 Zone shall be those permitted in the MC Zone as well as the following:

- Home Occupations
- A homeless or Emergency Shelter

The zone provisions for the MC-2 Zone shall be the same as the zone provisions for the MC Zone, save and except the following:

- Apartment Dwellings may be permitted on the ground floor to a maximum 20% of the aggregate floor area on the site.
- Reduction to the minimum required amenity space of 50% per bedroom type.
- A Reduction to the minimum required children’s play area size from 2.5m<sup>2</sup> per unit to 1.75m<sup>2</sup> per unit.
- A Reduction to the minimum parking required per Apartment Unit from 1.1 spaces to 0.8 spaces.
- Establish a parking ratio of 3.75 spaces per 100.0m<sup>2</sup> for all commercial uses except for a medical office requiring 1.0 space per 30.0m<sup>2</sup>, and a Commercial Recreation Establishment at a rate of 1.0 space per 40.0m<sup>2</sup>.
- Establish a maximum allowable height of 36.0 metres.
- A Reduction to the minimum rear yard from 6.0 metres to 2.6 metres.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.3.3.3 MC-3 Zone (Rear Parking Area- formerly part of 125 Stewart Blvd) Amending By-law 022-2024**

The uses permitted in the MC-3 Zone shall be those permitted in the MC Zone. The zone provisions for the MC-3 Zone shall be the same as the zone provisions for the MC Zone, save and except the following:

- Permission for 100% of the ground floor to be used for residential and/or commercial.
- Reduction to the minimum required amenity space of 50% per bedroom type.
- A Reduction to the minimum required children's play area size from 2.5m<sup>2</sup> per unit to 1.75m<sup>2</sup> per unit.
- A Reduction to the minimum parking required per Apartment Unit from 1.1 spaces to 0.8 spaces.
- Establish a parking ratio of 2.5 spaces per 100.0m<sup>2</sup> for all commercial uses except a clinic/medical office requiring 1.0 space per 30.0m<sup>2</sup>.
- Establish a maximum allowable height of 36.0 metres.
- A reduction to the minimum lot frontage required from 15.0 metres to 13.6 metres.
- Reduction to the minimum landscaped open space required from 10.0% to 7.0%.

**6.3.3.4 MC-4 Zone (Beer Store Lands - formerly part of 125 Stewart Blvd) Amending By-law 022-2024**

The uses permitted in the MC-4 Zone shall be those permitted in the MC Zone. The zone provisions for the MC-4 Zone shall be the same as the zone provisions for the MC Zone, save and except the following:

- Reduction to the minimum required amenity space of 50% per bedroom type.
- A Reduction to the minimum required children's play area size from 2.5m<sup>2</sup> per unit to 1.75m<sup>2</sup> per unit.
- A Reduction to the minimum parking required per Apartment Unit from 1.1 spaces to 0.8 spaces.
- Establish a parking ratio of 3.75 spaces per 100.0m<sup>2</sup> for all commercial uses.
- Establish a maximum building height of 17.5 metres.
- A Reduction to the minimum landscaped open space required from 10.0% to 0.0%.
- A Reduction to the minimum rear yard from 6.0 metres to 5.3 metres.

**6.3.3.5 MC-5 Zone (Dairy Queen Lands - formerly part of 125 Stewart Blvd) Amending By-law 022-2024**

The uses permitted in the MC-5 Zone shall be those permitted in the MC Zone. The zone provisions for the MC-5 Zone shall be the same as the zone provisions for the MC Zone, save and except the following:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- Reduction to the minimum required amenity space of 50% per bedroom type.
- A Reduction to the minimum required children's play area size from 2.5m<sup>2</sup> per unit to 1.75m<sup>2</sup> per unit.
- A Reduction to the minimum parking required per Apartment Unit from 1.1 spaces to 0.8 spaces.
- Establish a parking ratio of 3.75 spaces per 100.0m<sup>2</sup> for all commercial uses.
- Establish a maximum building height of 17.5 metres.
- Reduction to the minimum landscaped open space required from 10.0% to 0.0%.

**6.3.4 C1 Zone****6.3.4.1 C1-1 Zone (224 King Street East)**

The uses permitted in the C1-1 Zone shall be restricted to a clinic for up to three (3) doctors and/or a Business and Professional Office.

**6.3.4.2 C1-2 Zone (60 Pearl Street East)**

The uses permitted in the C1-2 Zone shall be those permitted in the C1 – Local Commercial Zone.

The zone provisions for the C1-2 Zone shall be the same as for the C1 – Local Commercial Zone, save and except for the following:

<b>60 Pearl Street East - Commercial - C1-2</b>	
	<b>60 Pearl Street E</b>
Minimum Lot Area	487.5 m <sup>2</sup>
Minimum Lot Frontage	8.1 m
Minimum Front Yard	1.8 m
Minimum Front Yard to a Porch, Step or Deck	0.0 m
Minimum Interior Side Yard (west)	1.1 m
Minimum Exterior Side Yard	0.56 m (building) 0.0 (landings and stairs)
Minimum Interior Side Yard to an accessory structure	0.0 m
Minimum Rear Yard to an accessory structure	0.0 m
Minimum Landscaped Space	7.2%
Total Parking Required	8 spaces

Where parking is provided in the C1-2 Zone, no planting strip shall be required. However, a 1.98 metre high solid wood fence shall be provided where parking in the C1-2 Zone abuts any residential use or zone other than those properties with municipal addresses 54, 56 and 58 Pearl Street East, inclusive.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.3.4.3 C1-3 Zone (Front Avenue/Park Street)**

The uses permitted in the C1-3 zone shall be those uses permitted in the C1 Zone, a service use, a retail food store having a maximum gross leasable floor area of 300.0 square metres and a restaurant.

The zone provisions for the C1-3 Zone shall be as follows:

Minimum Lot Area	2,950.0 sq.m.
Minimum Lot Frontage	29.0 m
Minimum Front Yard (Front Avenue frontage)	7.5 m
Minimum Interior Side Yard	3.0 m
Minimum Exterior Side Yard (Park Street frontage)	Nil
Minimum Rear Yard (Amy Street frontage)	6.0 m
Maximum Building Height	10.5 m
Minimum Landscaped Open Space	10%

Buffering of parking (where parking abuts a residential use) - a solid fence having a minimum height of 2.0 metres shall be provided where parking abuts a residential use.

Parking may be provided in the required front yard to within 1.0 metre of the Front Avenue right-of-way.

**6.3.4.4 C1-4 Zone (6 Glenn Wood Place)**

The uses permitted in the C1-4 Zone shall be limited to: accessory apartment units; business and professional office; clinic; day nursery; dental laboratory; medical laboratory; adult day care; personal service establishment; commercial school and apartment dwelling containing a maximum of fourteen (14) residential apartment units.

Accessory apartment units may be located in the upper level, provided that all commercial uses in the building are limited to the lower level.

The zone provisions for the C1-4 Zone shall be the same as the C1 Zone provisions, save and except for the following:

Minimum interior side yard:	15.0 metres
Maximum building height:	7.0 metres [2 storeys]

A 1.5 metre wide planting strip shall be installed along the northwest lot line adjacent to Lots 1 through 4, Registered Plan 312.

Should the building located in the C1-4 Zone be utilized as an apartment dwelling, the minimum landscaped open space shall be 30%. Furthermore,

## City of Brockville Comprehensive Zoning By-law No. 050-2014

no open balconies shall be permitted. A children's play area shall be installed in accordance with clause 3.5 e) of this By-law.

**6.3.4.6 C1-6 Zone (4 Schofield Avenue)**

The uses permitted in the C1-6 Zone shall be those uses permitted in the C1 Zone. The zone provisions for the C1-6 Zone shall be the same as for the C1 Zone, except for the following:

Minimum Required Parking Spaces	Twelve (12) parking spaces
Minimum Required Loading Zones	0
Minimum distance for parking from a street level	0.62 metres

**6.3.4.7 C1-7 Zone (108 Perth Street)** Amended by By-law 065-2016

The uses permitted in the C1-7 Zone shall be those uses permitted in the C1-Local Commercial Zone as well as a Business and Professional Office and Retail Store.

Associated with all permitted uses, the outdoor display or storage of items, goods or products shall not be permitted on the premises.

**6.3.5 C2 Zone****6.3.5.1 C2-1 Zone (148 Brock Street)**

In the C2-1 Zone, the uses permitted shall be limited to the office and warehouse of an electrical contractor, an answering service, a security systems service, an artist's workshop, computer services, a custom workshop, a printing establishment, a service and repair shop, a service use, and a sign painter's shop.

The zone provisions for the C2-1 Zone shall be as follows:

Minimum Lot Area	530.0 m <sup>2</sup>
Minimum Frontage	15.0 m
Minimum Front Yard	13.0 m
Minimum Interior Side Yard	Nil
Minimum Rear Yard	1.0 m
Minimum Landscaped Open Space	10%
Maximum Height	6.5 m
Maximum Lot Coverage	60%
Parking - A minimum of four (4) parking spaces shall be provided. No parking space shall be located within 1.0 metre of any interior side yard or within 2.0 metres of the front lot line. All parking shall be paved and bounded by curbs.	

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.3.5.2 C2-2 Zone (109 Perth Street)**

The uses permitted in the C2-2 Zone shall be restricted to the warehousing and retail sales of furniture, appliances and accessory goods and one (1) second storey apartment. The zone provisions for the C2-2 Zone shall be as follows:

Minimum Lot Area	1,850.0 m <sup>2</sup>
Minimum Lot Frontage	30.0 m
Minimum Front Yard (Perth Street)	7.5 m
Minimum Front Yard (John Street)	7.5 m
Minimum Exterior Side Yard	4.5 m
Minimum Interior Side Yard	6.0 m
Minimum Landscaped Open Space	Nil
Maximum Height	10.5 m
Maximum Lot Coverage	80%
Parking - A minimum of 10 parking spaces shall be provided. The said parking spaces may be provided within the front yard abutting John Street and within 3.0 metres of the Perth Street front lot line. The parking spaces in the John Street front yard may have dimensions of 2.75 m x 4.5 m.	
Loading Space - Notwithstanding any other provision of this By-law, one (1) loading space may be provided in the required exterior side yard.	

The provisions of this By-law with respect to amenity space and landscaped open space shall not apply to the one (1) apartment unit permitted in the C2-2 Zone.

**6.3.5.3 C2-3 Zone (67 James Street West and 56-58 Buell Street)**

The uses permitted in the C2-3 Zone shall be restricted to the following:

Main Floor Level: a warehouse and distribution facility for food bank purposes only or a maximum of four (4) apartment units.

Second Floor Level: a maximum of two (2) apartment units.

The zone provisions for the C2-3 Zone shall be as follows:

Minimum Lot Area	520.0 m <sup>2</sup>
Minimum Lot Frontage	21.0 m
Minimum Front, Exterior Side and Rear Yards	As existed on the date of passing of this By-law.
Minimum Interior side yard	0.34 m
Minimum Landscaped Open Space	Nil
Maximum Height	10.5 m
Maximum Lot Coverage	80%

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Minimum Number of Parking Spaces	5
No setbacks for parking shall be required from Buell Street.	
No open storage shall be permitted.	

Additional zone provisions applicable only to the warehouse and distribution facility for food bank purposes:

Loading Spaces Required: 1, which shall be located south of the building. The loading space shall be permitted within a required aisle area.
No truck entry/loading shall be permitted from James Street West.”

**6.3.5.4 C2-4 Zone (16 Brock Street)**

The uses permitted in the C2-4 Zone shall be those uses permitted in the C2 Zone and a transportation terminal.

**6.3.5.5 C2-5 Zone (Hunter’s Hill Subdivision)**

The uses permitted in the C2-5 Zone shall be as follows:

1. adult day care
2. artist’s workshop
3. bake shop
4. business and professional office
5. clinic or medical office
6. commercial recreation establishment
7. convenience store
8. day nursery
9. dry cleaning outlet
10. financial service
11. laundromat
12. medical laboratory
13. personal service establishment
14. photographic service
15. printing establishment
16. restaurant and restaurant, outdoor patio
17. sub post office
18. veterinarian’s office
19. vocational training centre

The zone provisions for the C2-5 Zone shall be the same as the C2 Zone save that the maximum building height permitted in the C2-16 Zone shall be 10.5 metres.

**6.3.5.6 C2-6 Zone (130 North Augusta Road)**

The uses permitted in the C2-6 Zone shall include all uses in the C2 Zone in addition to warehousing and mini warehousing.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.3.5.7 C2-7 Zone (137 Pearl Street East)**

The uses permitted in the C2-7 Zone shall be restricted to an Undertaker's Establishment and accessory uses thereto.

Where this zone abuts lands used or zoned for residential purposes, a 1.5 m high solid wood or chain link fence and 3.0 metre wide planting strip shall be provided along the property line.

**6.3.5.8 C2-8 Zone (10 Central Avenue West)**

The uses permitted in the C2-8 Zone shall be those uses permitted in the C2 Zone and a car wash.

**6.3.5.9 C2-9 Zone (100 Stewart Blvd.) - Amending By-law 021-2025**

The uses permitted in the C2-9-General Commercial Special Exception Zone shall be those permitted within the C2-General Commercial Zone, a retirement home and an apartment building. Notwithstanding any future severance, the lands zoned C2-9 shall be considered one lot for zoning purposes.

The zone provisions for the C2-9 Zone shall be the same as the C2 Zone save and except the following:

- The side yard abutting Central Avenue shall be a minimum of 5.0 metres.
- Maximum height of an Apartment Building shall be 17.5 metres.
- Ground Floor Commercial Space is not required.
- A Childrens Play Area is not required.
- Parking requirements are as follows:
  - Apartment Dwelling: 1.0 space per unit
  - Retirement Home: 0.25 spaces per unit"

**6.3.5.10 C2-10 Zone (158 Perth Street)**

The uses permitted in the C2-10 Zone shall be those uses permitted in the C2 Zone.

The zone provisions for the C2-10 Zone shall be as follows:

Minimum Interior Side Yard Setback (north)	3.0 m
Minimum Number of Parking Spaces	4

Notwithstanding Subsection 3.35 of this By-law, a planting strip, fence or buffer area is not required in the C2-10 Zone adjacent to residential uses.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.3.5.11 C2-11 Zone (142 Perth Street)**

The uses permitted in the C2-11 Zone shall be those uses permitted in the C2 Zone as well as an apartment dwelling containing a maximum of 13 dwelling units. Ground floor occupancy may be commercial uses permitted in this zone, apartment units to a maximum of 4, or a combination thereof.

All existing yards, landscaped open space, parking spaces (17) and amenity area shall be recognized as of the date of passing of this amending by-law.

**6.3.5.12 C2-12 Zone (779 Chelsea Street)**

The uses permitted in the C2-12 Zone shall be limited to business and professional office, clinic, and personal service establishment.

**6.3.5.13 C2-13 Zone (Laurier Blvd./Bridlewood Drive)**

The uses permitted in the C2-13 Zone shall be as follows:

1. business and professional office;
2. clinic;
3. day nursery;
4. data processing centre;
5. dental laboratory;
6. delicatessen;
7. medical laboratory;
8. adult day care;
9. workplace day nursery;
10. business service establishment (excluding the repair, rental or maintenance of construction equipment);
11. computer service;
12. convenience store;
13. health club;
14. high technology retail store;
15. home decorating store;
16. personal service establishment; photographic service; printing establishment;
17. restaurant (eat-in, take-out, outdoor patio);
18. sub post office; and
19. vocational training centre.

The installation and/or use of a drive through window shall be prohibited in association with any of the uses permitted herein.

The zone provisions for the C2 Zone shall apply, save and except that the maximum building height in the C2-13 Zone shall be 10.5 metres.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.3.5.14 C2-14 Zone (325 Stewart Blvd. – Brockville Crossroads)**

The uses permitted in the C2-14 Zone shall be those uses permitted in the C2 Zone with the exception of supermarket and grocery store. In addition, an automobile gas bar and car wash are also permitted.

**6.3.5.15 C2-15 Zone (2235 Parkedale Avenue)**

In addition to the uses permitted in the C2 Zone, an apartment dwelling, community health and resource centre and respite care shall be permitted.

The zone provisions for the C2-15 Zone shall be the same as the zone provisions for the C2 Zone save and except the following:

Maximum Building Height - 18.9 metres.

**6.3.5.16 C2-16 Zone (6 Osment Street)** Amending By-law 024-2019

The uses permitted in the C2-16 Zone shall be those permitted in the C2 - General Commercial Zone with the addition of a Self-Service Storage Facility as well as screened Outside Storage being permitted accessory to the Self-Service Storage Facility, and the property be subject to the following:

1. That separate storage units shall not exceed 30.0 square metres;
2. That use of the storage units for human habitation be prohibited;
3. That Outside Storage be permitted within the front yard (Osment Street) but not closer than 4.0 metres to the front lot line;
4. That Outside Storage be screened from any public street by a solid planting strip, fence or wall;
5. That Outside Storage exclude the storage of fuel containers, pesticides, appliances intended for indoor use, commercial or industrial equipment, or any vehicle which is not in operating condition; and,
6. That no item being stored within the Outdoor Storage shall exceed the height of the screening.”

**6.3.5.17 C2-17 Zone (4 James Street East)** Amending By-law 034-2021

The uses permitted in the C2-17 Zone shall be those permitted in the C2 – General Commercial Zone with the addition of an Undertakers Establishment and Accessory Apartment.

The zone provision in the C2-17 Zone shall be those applicable for such permitted use, save and except the following, to recognize the existing Undertakers Establishment and Accessory Apartment only:

1. Minimum Parking required shall be 19.0 spaces;
2. Minimum Front Yard required (Victoria Avenue) 1.5m;
3. Minimum Interior Side Yard (fire escape) 1.2m; and,
4. Minimum Exterior Side Yard of 6.7m (building) and 4.5m (porch).

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.3.5.18 C2-18 Zone (7 Central Avenue East)** Amending By-law 033-2022

The uses permitted in the C2-18 Zone shall be those uses permitted in the C2 Zone. In addition, the below provisions shall also be permitted:

- Residential uses in the basement / lower floor and on the ground floor of the building.
- Apartment units permitted to exceed 100% of the gross floor area of the non-residential use.
- An access aisle of no less than 3.75m wide be provided from Central Avenue to rear parking spaces.

**6.3.5.19 C2-19 Zone (332 Park Street)** Amending By-law 061-2023

The zone provisions for the C2-19 Zone shall be the same as the zone provisions for the C2-General Commercial Zone, save and except the following:

- That a place of Worship is permitted.

**6.3.5.20 C2-20 Zone (2430 Parkedale Avenue)** Amending By-law 058-2024

The uses permitted in the C2-20 Zone shall be those uses permitted in the C2-General Commercial Zone with the addition of a car wash being permitted as a primary use.”

**6.3.6 C3 Zone****6.3.6.1 C3-1 Zone (580 King Street West)**

Uses permitted in the C3-1 Zone shall be those uses permitted in the C3 Zone with the exception of the following: Auctioneer's establishment; Hotel/Motel; Laundromat; Restaurant; and Private Club.

Open storage of heavy equipment and trucks is prohibited in association with a Contractor's Establishment.

**6.3.6.2 C3-2 Zone (3056 Parkedale Avenue)**

The uses permitted in the C3-2 Zone shall be restricted to a retail store for hobbies and crafts, and an ancillary residential unit which is restricted in occupancy to the owner/operator of the retail store.

**6.3.6.3 T-C3-3 Zone (Canadian Tire Store – 2360 Parkedale Avenue)**

Amending By-law 077-2024

In addition to the uses permitted in the C3 Zone, a refreshment vehicle shall be permitted in the T-C3-3 Zone, for a three (3) year period ending 12 November 2027.

City of Brockville Comprehensive Zoning By-law No. 050-2014

No outside storage or accessory structures are permitted in association with the Refreshment Vehicle. When closed for the season, storage of the Refreshment Vehicle shall comply with Section 3.22 of Zoning By-law 050-2014.

One (1) bicycle parking space shall be provided adjacent to the Refreshment Vehicle.

**6.3.6.4 T-C3-4 Zone (545 and 555 Stewart Blvd.)** Amending By-law 088-2015

Notwithstanding any other provisions of this By-law:

- a) the minimum height of a fence that abuts a residential use shall be 1.83 metres; and
- b) the vehicle storage area shall be constructed of gravel with provisions for drainage facilities and dust control for a temporary three year period ending October 27<sup>th</sup>, 2018.

**6.3.6.5 C3-5 Zone (7815 Kent Boulevard)** Amending By-law 019-2019

The uses permitted in the C3-5 Zone shall be those permitted in the C3-General Commercial Arterial Zone. The zone provisions for the C3-5 Zone shall be the same as for the C3-General Commercial Arterial Zone, save and except for the following:

7815 Kent Boulevard		
	Retained Lands (Holiday Inn)	Severed Lands
Minimum Lot Frontage	14.6 metres	35.2 metres

**6.3.6.6 C3-6 (7829 Kent Boulevard)** Amending By-law 023-2023

The zone provisions for the C3-6 Zone shall be the same as the zone provisions for the C3-General Commercial Zone, save and except the following:

- Apartment Dwellings may be permitted on the ground floor; and,
- Apartment units shall be permitted to exceed 100 percent of the gross floor area of the non-residential use.

**6.3.6.7 C3-7 (3087/3111 Parkedale Avenue)** Amending By-law 059-2024

The zone provisions for the C3-7 Zone shall be the same as the zone provisions for the C3-General Commercial Zone, save and except the following:

- The maximum gross leasable area permitted on the lands shall be 12,500.00 square metres.
- The maximum allowable area of individual storage units (within a facility) shall be 30.0 square metres.”

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.3.7 C4 Zone****6.3.7.1 C4-1 Zone (720 Stewart Blvd.)**

The following uses shall be permitted in the C4-1 Zone:

- Automobile Detailing Establishment (single bay only)
- Automobile Rental Agency
- Automobile Repair Garage
- Automobile Sales Establishment
- Automotive Trade Use
- Marine Sales & Service
- Recreational Vehicle Sales
- Used Automobile Sales Establishment

For purposes of this zone, an “Automobile Detailing Establishment” is defined as a building or structure or part thereof used for interior and/or exterior cleaning of vehicles and boats using non-automated devices.

Notwithstanding Section 3.31 (Municipal Services Required) of this By-law, uses permitted in this zone may be constructed, altered or enlarged without the necessity of being connected to municipal water and sewer services.

**6.3.7.2 C4-2 Zone (690 Stewart Blvd.)**

Notwithstanding Section 3.17 of this By-law, the uses permitted in the C4-2 Zone shall be restricted to an automobile gas bar.

**6.3.7.3 C4-3 Zone (Part of Lot 16, Concession 2, Stewart Blvd.)**

The uses permitted in the C4-3 Zone shall be restricted to an automobile sales establishment.

Notwithstanding Subsection 3.30 of this By-law, lands zoned C4-3 Zone may be severed from the lot of record in existence at the time of the establishment of the C4-3 Zone to create a separate lot. Furthermore, an automobile sales establishment may be developed on private services, with disinfection equipment installed and maintained on the on-site water distribution system.

**6.3.7.4 C4-4 Zone (680 Stewart Blvd.)**

The uses permitted in the C4-4 Zone shall be restricted to an automobile sales establishment, an automobile leasing agency and an automobile rental agency.

Disinfection equipment shall be installed and maintained on the on-site water distribution system.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**6.3.7.5 C4-5 Zone (574 Stewart Blvd.)**

The uses permitted in the C4-5 Zone shall be restricted to a clinic.

The existing building is to be connected to the municipal sanitary sewer on Stewart Blvd. The continued use of the existing well for potable water supply shall be permitted for the existing building only.

Additional C4 Zone uses shall be permitted upon the removal of the H1 Holding Symbol, said removal to be conditional upon the property being connected to the municipal water supply.

**6.3.7.6 C4-6 Zone (806 Chelsea Street)**

The uses permitted in the C4-6 Zone shall be those permitted in the C4 – Highway Commercial Zone and a “Place of Worship”.

**6.3.7.7 C4-7 Zone (663 Stewart Boulevard)** Amending By-law 081-2021

In addition to the uses permitted in the C4 Zone, retail sales of landscaping goods and materials, and the rental and sales of landscaping equipment shall be permitted in association with a Landscaping Contractors Establishment

The zone provisions for the C4-7 Zone shall be the same as the zone provisions for the C4 Zone save and except the following:

- a) Minimum Landscaped Open Space: 26%
- b) Open Storage and Display Areas:

The open storage of goods or materials shall be permitted only in the rear or interior side yard provided that;

- i) such open storage is accessory to the use of the main building on the lot;
- ii) such open storage complies with the yard and setback requirements of this By-law if such storage abuts a Non-Commercial Zone;
- iii) such open storage does not cover more than 20% of the lot area:  
and,
- iv) this provision shall not be constructed to affect the parking of motor vehicles or equipment which is displayed for sale or rent. Such display area is prohibited within 5.0 meters of the front lot line.

**6.3.7.8 C4-8 Zone (827 Stewart Boulevard)** Amending By-law 075-2023

827 Stewart Boulevard may be developed on Private Services without the need to curb the parking area, and a minimum of 47 parking spaces.

The following uses shall be permitted:

- Automobile Leasing Agency
- Automobile Rental Agency
- Automobile Repair Garage
- Automobile Sales Establishment
- Recreational Vehicles Sales (excluding Boats)

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- Used Automobile Sales Establishment

Should municipal services become available, 827 Stewart Boulevard must connect to all available municipality services at the cost established by the municipality.

**6.3.7.9 C4-9 Zone (803 Chelsea Street)**

The uses permitted in the C4-9 Zone shall be those permitted in the C4 – Highway Commercial Zone and shall also include “Business & Professional Offices” and “Clinics or Medical Offices”.

**6.3.8 C5 Zone****6.3.8.1 C5-1 Zone (481 Stewart Blvd./780 Chelsea Street)**

The uses permitted in the C5-1 Zone shall be restricted to a business and professional office and a clinic.

**6.3.9 C6 Zone****6.3.9.1 C6-1 Zone (Parkedale Avenue)**

In addition to the uses permitted in the C6 Zone, a supermarket and a shopping centre shall be permitted in the C6-1 Zone. Additionally, a maximum of two (2) automobile gas bars are permitted along Parkedale Avenue between Crocker Crescent and Broome Road.

The zone provisions for the C6-1 Zone shall be the C6 Zone provisions, save and except that the minimum landscaped open space shall be 10%.

Notwithstanding Subsection 3.34, lands within the C6-1 Zone may be developed with up to a maximum of four (4) driveway entrances with a maximum width of 12.0 metres. For all other driveways, a maximum driveway width of 9.5 metres shall apply. The driveway width for the main entrance from Parkedale Avenue between Crocker Crescent and Broome Road shall be as specified by the City Engineer.

The lands zoned C6-1, located on the north side of Parkedale Avenue between California Avenue and Broome Road, shall be deemed to be one lot for by-law purposes.

**6.3.9.2 T-C6-2 Zone (103 Broome Road)** Amending By-law 081-2018

In addition to the uses permitted in the C6 Zone, the following shall also be permitted:

1. An Automobile Repair Garage;
2. A Used Automobile Sales Establishment with a maximum number of 12 vehicles; and,

City of Brockville Comprehensive Zoning By-law No. 050-2014

3. A maximum of nine (9) “Sea-Cans” for storage purposes associated with the business for a period of up to three (3) years, ending 27 November 2021.

The requirement for paving of the lot be postponed for a period of up to three (3) years, ending 27 November 2021, or until the completion of the new building whichever comes first.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

## 7.0 NON-RESIDENTIAL AND NON-COMMERCIAL ZONES

### 7.1 PERMITTED USES

Unless otherwise permitted in this By-law, no person shall, within any Non-Commercial or Non-Residential Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the uses permitted in **Table 7.1**.

**Table 7.1 - Permitted Uses in Non-Residential and Non-Commercial Zones**

The following uses are permitted in the zones corresponding to the columns where an "X" is identified.

Use	Employment			Environmental Protection & Open Space		Rural	Institutional		<u>Crown Lands</u>
	E1	E2	E3	EP	OS	RU	I1	I2	<u>CL</u>
Single Detached Dwelling						X (2)			
Adult Day Care	X	X	X				X	X	
Agricultural Use	X (4)					X			
Animal Shelter							X		
Artist's Workshop	X		X						
Assembly Hall							X	X	
Automobile Gas Bar (1)									
Automobile Service Station (1)									
Automobile Body Shop (1)		X							
Automobile Repair Garage (1)		X							
Bakery	X	X	X						
Bed and Breakfast						X (2)			
Business and Professional Office	X	X	X				X		
Business Incubator/Accelerator	X	X	X				X	X	

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 7.1 - Permitted Uses in Non-Residential and Non-Commercial Zones**

The following uses are permitted in the zones corresponding to the columns where an "X" is identified.

Use	Employment			Environmental Protection & Open Space		Rural	Institutional		<u>Crown Lands</u>
	E1	E2	E3	EP	OS	RU	I1	I2	<u>CL</u>
Business Service Establishment	X	X	X						
Campground					X (2)	X (2)			
Catering Service	X	X	X						
<u>Child Care Centre</u>	<u>X</u>	<u>X</u>	<u>X</u>				<u>X</u>	<u>X</u>	
Clinic or Medical Office							X		
Commercial Greenhouse						X (2)			
Commercial School	X								
Community Centre							X	X	
Community Health and Resource Centre							X		
Computer Design and Development Facility	X	X	X						
Computer Services	X	X	X						
<u>Conservation Use</u>				<u>X</u>	<u>X</u>	<u>X</u>			
Contractor's Establishment	X	X							
Convenience Store							<u>X (5)</u>	X	
Custom Workshop	X	X	X						
Cottage					X (2)	<u>X</u>			
Courier Service	X	X							
Day Nursery	<u>X</u>	<u>X</u>	<u>X</u>				<u>X</u>	<u>X</u>	
Dry Cleaning Distribution Station	X							X	
Dry Cleaning Plant	X								

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 7.1 - Permitted Uses in Non-Residential and Non-Commercial Zones**

The following uses are permitted in the zones corresponding to the columns where an “X” is identified.

Use	Employment			Environmental Protection & Open Space		Rural	Institutional		<u>Crown Lands</u>
	E1	E2	E3	EP	OS	RU	I1	I2	<u>CL</u>
Dwelling Unit Accessory to a Non-Residential Use (1)							X	X	
<u>Existing Use</u>									<u>X</u>
Farmers' Market						X (2)			
Film, Television and Recording Studio	X	X							
Financial Service							<u>X (5)</u>	X	
Golf Course					X (2)	X (2)			
<u>Health Club (as an accessory use) (5)</u>	<u>X</u>	<u>X</u>							
Home Industry (1)						X (2)			
Home Decorating Store	X								
Homeless or Emergency Shelter							X		
Hospice							X		
Hospital							X		
Industrial Equipment Sales, Service and Rental	X	X							
Industrial and/or Automotive Supply	X	X							
Industrial Mall	X	X	X						
Industrial Service	X								
Industrial Use	X	X							
Industrial Use - Light	X	X	X						
Kennel						X (2)			

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 7.1 - Permitted Uses in Non-Residential and Non-Commercial Zones**

The following uses are permitted in the zones corresponding to the columns where an "X" is identified.

Use	Employment			Environmental Protection & Open Space		Rural	Institutional		<u>Crown Lands</u>
	E1	E2	E3	EP	OS	RU	I1	I2	<u>CL</u>
Landscaping Contractor's Establishment						X (2)			
Machine and Welding Shop	X	X							
Medical Laboratory	X	X	X						
Miniature Golf					X	X (2)			
Municipally Owned Landfill Site						X			
Newspaper Plant	X	X							
Nursing Home							X		
Offices and Yard of Construction Company	X	X							
Outside Storage (1) (5) (as an accessory use)	X	X	X		X	X	X		
Park (Private/Public)					X	X			
Parking Lot/Parking Garage (as a principal use)							X	X	
Place of Worship (3)							X		
Post-Secondary Institution							X	X	
Printing Establishment	X	X							
Private School (3)							X		
Research and Development Establishment	X	X	X						
Respite Care							X		
Restaurant	X						X (5)	X	
Restaurant - Take-out	X							X	

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 7.1 - Permitted Uses in Non-Residential and Non-Commercial Zones**

The following uses are permitted in the zones corresponding to the columns where an “X” is identified.

Use	Employment			Environmental Protection & Open Space		Rural	Institutional		<u>Crown Lands</u>
	E1	E2	E3	EP	OS	RU	I1	I2	<u>CL</u>
Retail Store (accessory to a student residence use)								X	
Rowing or Yacht Club					X	<del>X</del>			
School							X	X	
Seasonal Use (1)					X	X	X	X	
Self-Service Storage Facility	X	X	X						
Semi-Permanent Covered Structure (as an accessory structure)	X	X	X		X	X	X	X	
Service & Repair Shop	X	X	X						
Service Use	X	X	X						
Taxi Dispatch Office	X	X	X						
Taxi Stand		X	X						
Testing and Research Laboratory	X	X	X						
Towing Service		X							
Tree Cutting Service	X	X				X (2)			
Transportation Depot			X					X	
Transportation Terminal	X	X							
Veterinarian's Office						X (2)	<del>X</del>		
Vocational Training Centre	X	X	X				X	X	
Warehouse	X	X	X						
Wholesale Establishment	X	X	X						

City of Brockville Comprehensive Zoning By-law No. 050-2014

**Notes to Table 7.1:**

- (1) This use is subject to additional provisions under the General Provisions (Section 3.0).
- (2) New development on an existing lot of record shall be subject to:
  - i) Approval by the relevant approval authority for a private potable water system.
  - ii) Approval by the relevant approval authority for a private sanitary sewage disposal system.
  - iii) All other provisions of the Zoning By-law being satisfied.
- (3) A private school or place of worship may include an accessory dwelling unit in accordance with Subsection 3.1 of this By-law.
- (4) Lands in E1 may be used for agricultural uses, excluding riding stables, raising of animals or fowl, and excluding the construction of any building for agricultural uses.
- (5) This use is permitted only as an accessory use in accordance with Section 3.3 of this By-law.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**7.2 LOT AND BUILDING REQUIREMENTS**

Unless otherwise permitted in this By-law, no person shall, within any Non-Residential and Non-Commercial Zone, use any land or erect or cause to be erected or used, any building or structure, except in accordance with the lot and building requirements indicated in **Table 7.2 – Lot and Building Requirements for Non-Residential and Non-Commercial Zones**, which shall be inclusive of **Tables 7.2(a)** and **7.2(b)**.

**Table 7.2 – Lot and Building Requirements for Non-Residential and Non-Commercial Zones**

<b>Table 7.2(a): Lot and Building Requirements for Employment Zones</b>			
<b>Requirement</b>	<b>E1</b>	<b>E2</b>	<b>E3</b>
Minimum Lot Frontage	15.0 m	15.0 m	15.0 m
Minimum Lot Area	375.0 m <sup>2</sup>	375.0 m <sup>2</sup>	375.0 m <sup>2</sup>
Minimum Front Yard	9.0 m	9.0 m	9.0 m
Minimum Exterior Side Yard	6.0 m	6.0 m	6.0 m
Minimum Interior Side Yard	6.0 m	6.0 m	6.0 m
Minimum Rear Yard	6.0 m	6.0 m	6.0 m
Minimum Landscaped Open Space	15%	15%	15%
Maximum Building Height	30.0 m (15.0 m for an industrial mall and 60.0 m for process towers/industrial structures)	15.0 m (9.0 m for an industrial mall)	15.0 m (9.0 m for an industrial mall)
Other Provisions	<p>i. Existing lots created which do not have frontage on a public street shall be permitted, provided lands have access to a private driveway or access created by consent as a right-of-way, with a minimum width of not less than 9.0 m and a maximum width of 13.5 m.</p> <p>ii. Where an exterior wall or building face faces on any street or highway, or faces a Residential Zone, the said exterior wall or building face shall be constructed of brick, masonry, glass, precast concrete, anodized aluminum, steel, enameled steel or aluminum or any combination thereof. All other exterior walls shall be constructed of the same materials as the front exterior walls, or stucco, or concrete block and where painted, shall be painted and maintained painted in a uniform colour.</p> <p><u>iii. Where an industrial use is located adjacent to a sensitive land use, the following minimum separation distance shall apply:</u></p> <p><u>Class I – 20 metres</u>  <u>Class II – 70 metres</u>  <u>Class III – 300 metres.</u></p>		

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**Table 7.2(b): Lot and Building Requirements for Other Non-Residential and Non-Commercial Zones**

Requirement	EP	OS	RU	I1	I2
Minimum Lot Frontage	No requirement	20.0 m	60.0 m	18.0 m	200.0 m
Minimum Lot Area	No requirement	650.0 m <sup>2</sup>	5,000.0 m <sup>2</sup>	950.0 m <sup>2</sup>	50,000.0 m <sup>2</sup>
Minimum Front Yard	No requirement	7.5 m	8.0 m	6.0 m	15.0 m
Minimum Exterior Side Yard	No requirement	4.5 m	8.0 m	4.5 m	15.0 m
Minimum Interior Side Yard	No requirement	4.5 m	4.5 m	4.5 m	15.0 m
Minimum Rear Yard	No requirement	7.5 m	8.0 m	7.5 m	7.5 m
Minimum Landscaped Open Space	No requirement	80%	Residential Dwelling as the Main Use of the Lot: <del>30%</del> 40% All other main uses: 50%	20%	30%
Maximum Lot Coverage	No requirement	No requirement	Residential Dwelling as the Main Use of the Lot: No requirement All other main uses: 50%	No requirement	No requirement
Maximum Building Height	No requirement	10.5 m	10.5 m	15.0 m (30.5 m for a hospital)	15.0 m (see other provisions below)
Other Provisions					Student residences in the I2 Zone shall be subject to the maximum building height and density of the R6 Zone.

Note: Other General Provisions may apply. Schedule "B" applies to properties in the Downtown and Central Waterfront Area.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**7.3 NON-RESIDENTIAL & NON-COMMERCIAL SPECIAL EXCEPTION ZONES**

Notwithstanding any other provision of this By-law, the following special provisions shall apply to the areas identified below and shown on Schedule “A”:

**7.3.1 E1 Zone****7.3.1.1 E1-1 Zone (1927 Parkedale Avenue)**

The uses permitted in the E1-1 Zone shall be limited to the storage and maintenance of construction equipment, and a transportation terminal.

The zone provisions for the E1-1 Zone shall be as follows:

Minimum Lot Area	5,500.0 m <sup>2</sup>
Minimum Lot Frontage	50.0 m
Minimum Front Yard	9.0 m
Minimum Exterior Side Yard	6.0 m
Minimum Interior Side yard	6.0 m
Minimum Rear Yard	30.0 m
Maximum Building Height	12.5 m
Minimum Landscaped Open Space	10%
Maximum Building Area	400.0 sq.m.
Sewage Disposal	- private disposal system
Water Supply	- private water supply

No maintenance of equipment nor storage of equipment, except for vehicles, shall be carried on exterior to any building on the lot.

**7.3.1.2 E1-2 Zone (108 Waltham Road, 144 Waltham Road, 100 North Augusta Road and 110 North Augusta Road)**

In addition to the uses permitted in the E1 Zone, a clinic, swimming pool sales and service and a high tech retail store shall be permitted.

**7.3.1.3 E1-3 Zone (1185 California Avenue)**

In addition to the uses permitted in the E1 Zone, an Adult Entertainment Establishment, having a maximum floor area of 670.0 square metres, shall be permitted within the easterly building on the property with municipal address 1185 California Avenue. For the purposes of this exception, an Adult Entertainment Establishment shall have the same meaning in this By-law except that the use shall not include retail uses.

A Restaurant is permitted as an accessory use to the Adult Entertainment Establishment or as a stand-alone use in a separate building.

Notwithstanding the parking area requirements specified in Subsection 3.33, 69 parking spaces shall be provided on the site.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**7.3.1.4 E1-4 Zone (1365 California Avenue)**

The uses permitted in the E1-4 Zone shall be those uses permitted in the E1-Business Park Zone and a “Health Club”.

**7.3.1.5 E1-5 Zone (Crocker Crescent)**

The zone provisions of the E1-5 Zone shall be the same as the E1 Zone. The uses permitted in the E1-5 Zone shall be those permitted in the E1 Zone as well as the following:

- An automobile body shop shall be permitted.

**7.3.1.6 E1-6 Zone (Broome Road)** Amending By-law 017-2023

The zone provisions of the E1-6 Zone shall be the same as the E1 Zone. The uses permitted in the E1-6 Zone shall be those permitted in the E1 Zone except the following:

- A Parking Lot as a primary use is permitted with a maximum size of 15% pf the subject property.

**7.3.2 E2 Zone****7.3.2.1 E2-1 Zone (700 Central Avenue West)**

In addition to the uses permitted in the E2 Zone, a scrap or salvage yard shall also be permitted in the E2-1 Zone.

The following special provisions shall apply to the E2-1 Zone:

Minimum Lot Area	Nil
Minimum Lot Frontage	Nil
Maximum Lot Coverage	50%
Maximum Main Building Height	12.0 m
Maximum Accessory Building Height	6.0 m
Minimum Front Yard	12.0 m
Minimum East Side and Rear Yard	15.25 m
Minimum West Side Yard	6.0 m

Outside Storage and Outside Working Areas - No outside storage shall be permitted within 30.0 metres of the front lot line or within 14.0 metres of the rear lot line or within 7.5 metres of any side lot line. All outside storage and outside working areas shall be fenced with a 2.5 metres solid steel fence so as to screen the outside storage and outside working area from being seen from off the lot.

Landscaping - The entire front yard, with the exception of the driveway, shall be landscaped. The easterly 3.0 metres of the east side yard shall be landscaped and a hedge row of spruce trees and Lombardy Poplar or Norway Maple trees shall be planted along the entire length of the east property line.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**7.3.2.2 E2-2 Zone (380 Central Avenue West)**

In addition to the uses permitted in the E2 Zone, the sale of up to four (4) motor vehicles is permitted as an ancillary use to a towing service and automobile body shop.

**7.3.2.3 E2-3 Zone (100 Strowger Blvd.)**

The uses permitted in the E2-3 Zone shall be those uses permitted in the E2 Zone with the addition of a Health Club, Clinic and Place of Worship.

A Place of Worship shall have a maximum floor area of 929.0 m<sup>2</sup> and along with a Clinic, be located within the existing building only.

**7.3.2.4 E2-4 Zone (440 Central Avenue West)**

In addition to the uses permitted in the E2 Zone, a “solar array” shall also be permitted as a secondary use to any other permitted use in this zone.

For purposes of this zone, a “Solar Array” is defined as:

“A group of (thermal or photovoltaic) solar panels that gather the sun’s rays and create DC electrical power which is then converted to AC electrical power through the use of a DC to AC inverter. Such array may be used for power generation on the subject property or may be sold back to the power grid.”

The “solar array” shall meet all regulations pertaining to location, height and lot coverage for accessory uses and buildings as established in Subsection 3.3 to this By-law.

**7.3.2.5 E2-5 Zone (Employment Lands – Northwest)**

Amending By-laws 061-2017 & 004-2019

The uses permitted in the E2-5 Zone shall be limited to the following:

- Courier Service
- Day Nursery (as an accessory use only)
- Industrial Use
- Industrial Use – Light
- Medical Laboratory
- Outside Storage (as an accessory use), which is subject to additional provisions under the General Provisions (Section 3.0 of By-law 050-2014)
- Research and Development Establishment
- Semi-Permanent Covered Structure (as an accessory structure), which is subject to additional provisions under the General Provisions (Section 3.0 of By-law 050-2014)
- Testing and Research Laboratory
- Transportation Terminal
- Warehouse
- Wholesale Establishment

Prohibited in the E2-5 Zone shall include those identified under Section 3.37-Prohibited Uses, and the following uses:

- Asphalt Plant

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- Asphalt Processing/Recycling Plant

The following special provisions shall apply to the E2-5 Zone:

- Maximum Building Height – 20 m
- Minimum Lot Area – 3 ha

All other zone provisions will be in accordance with the provisions of the E2 Zone.

Outside Storage – Notwithstanding the provisions of Section 3.0, no outside storage shall be permitted within 30.0 metres of the front lot line or within 6.0 metres of any side or rear lot line. Where outside storage is proposed on lands that abut an RU Zone, which is occupied by a residential use, the minimum setback shall be 36 metres. All outside storage shall be screened from adjacent properties and/or roads with a 2.5 metre high solid fence as per zone provisions set out under Section 3.16 c), as amended.

Where any lot line in an E2-5 Zone abuts an RU zone, the following provisions shall apply:

- Notwithstanding the minimum yard requirements of Section 7.2 this By-law, a minimum required yard of 36.0 metres shall be provided and maintained along the lot line(s) that abut an RU zone or RU Special Exception Zone, occupied by a residential use.
- The minimum required 36.0-metre yard shall be used for no other purpose except landscaped open space, the planting strip required in accordance with (c) below, and driveways and/or parking areas in accordance with (d) below. Without limiting the intent of the foregoing, for the purposes of clarity, no portion of a loading area, open storage, building or structure and no portion of uses associated with a permitted transportation terminal, including loading/unloading of commercial motor vehicles and the storage/keeping/repair of commercial motor vehicles, shall be permitted within this required yard.
- Notwithstanding the applicable provisions of Section 3.34, a planting strip with a minimum width of 3.0 m shall be required adjacent to any lot line or portion thereof that abuts an RU zone.
- Notwithstanding provisions a) through c) above, driveways shall be permitted within the planting strip and the required 36.0-metre yard. Parking areas shall be permitted within the required 36.0-metre yard, except that the parking and/or storage of commercial motor vehicles shall not be permitted.

#### 7.3.2.6 E2-6 Zone (Central Avenue West) Amending By-law 080-2021

The uses permitted in the E2-6 Zone shall be the uses permitted in the E2 Zone.

The following special provision shall apply to the E2-6 Zone: Maximum of 15 Parking Spaces be permitted in the front yard.”

### 7.3.3 E3 Zone

#### 7.3.3.1 E3-1 Zone (156 Bartholomew Street)

The uses permitted in the E3-1 Zone shall be the uses permitted in the E3 Zone with the addition of a tree cutting service with accessory storage and maintenance of equipment and associated vehicles.

Tree cutting, splitting and/or chipping of wood, and wood storage shall be prohibited.

A 1.8 metre high solid wood fence shall be installed and maintained along the southerly property line adjacent to 150-152 Bartholomew Street.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**7.3.3.2 E3-2 Zone (163 Perth Street and 100 Louis Street)**

In addition to the uses permitted in an E3 Zone, an automobile repair garage, a transportation terminal and storage of new car inventory shall be permitted within the E3-2 Zone. No open storage, other than vehicles, shall be permitted on the lot. Notwithstanding any other provision of this By-law, the said new car inventory may be permitted in a rear yard, surfaced with gravel.

**7.3.3.3 E3-3 Zone (62-68 Louis Street)**

The uses permitted in the E3-3 Zone shall be restricted to the outside storage of new and used motor vehicles directly related to the business carried on by Beattie Dodge Chrysler Ltd., a single unit dwelling and a home occupation.

The zone provisions for the E3-3 Zone shall be as follows:

Minimum Lot Area	650.0 m <sup>2</sup>
Minimum Lot Frontage	15.0 m
Minimum Front Yard Setback	Existing
Minimum Interior Side Yard Setback	Existing
Minimum Rear Yard Setback	Existing
Minimum Lot Depth	42.0 m
Minimum Landscaped Open Space	40%
Maximum Building Height	10.5 m
Maximum No. of Dwelling Units	1

The outside storage area for new and used motor vehicles and driveways thereto may be constructed of asphalt or gravel with provisions for drainage facilities and dust control. No part of the outside storage area shall be closer than 9.0 metres to the street line. A chain link fence and hedge shall be erected along the east lot line for the full length of the storage compound.

**7.3.3.4 E3-4 Zone (105 Strowger Blvd.)**

The uses permitted in the E3-4 Zone shall be those uses permitted in the E3 Zone, and a warehouse and wholesale establishment.

Accessory retailing of surplus inventories and/or ends of stock associated with a wholesale establishment dealing primarily in sporting goods shall be permitted on a semi-annual basis.

**7.3.4 EP Zone****7.3.4.1 EP-1 Zone (Parkdale Ave, Chelsea Street)** Amending By-law 052-2022

That development within the EP-1 Zone be restricted to an approved servicing plan and that any stormwater management facilities be located outside 30 meters from the identified wetland, as established by the Environmental Impact Assessment dated August 17, 2021 completed by Stantec in support of the Wellings of Brockville development proposal.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**7.3.5 OS Zone****7.3.5.1 OS-1 Zone (Registered Plans 376/377)**

In the OS-1 Zone the permitted uses shall be limited to a private park. In the OS-1 Zone no habitable building shall be permitted.

**7.3.5.2 OS-2 Zone (Brockville Country Club)**

The uses permitted in the OS-2 Zone shall be limited to a golf course and accessory uses, and one (1) un-serviced storage shed only. Parking areas for automobiles shall be prohibited.

The zone provisions in the OS-2 Zone shall be as follows:

Maximum Building Area	90.0 m <sup>2</sup>
Maximum Height	5.5 m
Location: Not less than 7.5 m from the rear lot line of any adjacent residential property along King Street West, and not more than 30.0 m from the existing clubhouse/curling rink for the Brockville Country Club.	
Landscaping: A planting strip shall be located along the south side of the storage shed.	

**7.3.5.3 OS-3 Zone (Islands)**

The uses permitted in the OS-3 Zone shall be the uses permitted in the OS Zone, subject to the following provisions:

- a) Notwithstanding any other provision of this By-law, for the purposes of the OS-3 Zone, lot frontage shall mean the horizontal distance between the side lot lines, measured 6.0 metres from the shoreline.
- b) The minimum lot frontage shall be the lesser of 30.0 metres or the lot frontage as it legally existed on the date of adoption of this By-law.
- c) The minimum front yard shall be the lesser of 7.5 metres or the front yard as it legally existed on the date of adoption of this By-law.
- d) All other provisions of this By-law shall apply. Without limiting the generality of the foregoing, note (2) to Table 7.1 shall apply to servicing for cottages in the OS-3 zone.

**7.3.5.4 - OS-4 Zone (Bayview Road)**

Notwithstanding Section 3.36 of Zoning By-law 050-2014, the uses permitted in the OS-4 Zone shall be restricted to a Private Marine Facility only. For purposes of the OS-4 Zone, a Private Marine Facility shall mean a structure which is used to moor or berth a boat, and includes only a dock, boat lift, boat port or slip.

Only the following zone provision applies to the OS-4 Zone:

Minimum Lot Area	84 m <sup>2</sup>
------------------	-------------------

## City of Brockville Comprehensive Zoning By-law No. 050-2014

No buildings are permitted, nor are accessory uses, buildings or structures permitted.

A Private Marine Facility is subject to approval or permit from the Conservation Authority, the Province of Ontario or the Government of Canada.

Notwithstanding Section 3.48, no person shall store or park more than one (1) boat or trailer, nor park a recreational type vehicle, nor use a boat, trailer or recreational type vehicle for human habitation in the OS-4 Zone.

#### **7.3.5.5 - OS-5 Zone (100 Magedoma Boulevard)** Amending By-law 003-2026

The uses permitted in the OS-5 Zone shall be the uses permitted in the OS-Zone, and a municipally owned and operated Community Centre, including Accessory Uses.

### **7.3.6 RU Zone**

#### **7.3.6.1 RU-1 Zone (Parkedale Avenue West)**

The uses permitted in the RU-1 Zone shall be a decommissioned municipal waste disposal/landfill site and other related operations related to waste reduction and recycling.

#### **7.3.6.2 RU-2 Zone (Parkedale Avenue West)**

The uses permitted in the RU-2 Zone shall be those uses permitted in the RU Zone save and except that no permanent buildings shall be permitted.

#### **7.3.6.3 RU-3 Zone (3162 Parkedale Avenue West)**

In the RU-3 Zone, one lot may be created in order to sever the existing dwelling unit from the lot of record which existed as of the date of passing of this By-law. Uses permitted in the RU-3 Zone shall be those permitted in the RU Zone save and except that no new dwelling units shall be permitted.

#### **7.3.6.4 RU-4 Zone (Victoria Road)**

In the RU-4 Zone, one lot may be created in order to sever the existing dwelling unit from the lot of record which existed as of the date of passing of this By-law. Uses permitted in the RU-4 Zone shall be those permitted in the RU Zone save and except that no new dwelling units shall be permitted.

#### **7.3.6.5 RU-5 Zone (930 Stewart Blvd.)**

Driveways and parking areas, in addition to those paved areas currently in existence, may be constructed of crushed stone to a depth of 15.0 centimetres.

Crushed stone parking areas shall be subject to a scheduled dust control program approved by the City of Brockville. Should dust be deemed by the City Engineer to require additional dust control beyond that which is scheduled, additional dust control shall be applied immediately, upon notification by the City Engineer, at the owners expense.

In addition to the applicable provisions for driveways and parking areas in Section 3.34, the driveways and parking areas shall be subject to the following conditions:

## City of Brockville Comprehensive Zoning By-law No. 050-2014

- a) The parking areas shall be located not closer than 8.0 metres to the front lot line.
- b) The driveways and parking areas shall be located not closer than 6.0 metres to the interior side lot line.

**7.3.6.6 RU-6 Zone (820 Stewart Blvd.)**

The uses permitted in the RU-6 Zone shall be restricted to a single unit dwelling as a principal use, and an electrical contractor's establishment as an accessory use to the dwelling.

Disinfection equipment shall be installed and maintained on the buildings' water distribution system connected to the private well on the site.

**7.3.6.7 RU-7 Zone (663 Stewart Blvd.)**

In addition to the uses permitted in the RU Zone, retail sales of landscaping goods and materials, and the rental and sales of landscaping equipment shall be permitted in association with a Landscaping Contractor.

The zone provisions for the RU-7 Zone shall be the same as the zone provisions for the RU Zone save and except the following:

- a) Minimum Landscaped Open Space: 26%
- b) Open Storage and Display Areas:

The open storage of goods or materials shall be permitted only in the rear or interior side yard provided that:

- i) such open storage is accessory to the use of the main building on the lot;
- ii) such open storage complies with the yard and setback requirements of this By-law if such storage abuts a Non-Commercial Zone;
- iii) such open storage does not cover more than 20% of the lot area; and
- iv) this provision shall not be construed to affect the parking of motor vehicles or equipment which is displayed for sale or rent. Such display area is prohibited within 5.0 metres of the front lot line.

**7.3.6.8 RU-8 Zone (North Augusta Road)**

In the RU-8 Zone, one lot may be created to allow the existing dwelling unit to be severed from the lot of record. Uses permitted in the RU-8 Zone shall be those permitted in the RU Zone, save and except that no new residential units shall be permitted, no additional severances shall be granted and no new driveway entrances shall be permitted onto North Augusta Road.

## City of Brockville Comprehensive Zoning By-law No. 050-2014

**7.3.6.9 RU-9 Zone (30 Victoria Road) Amending By-law 095-2022**

The zone provisions of the RU-9 Zone shall be the same as the RU Zone. The uses permitted in the RU-9 Zone shall be those permitted in the RU Zone except the following:

- A second suite shall be permitted.

**7.3.7 I1 Zone****7.3.7.1 I1-1 Zone (345 Park Street)**

The uses permitted in the I1-1 Zone shall be restricted to a day nursery and a recreational facility operated by a non-profit organization.

**7.3.7.2 I1-2 Zone (25 Front Avenue West)**

In addition to the uses permitted in the I1 Zone, the offices of non-profit health care services and associated uses and clinics shall be permitted within the I1-2 Zone.

**7.3.7.3 I1-3 Zone (800 Stewart Blvd.) Amending By-law 077-2016**

The uses permitted in the I1-3 Zone shall be restricted to a place of worship, a day nursery and a private school.

Notwithstanding Subsection 3.31 (Municipal Services Required), the existing building may be altered or enlarged without the necessity of being connected to municipal water and sewer services, subject to approvals being obtained from the appropriate Departments and Agencies.

**7.3.7.4 I1-4 Zone (21 Cowan Avenue)**

The uses permitted in the I1-4 Zone shall be limited to an Institutional Residence operated by Leeds and Grenville Interval House and associated uses. In addition to the zone provisions for the I1 Zone, the mandatory installation of triple glazed windows and air conditioning for interior noise reduction for the residential component of the building shall be required within the I1-4 Zone.

**7.3.7.5 I1-5 Zone (Fulford Place, 287 King Street East)**

The uses permitted in the I1-5 Zone shall be restricted to the following uses and by floor as follows:

- basement and first floor: museum and accessory uses thereto;
- second and third floors: museum use, professional and non-profit organization offices.

The zone provisions for the I1-5 Zone shall be as follows:

Minimum Lot Area	15,892.0 m <sup>2</sup>
Minimum Lot Frontage	139.25 m
Minimum Front Yard	30.5 m
Minimum Interior Side yard - East	33.5 m
- West	70.0 m
Minimum Rear Yard	45.5 m
Minimum Landscaped Open Space	45%

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Maximum Building Height	As existing
Required Parking	30 spaces minimum 40 spaces maximum

Other zone provisions:

Parking shall be permitted within the front yard and the east side yard only. No parking space shall be permitted within 10.0 metres of the east side lot line, which line shall, for the purposes of this control, be deemed to be the projection of the east side lot line southerly from King Street East.

No alternations may be made to the exterior of the building which would have the effect of increasing the existing footprint of the building.

Outside storage is prohibited.

### 7.3.7.6 I1-6 Zone (St. Francis Xavier Church, 66 Church Street)

Notwithstanding any other provision of this By-law, on lands zoned I1-6, parking shall not be required on the lot for the existing place of worship. Parking shall be permitted to be provided on the adjacent lot (zoned R9-6).

### 7.3.7.7 I1-7 Zone (Wall Street United Church) Amending By-law 056-2015

The uses permitted in the I1-7 Zone shall be the same as for the I1 Zone save and except for the following: *(provision)*

Minimum Interior Side Yard (North)	1.5 m
------------------------------------	-------

### 7.3.7.8 I1-8 Zone (75 Charles Street, Brockville General Hospital)

Amending By-law 096-2015

The uses permitted in the I1-8 Zone shall be those permitted within the I1-General Institutional Zone. The zone provisions for the I1-8 General Institutional Special Exception Zone shall be the same as for the I1-General Institutional Zone save and except for the following:

Minimum Front Yard – Ormond Street (measured to the building face)	4.77 m from property line, not the original street centre line as per Section 3.52
Minimum Parking Requirement	780.0 parking spaces for the first 40,400.0 square metres of gross floor area, and  1.0 space per 15.0 square metres of gross floor area thereafter.
Design Elements	<ol style="list-style-type: none"> <li>All windows must be double glazed or better to meet the minimum STC-35 requirement.</li> <li>Exterior wall construction must meet the minimum STC-50 rating. Central Air Conditioning shall be provided for all patient rooms.</li> </ol>

## City of Brockville Comprehensive Zoning By-law No. 050-2014

Notwithstanding the yard provisions of Zoning By-law 050-2014, covered walkways shall be permitted in any required yard, except where excluded in a corner visibility triangle or a planting strip in accordance with the provisions of this By-law.

Notwithstanding the driveway access provisions of Zoning By-law 050-2014, a maximum of two (2) driveway accesses measuring up to a maximum width of 12.0 metres each, may be located on Bartholomew Street; one (1) driveway access measuring up to a maximum of 10.3 metres may be located on the Pearl Street entrance and one (1) driveway access measuring up to a maximum of 15.7 metres may be located on Ormond Street. All other driveway access points must be in compliance with Section 3.34 b) iv) of Zoning By-law 050-2014.

**7.3.7.9 I1-9 Zone (Twin Pad Arena, King Street West)** Amending By-law 070-2018

The uses permitted in the I1-9 General Institutional Special Exception Zone shall be those permitted within the I1-General Institutional Zone. The zone provisions for the I1-9 Zone shall be the same as for the I1-General Institutional Zone save and except for the following:

<i>Minimum Side Yard (east)</i>	<i>0.0 metres</i>
<i>Maximum Building Height</i>	<i>22.0 metres"</i>

**7.3.7.10 I1-10 Zone (King Street West)** Amending By-law 024-2020

The uses permitted in the I1-10 General Institutional Special Exception Zone shall be those permitted within the I1-General Institutional Zone. The zone provisions for the I1-10 Zone shall be the same as for the I1-General Institutional Zone save and except for the minimum number of parking spaces required is 73 parking spaces.

**7.3.7.11 I1-11 Zone (1807 County Road 2):** Amending By-law 080-2019

The uses permitted in the I1-11 Zone shall be permitted in the I1 - General Institutional Zone, a Water Pollution Control Centre and a Student Residence.

**7.3.7.12 I1-12 Zone (108 Perth Street):** Amending By-law 054-2021

The uses permitted in the I1-12 Zone shall be those permitted in the I1-General Institutional Zone. The zone provisions for the I1-12 Zone shall be the same as the I1-General Institutional Zone save and except for the following:

Minimum Exterior Side Yard	3.0 metres
Minimum Rear Yard	2.0 metres
Minimum Parking required for a Place of Worship	19.0 spaces
Minimum setback to parking from the street line	3.2 metres
Minimum Planting Strip size abutting Residential	2.0 metres
Permission to locate a Garbage enclosure within 2.0 metres of a property line abutting a residential use	

City of Brockville Comprehensive Zoning By-law No. 050-2014

**7.3.7.13 I1-13 Zone (10-16 Church Street):** Amending By-law 022-2025

The uses permitted in the I1-13 Zone shall be those permitted in the I1-General Institutional Zone as well as a 12 unit, three-storey apartment building and (2) existing residential dwellings. The zone provisions for the I1-13 Zone shall be the same as the I1-General Institutional Zone save and except for the following:

- That Planting Strips are not required.
- The 0 parking spaces be required for a maximum of 12 apartment units.
- That a Children's Play Area is not required for a 12-unit apartment building.

**7.3.8 I2 Zone (None)**

City of Brockville Comprehensive Zoning By-law No. 050-2014

## **8.0 REPLACEMENT OF FORMER ZONING BY- LAWS AND EFFECTIVE DATE**

### **8.1 REPLACEMENT OF BY-LAW NO. 194-94 AND AMENDMENTS**

- a) By-law 194-94, known as the Zoning By-law for the City of Brockville, and all amendments thereto, are hereby replaced by this By-law.
- b) For the purposes of administering the Transition Provisions of Subsection 1.13 of this By-law, Zoning By-law 194-94 shall only be repealed three years after the date of enactment of this By-law.

### **8.2 EFFECTIVE DATE**

This By-law shall become effective as of the date of passing of this By-law. In the event of an appeal, the severability provisions of Subsection 1.8 shall apply.

GIVEN UNDER THE SEAL OF THE CORPORATION OF THE CITY  
OF BROCKVILLE AND PASSED THIS 10<sup>th</sup> DAY OF JUNE, 2014

Signed by: Mayor David Henderson

---

MAYOR

Signed by: Deputy City Clerk Lynn Murray

---

CLERK

# ATTACHMENT 2

## THE CORPORATION OF THE CITY OF BROCKVILLE

### By-Law Number XX-2026

*By-law to Amend City of Brockville Zoning By-law 050-2014  
(General Amendment - Report XX – File XX-2025)*

---

WHEREAS the Council for the Corporation of the City of Brockville, on the 10<sup>th</sup> day of June, 2014, adopted City of Brockville Zoning By-law 050-2014; and

WHEREAS the Council of the Corporation of the City of Brockville deems it expedient to amend said Zoning By-law 050-2014;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BROCKVILLE HEREBY ENACTS AS FOLLOWS:

That By-law 050-2014 be amended as follows:

#### 1. Section 1.0 – Interpretation, Administration and Enforcement

- a) Section 1.8 – Severability, is hereby amended by repealing and replacing the reference to “Ontario Municipal Board” with “Ontario Land Tribunal, or any successor thereto”.

**The Ontario Municipal Board has been replaced by the Ontario Land Tribunal.**

- b) Section 1.10 – Certificate of Occupancy, is hereby amended by repealing the reference to “under the *Planning Act*”.

**Certificate of Occupancy is not issued under the Planning Act.**

- c) Section 1.13 – Transitional Provisions, Sub-section c), is hereby repealed in its entirety and replaced with the following:

#### “c) **Building Permits**

Nothing in this By-law shall prevent the erection or use of a building or structure in accordance with a building permit application submitted prior to the date of passing of this By-law and deemed complete, provided the building permit is in accordance with all prior zoning by-laws that affected the lot before **[date the amended by-law comes into effect]**.

- d) This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with Section 1.13 c).”

Alignment with best practices. Renumber the following subsections accordingly.

- d) Section 1.0 – Interpretation, Administration and Enforcement, add a new subsection, which reads:

**“1.XX Technical Revisions to the Zoning By-law**

- a) Revisions may be made to this Zoning By-law without the need for a Zoning By-law Amendment in the following cases:
- i) Changes to appendices, footnotes, headings, table of contents, page numbering, reference information, and illustrations which do not form a component of this by-law and are editorially inserted for convenience of reference only;
  - ii) Adding or revising technical information on maps or schedules that does not affect the zoning of lands, including but not limited to color, scale, legend and infrastructure information such as a street name or a highway; and,
  - iii) Correcting of grammar, punctuation, typographical errors or revisions to format in a manner that does not change the intent of the provisions.”

Alignment with best practices.

- e) Section 1.0 – Interpretation, Administration and Enforcement, add a new subsection, which reads:

**“1.XX Legal Non-Conforming Uses and Legal Non-Complying Buildings and Structures**

Nothing in this By-law shall apply:

- a) to prevent the use of any land, building or structure for any purpose prohibited by the By-law, if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose;
- b) to prevent the erection or use for a purpose prohibited by the By-law of any building or structure for which a permit has been issued pursuant to the *Building Code Act*, prior to the day of the passing of this By-law, 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 permit has not been revoked pursuant to the *Building Code Act*;

- c) to prevent an extension, addition, repair or replacement being made to all or part of a use, building or structure which legally existed at the date of passing of this By-law and which is a permitted use for the zone in which it is located, but which does not comply with one (1) or more of the Zone Provisions of this By-law (Sections 5.0 – 7.0), provided that:
- i) such extension, addition, repair or replacement does not further reduce the front yard, interior side yard, exterior side yard or rear yard setback that does not comply with this By-law;
  - ii) such extension does not further reduce the minimum required setback from the Environmental Protection (EP) Zone, in accordance with Subsection 3.25; and
  - iii) all other applicable provisions of this By-law are satisfied.
- d) to prevent the installation of exterior cladding, with or without insulation, to a maximum depth of 0.25 metres to a building or structure even though the installation of such cladding would create a non-complying yard or further decrease a legal non-complying yard. The resulting noncomplying yard shall be deemed to comply with the provisions of this By-law;
- e) to permit an extension or addition to non-conforming uses, buildings or structures, except by amendment to this By-law in accordance with Section 34 of the Planning Act, or in accordance with a decision of the Committee of Adjustment;
- f) to permit the erection of any new freestanding building where the land, building or structure is non-conforming with respect to use in the zone. Further, the Committee of Adjustment shall not grant any such permission; or
- g) to prevent the repair of legal non-conforming uses, provided their dimensions (height, size and volume) are not increased.
- h) A non-complying building destroyed by any means beyond the control of the owner may be replaced and rebuilt to the same extent in its former location provided that construction is commenced within one (1) year from the date of destruction and provided that the building is completed within a reasonable time thereafter. The Chief Building Official shall have regard for the clear intent of the Owner to reconstruct the damaged building in considering the issuance of a Building Permit in accordance with the aforementioned requirements.”

Alignment with best practices.

## 2. Section 2.0 – Definitions

- a) Add definition at Subsection **XX** for “Additional Dwelling Unit”. Said definition to read as follows:

**XX. Additional Dwelling Unit**, means a self-contained dwelling unit located within the same building, or on the same lot, as an existing dwelling unit. Self-contained means that it has its own kitchen and washroom facilities, and a separate entrance. For the purposes of this Zoning By-law, an Additional Dwelling Unit shall include an Additional Residential Unit as defined under the *Planning Act*.”

This ensures compliance with the *Planning Act*. Renumber the following definitions accordingly.

- b) Add definition at Subsection **XX** for “Adjacent Lands”. Said definition to read as follows:

**XX. Adjacent Lands**, means lands that are contiguous to or abut the subject site or property.”

This ensures consistency with the Provincial Planning Statement. Renumber the following definitions accordingly.

- c) Section 2.0 - Definitions, Subsection 3, “Adult Entertainment Establishment” is hereby repealed in its entirety and replaced with the following:

**3. Adult Entertainment Establishment**, means any premises, or part thereof, used in the pursuance of a business where goods, entertainment, or services that are designed to appeal to erotic or sexual appetites or inclinations are provided, or where body-rubs — including the kneading, manipulating, rubbing, massaging, touching, or stimulating by any means of a person’s body — are performed, offered, or solicited, except when such body-rubs are provided solely for medical or therapeutic purposes by persons duly qualified, licensed, or registered under a statute of Ontario.”

This ensures consistency with the *Municipal Act*. Renumber the following definitions accordingly.

- d) Section 2.0 - Definitions, Subsection 4, “Agricultural Use” is hereby repealed in its entirety and replaced with the following:

**4. Agricultural Use**, means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures,

including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment.”

This ensures consistency with the Provincial Planning Statement. Renumber the following definitions accordingly.

- e) Add definition at Subsection **XX** for “Agriculture-Related Use”. Said definition to read as follows:

“**XX. Agriculture-Related Uses**, means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.”

This ensures consistency with the Provincial Planning Statement. Renumber the following definitions accordingly.

- f) Add definition at Subsection **XX** for “Alternative Energy System”. Said definition to read as follows:

“**XX. Alternative Energy System**, means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.”

This ensures consistency with the Provincial Planning Statement. Renumber the following definitions accordingly.

- g) Section 2.0 - Definitions, Subsection 86 m), “Apartment Dwelling” is hereby repealed in its entirety and replaced with the following:

“m) **Apartment Dwelling**, means a dwelling that contains five (5) or more dwelling units, which have a common entrance from street level and are served by a common corridor and the occupants of the units have the right of use in common of the corridors, stairs, yards, or one (1) or more of them. An “Apartment Dwelling” does not include any other dwelling unit defined herein.”

This avoids overlap with the definition for “fourplex”. Renumber the following definitions accordingly.

- h) Section 2.0 - Definitions, Subsection 14, “Attic” is hereby repealed in its entirety and replaced with the following:

“14. **Attic**, means the space between the roof and the ceiling of the top storey or between a dwarf wall and a sloping roof; said space is not considered to be habitable space. Any space above a one-half storey is not considered to be an attic.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- i) Add definition at Subsection 30 for “Balcony”. Said definition to read as follows:

“30. **Balcony**, means an unenclosed or partially enclosed attached platform, projecting from the face of a wall, cantilevered or supported by columns or brackets and usually surrounded by a balustrade or railing, and is only directly accessible from within a building.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- j) Add definition at Subsection 32 for “Barrier”. Said definition to read as follows:

“32. **Barrier**, means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- k) Section 2.0 - Definitions, Subsection 28, “Bed and Breakfast Establishment” is hereby repealed in its entirety and replaced with the following:

“28. **Bed and Breakfast Establishment**, means a single detached dwelling that is owner-occupied in which no more than three (3) guest rooms are made available by the resident of the said dwelling for the temporary accommodation of travelers. This does not include a hotel, motel, boarding, rooming or lodging house, or restaurant, as defined herein.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- l) Section 2.0 - Definitions, Subsection 86 I), “Boarding, Rooming or Lodging House” is hereby repealed in its entirety and replaced with the following:

“I) **Boarding, Rooming, or Lodging House**, means a dwelling unit or dwelling, used or maintained for the accommodation of the public, in which the owner or

head lessee supplies lodgings, with or without means, for three (3) to five (5) persons, but does not include any other use otherwise defined or classified herein.”

This limits the number of lodgers to an appropriate number and provides greater clarity for interpretation. Renumber the following definitions accordingly.

- m) Add definition at Subsection **XX** for “Cemetery or Burial Sites”. Said definition to read as follows:

“**XX. Cemetery or Burial Sites**, means land used for the interment of human remains and may include a mausoleum, columbarium, crematorium, and accessory facilities.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- n) Add definition at Subsection **XX** for “Conservation Use”. Said definition to read as follows:

“**XX. Conservation Use**, means the use of land dedicated towards the protection, stewardship and management of natural heritage features and functions, hydrological features and functions, ecological features and functions, and for the purposes of this By-law, includes the structures of a public authority used only for managing the resource and for managing natural hazards, such as flood and slope control.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- o) Section 2.0 - Definitions, Subsection 66 and 86 h), “Converted Dwelling” is hereby repealed in its entirety.

This ensures consistency in terminology. Renumber the following definitions accordingly.

- p) Section 2.0 - Definitions, Subsection 86 l), “Boarding, Rooming or Lodging House” is hereby repealed in its entirety.

This is a repeated definition. Renumber the following definitions accordingly.

- q) Section 2.0 - Definitions, Subsection 78, “Development” is hereby repealed in its entirety and replaced with the following:

“78. **Development**, means the creation of a new lot, a change in land use, or the construction of buildings or structures requiring approval under the *Planning Act*, but does not include:

- Activities that create or maintain infrastructure authorized under an environmental assessment process or identified in provincial standards;
- Works carried out under the *Drainage Act*; or
- Underground or surface mining of minerals, or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*.”

This ensures consistency with the Provincial Planning Statement. Renumber the following definitions accordingly.

- r) Add definition at Subsection **XX** for “Dock”. Said definition to read as follows:

“**XX. Dock**, means a structure built at or anchored to the shore at which boats or other floating vessels are berthed or secured to and which may provide a foundation for a boathouse. Any structure situated in or over lands covered by water, which is within 3 m (10 ft.) of a dock, shall be deemed to be part of the dock unless it is a boathouse or a boatport.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- s) Add definition at Subsection **XX** for “Fence”. Said definition to read as follows:

“**XX. Fence**, means a protective, enclosing or visual barrier made of wood, metal or other substances that is constructed for any purpose and includes every door, gate or other enclosure that forms part of a fence.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- t) Add definition at Subsection **XX** for “Fourplex Dwellings”. Said definition to read as follows:

“**XX. Fourplex Dwellings**, means a building consisting of four (4) dwelling units, with at least one (1) unit located wholly or partly above another, which are entered from an independent entrance directly from the outdoors or through a shared internal vestibule, and which share common facilities such as common amenity area, parking, and driveways.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- u) Add definition at Subsection **XX** for “Funeral Home”. Said definition to read as follows:

**XX. Funeral Home**, means a premises used for the care and preparation of human remains, excluding a crematorium, and may include an ancillary visitation centre and chapel for funeral services.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- v) Section 2.0 - Definitions, Subsection 116, “Height of Building” is hereby repealed in its entirety and replaced with the following:

“116. **Height of Building**, means the vertical distance between the finished grade at the front of the building and:

- a) in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is the greater;
- b) in the case of a mansard roof, the deck roof line;
- c) in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge; or
- d) in all other cases, the highest point of the roof surface.

Where height is established in the regulations, it shall be expressed as a numerical value in metres.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- w) Section 2.0 - Definitions, Subsection 134, “Industrial Use, Light” is hereby repealed in its entirety and replaced with the following:

“134. **Industrial Use, Light**, means the use of a building or part thereof for clean industries which are entirely enclosed within the building or structure, and that require no treatment of wastewater or air prior to discharge off-site. Light industrial uses may include small-scale facilities, warehouses, wholesale establishments, offices and business services.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- x) Add definition at Subsection **XX** for “Landscaping Contractor’s Establishment”. Said definition to read as follows:

“**XX. Landscaping Contractor’s Establishment**, means the use of land, buildings, or structures by a landscaping contractor for offices, the storage of vehicles, equipment, and materials, and the dispatching of employees. It may include limited shop or assembly work related to landscaping operations, but does not include a retail store, garden centre, nursery, or any other establishment otherwise defined or classified herein.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- y) Section 2.0 - Definitions, Subsection 156, “Lot Line, Rear” is hereby repealed in its entirety and replaced with the following:

“156. **Lot Line, Rear**, means the lot line farthest from and opposite to the front lot line or, where the lot is triangular, the point of intersection of the side lot lines.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- z) Add definition at Subsection **XX** for “Machine and Welding Shop”. Said definition to read as follows:

“**XX. Machine and Welding Shop**, means a building or part thereof used for the machining, fabricating, repairing, or welding of metal parts, and may include accessory offices and storage but does not include heavy manufacturing, foundries, or retail sales to the general public.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- aa) Section 2.0 - Definitions, Subsection 86 i), “Maisonette Dwelling” is hereby repealed in its entirety and replaced with the following:

“i) **Maisonette Dwelling**, means a dwelling containing five (5) or more dwelling units, each unit having access directly from an outside landscaped yard area or exterior stairways located adjacent to said dwelling unit, but does not include any other type of dwelling unit as defined herein.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- bb) Add definition at Subsection **XX** for “Mineral Aggregate Operation”. Said definition to read as follows:

**XX. Mineral Aggregate Operation**, means:

- a) lands under license or permit, other than for wayside pits and quarries, issued in accordance with the *Aggregate Resources Act*;
- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- cc) Add definition at Subsection **XX** for “Municipally Owned Landfill Site”. Said definition to read as follows:

**XX. Municipally Owned Landfill Site**, means municipally owned land upon which waste is deposited and managed, including operating and non-operating sites, subject to approval under the Environmental Protection Act.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- dd) Add definition at Subsection **XX** for “Parcel of Urban Residential Land”. Said definition to read as follows:

**XX. Parcel of Urban Residential Land**, means a parcel of land located within a designated settlement area where residential use, other than accessory residential use including an additional dwelling unit, is permitted and which is serviced by municipal sewage works and a municipal drinking water system.”

This ensures consistency with the *Planning Act*. Renumber the following definitions accordingly.

- ee) Add definition at Subsection **XX** for “Parking Space, Tandem”. Said definition to read as follows:

**XX. Parking Space, Tandem**, means a parking space that can only be accessed by passing through another parking space from a street, lane or driveway.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- ff) Add definition at Subsection **XX** for “Portable Asphalt Plant”. Said definition to read as follows:

**XX. Portable Asphalt Plant**, means a facility:

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.”

This ensures consistency with the Provincial Planning Statement. Renumber the following definitions accordingly.

- gg) Add definition at Subsection **XX** for “Portable Concrete Plant”. Said definition to read as follows:

**XX. Portable Concrete Plant**, means a facility:

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.”

This ensures consistency with the Provincial Planning Statement. Renumber the following definitions accordingly.

- hh) Add definition at Subsection **XX** for “Public Work”. Said definition to read as follows:

**XX. Public Work**, means any works, services, or facilities provided by or on behalf of a municipality, including but not limited to roads, bridges, water supply systems, sanitary sewage systems, stormwater management facilities, drainage works, solid waste management facilities, and utilities.”

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- ii) Section 2.0 - Definitions, Subsection 204, “Redevelopment” is hereby repealed in its entirety and replaced with the following:

“204. **Redevelopment**, means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.”

This ensures consistency with the Provincial Planning Statement. Renumber the following definitions accordingly.

- jj) Section 2.0 - Definitions, Subsection 222, "Second Suite Dwelling" is hereby repealed in its entirety.
- kk) Replace all references in the Zoning By-law of "**Second Suite Dwelling**" with "**Additional Dwelling Unit**".
- ll) Add definition at Subsection **XX** for "Short Term Vacation Rentals". Said definition to read as follows:

**XX. Short Term Vacation Rentals**, means the use of a dwelling unit, or part thereof, for temporary accommodation, and includes:

- Bed and Breakfast Establishments
- Owner-occupied partial dwelling or dwelling unit rentals (i.e., a principal residence)
- Entire dwelling or dwelling unit rentals (i.e., not a principal residence)"

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- mm) Add definition at Subsection **XX** for "Utility". Said definition to read as follows:

**XX. Utility**, means a water supply, storm or sanitary sewage, gas or oil pipeline, the generation, transmission and distribution of electric power, steam or hot water, towers, communications/telecommunications lines and other cabled services, waste collection or disposal or management, a public transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest."

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- nn) Add definition at Subsection **XX** for "Water lot". Said definition to read as follows:

**XX. Water Lot**, means a legally described parcel of land that is covered, or periodically covered, by water and identified in the Land Registry Office."

This provides greater clarity for interpretation. Renumber the following definitions accordingly.

- oo) Add definition at Subsection **XX** for “Wayside Pit and Quarries”. Said definition to read as follows:

**XX. Wayside Pit and Quarries**, means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.”

This ensures consistency with the Provincial Planning Statement. Renumber the following definitions accordingly.

- pp) That the definitions in Section 2 be re-alphabetized and numbered or renumbered as necessary to give effect to the amendments contained herein.

### 3. Section 3.0 – General Provisions

- a) Section 3.0 – General Provisions, Subsection 3.3 – Accessory Uses and Accessory Buildings, add a new subsection, which reads:

“g) Accessory Uses in Employment and Institutional Zones

Notwithstanding Sections 3.1, 3.2 and 3.3 of this By-law, accessory uses shall not exceed 25% of the gross floor area of the main use.”

- b) Section 3.0 – General Provisions, Subsection 3.4 – Amenity Areas for Maisonnette Dwellings, Apartment Dwellings, Mixed Commercial/ Residential Buildings AND Retirement Homes, e), is hereby repealed in its entirety and replaced with the following:

“e) In addition to the amenity area requirements above, a children’s play area shall be provided where a maisonette or apartment dwelling development contains twenty (20) or more dwelling units. A children’s play area shall be provided at a rate of 2.5 square metres per dwelling or apartment unit. The minimum size of any children’s play area shall be 46.0 square metres, while the maximum size of such children’s play area shall be 140.0 square metres.”

- c) Section 3.0 – General Provisions, Subsection 3.6 – Apartment Units in Commercial and Mixed Use Zones, a), is hereby repealed in its entirety and replaced with the following:

“a) Apartment unit(s) shall be located behind ground-floor commercial uses or in the second or higher storey of commercial buildings. Apartment units located behind ground-floor commercial uses on King Street shall be setback a minimum of 18.2 metres from the street.”

- d) Section 3.0 – General Provisions, Subsection 3.6 – Apartment Units in Commercial and Mixed Use Zones, add a new subsection, which reads:

“f) Notwithstanding Section 3.6 a), for lots zoned Mixed Use (MD), apartment units may be permitted on the ground floor or basement levels of buildings located on lots that do not have a lot line abutting King Street, within the minimum 18.2 metre setback from the street.”

- e) Section 3.0 – General Provisions, Subsection 3.8 – Automobile Service Stations and Automobile Gas Bars, f) and g), are hereby repealed in its entirety and replaced with the following:

“f) No portion of any fuel pump island shall be located on a corner lot within the triangular space formed by the street lines and a line drawn from a point on one street line to a point drawn on the other street line, each such point being 15.0 metres from the point of intersection. 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 projections of the street lines or the intersection of the tangents to the street lines.

g) In no case shall a fuel pump island be located closer than 6.0 metres to any front or side lot line.”

The above replaces “pump island” with “fuel pump island” to ensure consistency with defined terms.

- f) Section 3.0 – General Provisions, Subsection 3.9 – Bicycle Parking Requirements, Table 3.9: Minimum Required Bicycle Parking, repeal and replace row for Retirement Home, Apartment Dwelling, Maisonnette Dwelling with the following rows:

Type of Use	Minimum Required Bicycle Parking
Apartment Dwelling, Maisonnette Dwelling	0.5 spaces per dwelling unit
Retirement Home	0.1 spaces per dwelling unit

- g) Section 3.0 – General Provisions, Subsection 3.13 – Drive Throughs, d) and f), are hereby repealed in their entirety and replaced with the following:

“d) A stacking lane shall not be permitted within 15.0 metres of any residential zone. The required setback may be reduced to a minimum of 7.5 metres, provided that a noise wall, certified by a professional engineer, no taller than 1.8 metres exclusive of decorative elements, is installed prior to occupancy of the drive-through facility. The noise levels shall not exceed the maximum levels specified by the Ministry of Environment’s

NPC-300 – Environmental Noise Guideline, as amended, for stationary sources of noise.”

- “f) Stacking spaces shall not be located within any parking aisle, driveway, or any required yard.”
- h) Section 3.0 – General Provisions, Subsection 3.13 – Drive Throughs, add a new subsection, which reads:
  - “g) Notwithstanding Section 3.13 a), drive-throughs are prohibited in the MD and MW zones.”
- i) Section 3.0 – General Provisions, Subsection 3.19 – Group Homes and Institutional Residences, is hereby repealed in its entirety and replaced with the following:

### **“3.19 Group Homes**

A group home shall be permitted in any dwelling unit in accordance with the following provisions:

- a) Parking shall be provided in accordance with Subsection 3.34 Parking Area Requirements.
- b) The group home shall comprise the sole use of the dwelling unit.
- c) Group homes shall be in accordance with all other provisions of this By-law, including the provisions of the applicable Zone.”

### **“3.20 Institutional Residence**

Where an institutional residence is permitted by this By-law, the institutional residence shall be in accordance with the following provisions:

- a) Parking shall be provided in accordance with Subsection 3.34 Parking Area Requirements.
- b) The institutional residence shall comprise the sole use of the dwelling.
- c) Institutional residences shall be in accordance with all other provisions of this By-law, including the provisions of the applicable Zone.”

**Renumber the following subsections accordingly.**

- j) Section 3.0 – General Provisions, Subsection 3.20 – Home Industries, j) Prohibited Uses, add the following to existing list of prohibited uses. Said provision to read as follows:
- v) Restaurant
  - vi) Retail
- k) Section 3.0 – General Provisions, Subsection 3.20 – Home Industries, add a new subsection, which reads:
- “k) There shall be no food preparation or food services permitted from the premises.”
- l) Section 3.0 – General Provisions, Subsection 3.21 – Home Occupations, d) Prohibited Uses, add the following to existing list of prohibited uses. Said provision to read as follows:
- x) Restaurant
  - xi) Retail
- m) Section 3.0 – General Provisions, Subsection 3.21 – Home Occupations, b) Provisions, add the following to existing list of provisions. Said provision to read as follows:
- “xii) There shall be no food preparation or food services permitted from the premises.”
- n) Section 3.0 – General Provisions, Subsection 3.23 Legal Non-Conforming Uses and Legal Non-Complying Buildings and Structures, is hereby repealed in its entirety.
- This subsection has been moved to Section 1.0 – Interpretation Administration and Enforcement.**
- o) Section 3.0 – General Provisions, Subsection 3.29 – Mixed Commercial/Residential Building, b), is hereby repealed in its entirety and replaced with the following:
- “b) Dwelling units shall not be located on the ground floor of buildings shown as being subject to the continuous street frontage provisions, as shown on Schedule “B” to this By-law, except as otherwise permitted in Section 3.6.”

- p) Section 3.0 – General Provisions, Subsection 3.30 – Mobile Homes, is hereby repealed in its entirety and replaced with the following:

“No person shall locate or use a mobile home, unless identified as a permitted use within the applicable zone.”

- q) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(a): Parking Requirements for Residential Uses, Apartment Dwelling or Maisonette Dwelling, is hereby repealed in its entirety and replaced with the following:

“1.4 spaces per unit; or

1.25 spaces per unit located south of the CNR Mainline, as shown on Schedule “A”; or

1 space per unit for an apartment dwelling located in the Downtown and Central Waterfront Area, as delineated on Schedule “B”; or

1.1 spaces per unit for a maisonette dwelling located in the Downtown and Central Waterfront Area, as delineated on Schedule “B”.”

**Alignment with best practices.**

- r) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(a): Parking Requirements for Residential Uses, Apartment Units as part of a Mixed Commercial/Residential Building, where permitted in Commercial and Mixed Use Zones, is hereby repealed in its entirety and replaced with the following:

“1 space per unit; or

0.7 spaces per unit located south of the CNR Mainline, as shown on Schedule “A” and in the Downtown and Central Waterfront Area as delineated on Schedule “B”.”

**Alignment with best practices.**

- s) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(a): Parking Requirements for Residential Uses, Second Suite, is hereby repealed in its entirety.
- t) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(a): Parking

Requirements for Residential Uses, Triplex Dwelling, is hereby repealed in its entirety and replaced with the following:

“1.5 spaces per dwelling unit.”

**Alignment with best practices.**

- u) Add Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, Table 3.34(a): Parking Requirements for Residential Uses, Additional Dwelling Unit, as follows:

“Additional Dwelling Unit: 1 space per unit, in addition to the requirement for the principal dwelling unit.”

- v) Add Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, Table 3.34(a): Parking Requirements for Residential Uses, Fourplex Dwelling, as follows:

“Fourplex Dwelling: 1.5 spaces per dwelling unit.”

- w) Add Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, Table 3.34(a): Parking Requirements for Residential Uses, Short Term Vacation Rental, as follows:

“Short Term Vacation Rental: 1 space per guest room, in addition to the parking requirement for the dwelling. Parking for a Short Term Vacation Rental may be provided in tandem.”

- x) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Assembly Hall, is hereby repealed in its entirety and replaced with the following:

“1.0 space per 20 square metres of gross floor area.”

**Alignment with best practices.**

- y) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Automobile Repair Garage, is hereby repealed in its entirety and replaced with the following:

“3.0 per service bay or 1 per 100 square metres of gross floor area, whichever is greater.”

**Alignment with best practices.**

- z) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Automobile Service Station, is hereby repealed in its entirety and replaced with the following:

“3.0 per service bay or 1 per 100 square metres of gross floor area, whichever is greater.”

**Alignment with best practices.**

- aa) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Automobile Sales and Used Automobile Sales Establishment, Service Establishment, Automobile Rental Agency, and Automobile Leasing Agency, is hereby repealed in its entirety and replaced with the following:

“1.0 space per 30 square metres of gross floor area.”

**Alignment with best practices.**

- bb) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Bank or Trust Company, is hereby repealed in its entirety and replaced with the following:

“1.0 space per 20 square metres of gross floor area.”

**Alignment with best practices.**

- cc) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Car Wash, is hereby repealed in its entirety and replaced with the following:

“1.0 space per wash rack, plus 6 waiting spaces per wash rack.”

**Alignment with best practices.**

- dd) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Clinic or Medical Office, is hereby repealed in its entirety and replaced with the following:

“1.0 space per 20 square metres of gross floor area.”

**Alignment with best practices.**

- ee) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Convenience Store, is hereby repealed in its entirety and replaced with the following:

“1.0 space per 30 square metres of gross floor area.”

**Alignment with best practices.**

- ff) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Hardware, Home Appliance, Home Decorating, Home Furnishing or Home Improvement Store, is hereby repealed in its entirety and replaced with the following:

“1.5 spaces per 100 square metres of gross floor area.”

**Alignment with best practices.**

- gg) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Micro-Brewery and Micro-Winery, is hereby repealed in its entirety and replaced with the following:

“1.0 space per 30.0 square metres gross leasable area for any restaurant, retail and/or sampling area and 1.0 space per 100.0 square metres gross leasable area for all other floor space”

**Alignment with best practices.**

- hh) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Offices (Business, Public, Professional), is hereby repealed in its entirety and replaced with the following:

“1.0 space per 30 square metres of gross floor area on the first storey and 1 space per 50 square metres of gross floor area above or below the first storey.”

**Alignment with best practices.**

- ii) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking

Requirements for Commercial and Mixed Uses, Restaurants, including take-out restaurants, is hereby repealed in its entirety and replaced with the following:

“1.0 space per 15.0 square metres of gross leasable area, except that any take-out restaurant shall be 1.0 space per 10 square metres of gross leasable area. In all cases, a minimum of 5.0 spaces shall be provided.”

**Alignment with best practices.**

- jj) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Retail Uses (General), is hereby repealed in its entirety and replaced with the following:

“1.0 space per 30 square metres of gross floor area.”

**Alignment with best practices.**

- kk) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Supermarket or Grocery Store, is hereby repealed in its entirety and replaced with the following:

“1.0 space per 25 square metres of gross floor area.”

**Alignment with best practices.**

- ll) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(b): Parking Requirements for Commercial and Mixed Uses, Wholesale Establishment, is hereby repealed in its entirety and replaced with the following:

“1.0 space per 100 square metres of gross floor area.”

**Alignment with best practices.**

- mm) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(c): Parking Requirements for Employment Uses, Industrial Use, Light Industrial Use, is hereby repealed in its entirety and replaced with the following:

“1.0 space per 100 square metres of gross leasable area for the first 900 square metres plus 1.0 space per 200 square meters thereafter.”

**Alignment with best practices.**

- nn) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, Table 3.34(d): Parking Requirements for Institutional, Rural and Open Space Uses, Day Nursery, is hereby repealed in its entirety and replaced with the following:

“1.0 space per 28 square metres of gross floor area.”

**Alignment with best practices.**

- oo) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, iii) Designation of Parking for Persons with Disabilities, is hereby repealed in its entirety and replaced with the following:

*1. Minimum Required Width for Accessible Parking Spaces*

Off-street parking facilities shall provide two types of parking spaces for the use of persons with disabilities, as follows:

- a) **Type A** parking space with a minimum width of 3.4 metres, including signage identifying the space as ‘van accessible’; and,
- b) **Type B** parking space with a minimum width of 2.75 metres.

*2. Access Aisles*

An access aisle with a minimum width of 1.5 metres shall be provided for an accessible parking space. One access aisle may be provided between two side-by-side accessible parking spaces.

*3. Minimum Number of Accessible Parking Spaces*

Where a new building or an addition to an existing building must be barrier free in accordance with the Building Code Act and its regulations, the following chart will apply to barrier-free parking spaces.

<b>Total Parking Spaces</b>	<b>Minimum Accessible Parking Requirement</b>	<b>Type A / Type B Ratio</b>
1-12	1 space	Type A
13-100	4% of the total parking spaces	Even split between Type A and Type B; odd space may be Type B
101-200	3% of the total parking spaces,	Even split between Type A and Type B; odd space may

	minimum 1 space	be Type B
201-1,000	2% of the total parking spaces, minimum 2 spaces	Even split between Type A and Type B; odd space may be Type B
More than 1,1000	1% of the total parking spaces, minimum 11 spaces	Even split between Type A and Type B; odd space may be Type B

#### 4. Required Signage

Required accessible parking spaces per Section 3.34 a) iii) of this By-law shall require an accessible permit parking sign in accordance with Section 11 of Regulation 581 of the Revised Regulations of Ontario, 1990 made under the *Highway Traffic Act*.”

This ensures consistency with the *Accessibility for Ontarians with Disabilities Act*.

- pp) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, a) Minimum Number of Parking Spaces, iv) Special Exemptions for Minimum Required Parking in the Downtown and Central Waterfront Area, add the following to the existing list of exemptions. Said exemption should read as follows:

“4. Where there is a conversion of a commercial use to a residential use, and the existing building or structure has insufficient parking spaces on the date of passing of this By-law, this By-law shall not be interpreted to require that the deficiency be made up prior to the change of use, provided that no additional parking spaces are required, and all existing on-site parking spaces are maintained.”

- qq) Section 3.0 – General Provisions, Subsection 3.34 – Parking Area Requirements, b) Parking Space, Area and Driveway Requirements, add the following to the existing list of provisions. Said provision should read as follows:

#### “ix. Landscaping within Parking Areas

Where a surface parking area contains 50 or more parking spaces, except in the case of an employment zone, a minimum of 15% of the parking area must be provided as landscaped open space.”

- rr) Section 3.0 – General Provisions, Subsection 3.35 – Planting Strips, b) Planting Strips Required for Parking and Loading Areas, add the following to the existing list of provisions. Said provision should read as follows:

“iii) Where a parking and/or loading area for a building 5 storeys or greater is located within the front yard of said building, a 3.0 metre planting strip as described herein, shall be provided on the front lot line. A driveway is permitted to cross the planting strip.”

- ss) Add Section 3.0 – General Provisions, Subsection 3.XX – Schools Permitted in Urban Residential Zones, as follows:

**“3.XX Schools Permitted in Urban Residential Zones**

Notwithstanding any provision to the contrary, an elementary or secondary school of a district school board including any accessory uses to such schools, including the use of a child care centre located in the school, is permitted on any parcel of urban residential land.”

- tt) Section 3.0 – General Provisions, Subsection 3.39 – Public Uses, a), is hereby repealed in its entirety and replaced with the following:

- “a) Notwithstanding any other provisions of this By-law, the Corporation of the City of Brockville, Ontario Hydro, any local Board, any Commission, any communications/telecommunications company, any transportation system owned or operated by or for the City of Brockville, or any local Board of the Corporation as defined by the Municipal Act, and any Department or Ministry of the Federal or Provincial Government, may, for the purpose of public service, use any land, or erect any building or structure in any zone notwithstanding that such building or structure or proposed use does not conform to the provisions of this By-law for such zone, provided that when such use, building or structure is located in any Residential Zone, it shall comply with the regulations for the most restrictive use with regard to height and lot coverage regulations prescribed for such zone. This provision shall not be construed to apply to the administrative offices or other such buildings operated by a utility provider.”

This clarifies that the United Counties of Leeds and Grenville, requires approval to permit a use that does not conform to or comply with the provisions of the Zoning By-law.

- uu) Section 3.0 – General Provisions, Subsection 3.41 – Seasonal Uses, add a new subsection, which reads:

- “g) A seasonal use requires the issuance of a Certificate of Zoning Compliance.”

- vv) Section 3.0 – General Provisions, Subsection 3.42 – Second Suites and Garden Suites, is hereby repealed in its entirety and replaced with a new Subsection 3.XX – Additional Dwelling Units, as follows:

**“3.XX Additional Dwelling Units**

Additional dwelling units are permitted in all areas where a single-detached dwelling, semi-detached dwelling, townhouse dwelling, or linked dwelling is permitted. Notwithstanding any other provisions of this By-law, where an additional dwelling unit is permitted by this By-law, it shall be in accordance with the following provisions:

- a) A maximum of two additional dwelling units are permitted on a lot, which may consist of either:
- i. one (1) additional dwelling unit within the main single-detached dwelling, semi-detached dwelling unit, townhouse dwelling unit or linked dwelling unit, and one additional dwelling unit within a separate accessory building on the same lot; or,
  - ii. two (2) additional dwelling units within the main single-detached dwelling, semi-detached dwelling unit, townhouse dwelling unit or linked dwelling unit.
- b) Each additional dwelling unit shall not require more than one parking space that is provided for the sole use of the additional dwelling unit. Tandem Parking shall be permitted.
- c) Where the Zoning By-law restricts maximum lot coverage on a Parcel of Urban Residential Land, the maximum lot coverage shall be increased to 45 percent, except where a provision in this By-law permits a lot coverage in excess of 45 percent, then the maximum lot coverage shall be as otherwise specified in the By-law.
- ww) Section 3.49 – TransCanada AND Trans-Northern Pipelines, is hereby amended by repealing and replacing all references to “TransCanada” with “TransCanada PipeLines Limited”
- xx) Section 3.49 – General Provisions, TransCanada PipeLines Limited AND Trans-Northern Pipelines, add a new subsection, which reads:
- “c) TransCanada PipeLines Limited (TCPL)
- i) Notwithstanding any other provision of this By-law, a minimum setback of 7.0 metres shall be required from any part of a building or structure to the edge of the TCPL pipeline right-of-way.

- ii) Notwithstanding any other provision of this By-law, a minimum setback of 7.0 metres shall be required from any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces and any associated aisle or driveway to the edge of the TCPL pipeline right-of-way.”
- yy) Section 3.0 – General Provisions, Subsection 3.51 – Waterlots, add a new subsection, which reads:
- “a) Docks may be permitted, subject to the following provisions:
- i) Docks shall be setback a minimum of 5 metres from any side lot line and project a maximum of 15 metres from the shoreline;
  - ii) The maximum width of a dock shall be the lesser of 25% of the lot frontage or 6 metres;
  - iii) The maximum width of a perpendicular ramp connecting to a dock shall be 1.5 metres and shall maintain a 5 metre setback from any side lot line.
  - iv) A dock shall be wholly located within the area defined by the straight-line projection of the interior side lot lines from the shoreline into the waterbody.”
- zz) Section 3.0 – General Provisions, Subsection 3.52 – Unenclosed Porches, Steps and Decks, g) - Covered or Uncovered Porches, Steps and Decks, i), iii), and iv), is hereby repealed in its entirety and replaced with the following:
- i) Porches and stairs may project into any required front, rear or exterior side yard, a distance of not more than 1.5 metres provided said structure is not higher than 1.2 metres from grade.
  - iii) Stairs that lead to areas below grade are not permitted to project into a required yard setback by more than 1.5 metres.
  - iv) Uncovered decks may project into any required front or exterior side yard a distance of not more than 1.5 metres provided said structure is not higher than 1.5 metres from grade.”
- aaa) Add Section 3.0 – General Provisions, Subsection 3.XX – Bed and Breakfast Establishments, as follows:
- “3.XX Bed and Breakfast Establishments**
- A bed and breakfast establishment is only permitted within a single-detached

dwelling. Where a bed and breakfast establishment is permitted in this by-law, it shall be in accordance with the following provisions:

- a) A bed and breakfast establishment shall contain a maximum of three (3) guest rooms.
- b) A bed and breakfast establishment shall be operated by the person or persons whose principal residence is the single-detached dwelling.
- c) A bed and breakfast establishment may provide separate dining areas for guests. Establishment of a restaurant catering to persons other than guests shall not be permitted.
- d) The use of accessory buildings to accommodate guests is prohibited.
- e) The use of additional dwelling units to accommodate guests is prohibited.
- f) Parking shall be provided in accordance with Section 3.34.”

bbb) Add Section 3.0 – General Provisions, Subsection 3.XX – Short Term Vacation Rentals, as follows:

**“3.XX Short Term Vacation Rentals**

Where short term vacation rentals are permitted in this by-law, it shall be in accordance with the following provisions:

- a) A short term vacation rental shall contain a maximum of three (3) guest rooms.
- b) The use of accessory buildings to accommodate guests is prohibited.
- c) The use of additional dwelling units to accommodate guests is prohibited.
- d) Parking shall be provided in accordance with Section 3.34.”

ccc) That the general provisions in Section 3. be re-alphabetized and numbered or renumbered as necessary to give effect to the amendments contained herein.

**4. Section 5.0 – Residential Zones**

- a) Section 5.0 – Residential Zones, Subsection 5.1 – Permitted Uses, Table 5.1: Uses Permitted in the Residential Zones, under the heading “Use”, repeal the subheading “Converted Dwelling”, “Garden Suite”, and “Second Suite Dwelling” in its entirety.

This ensures consistency in terminology as Additional Dwelling Unit will replace these uses.

- b) Section 5.0 – Residential Zones, Subsection 5.1 – Permitted Uses, Table 5.1: Uses Permitted in the Residential Zones, under the heading “Use”, add “Additional Dwelling Unit” as a permitted use and permit the use by adding “x” under all subheadings: R1, R2, R2A, R3, R3A, R4, R4A, and R5.
- c) Section 5.0 – Residential Zones, Subsection 5.1 – Permitted Uses, Table 5.1: Uses Permitted in the Residential Zones, under the heading “Use”, “Additional Dwelling Unit”, add footnote “(1)”.
- d) Section 5.0 – Residential Zones, Subsection 5.1 – Permitted Uses, Table 5.1: Uses Permitted in the Residential Zones, under the heading “Use”, add “Semi-Detached Dwelling” as a permitted use and permit the use by adding “x” under all subheadings: R1, R2, and R2A.
- e) Section 5.0 – Residential Zones, Subsection 5.1 – Permitted Uses, Table 5.1: Uses Permitted in the Residential Zones, under the heading “Use”, add “Fourplex Dwelling” as a permitted use and permit the use by adding “x” under all subheadings: R3, R3A, R4, R4A, and R5.
- f) Section 5.0 – Residential Zones, Subsection 5.1 – Permitted Uses, Table 5.1: Uses Permitted in the Residential Zones, under the heading “Use”, add “Short Term Vacation Rental” as a permitted use and permit the use by adding “x” under all subheadings: R1, R2, R2A, R3, R3A, R4, and R4A.
- g) Section 5.0 – Residential Zones, Subsection 5.1 – Permitted Uses, Table 5.1: Uses Permitted in the Residential Zones, under the heading “Use”, “Short Term Vacation Rental”, add footnote “(1)”.
- h) Section 5.0 – Residential Zones, Subsection 5.1 – Permitted Uses, Table 5.1: Uses Permitted in the Residential Zones, under the heading “Use”, add “Boarding/Rooming/Lodging House” as a permitted use and permit the use by adding “x” under all subheadings: R1, R2, R2A, R3, R3A, and R4A.
- i) Section 5.0 – Residential Zones, Subsection 5.1 – Permitted Uses, Table 5.1: Uses Permitted in the Residential Zones, under heading “Use”, repeal “Group Home” in its entirety.

Group homes are permitted in all dwelling units. This avoids redundancy.

- j) Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, Table 5.2(a): Lot and Building Requirements for Residential –

Singles Zones, repeal and replace rows for “Minimum Lot Frontage” and “Minimum Lot Area” with the following rows:

<b>Requirement</b>	<b>Use</b>	<b>R1</b>	<b>R2</b>	<b>R2A</b>
Minimum Lot Frontage	Single-Detached Dwelling	16.0 m for interior lots 19.0 m for exterior lots	14.0 m interior lots 16.0 m exterior lots	12.0 m interior lots 14.0 m exterior lots
	Semi-Detached Dwelling & Linked Dwelling	9 m per unit, plus 3.0 m for exterior lots	7 m per unit, plus 3.0 m for exterior lots	7 m per unit, plus 3.0 m for exterior lots
Minimum Lot Area	Single-Detached Dwelling	480 m <sup>2</sup> for interior lots 500.0 m <sup>2</sup> for exterior lots	425.0 m <sup>2</sup>	300.0 m <sup>2</sup>
	Semi-Detached Dwelling & Linked Dwelling	270.0 m <sup>2</sup> per unit	200.0 m <sup>2</sup> per unit	200.0 m <sup>2</sup> per unit

- k) Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, Table 5.2(b): Lot and Building Requirements for Residential - General Zones, Minimum Exterior Side Yard Setback under heading “Use”, “All uses except Converted Dwellings and Maisonette Dwellings” and “Maisonette Dwellings”, repeal and replace “6.0 m” with “4.5 m” under the “R4” subheading.
- l) Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, Table 5.2(c): Lot and Building Requirements for Residential – Multiple Zones, Maximum Height, add footnote “(2)” under all subheadings: R6, R7, R8, and R9.
- m) Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, Table 5.2(c): Lot and Building Requirements for Residential – Multiple Zones, add new footnote: “(2) Maximum height subject to angular plane provisions in accordance with Section 3.0 - General Provisions, Subsection 3.5 - Angular Planes.”
- n) Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, Table 5.2(c): Lot and Building Requirements for Residential – Multiple Zones, Maximum Density, under heading “Use”, “All permitted uses”,

repeal and replace “75 units per hectare” with “99 units per hectare” under the “R5” subheading.

- o) Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, Table 5.2(c): Lot and Building Requirements for Residential – Multiple Zones, under heading “Use”, “Retirement Home”, repeal and replace “Not Permitted” with “25.0 metres” under all subheadings: R6, R7, and R8.
- p) Section 5.0 – Residential Zones, Subsection 5.2 – Lot and Building Requirements, Table 5.2(b): Lot and Building Requirements for Residential – General Zones, under heading “Requirement”, add a new subheading “Amenity Area”, with the provision as follows:

Requirement	Use	R3	R3A	R4	R4A
Amenity Area	Maisonette Dwelling	Not permitted	Not Permitted	In accordance with Section 3.4 - Amenity Areas for Maisonette Dwellings, Apartment Dwellings, Mixed Commercial/ Residential Buildings AND Retirement Homes of this Zoning By-law.	

- q) Section 5.0 - Residential Zones, Subsection 5.2 – Lot and Building Requirements, Table 5.2(c): Lot and Building Requirements for Residential – Multiple Zones, under heading “Requirement”, add a new subheading “Amenity Area”, with the provision as follows:

Requirement	Use	R5	R6	R7	R8	R9
Amenity Area	Maisonette Dwelling	In accordance with Section 3.4 - Amenity Areas for Maisonette Dwellings, Apartment Dwellings, Mixed Commercial/ Residential Buildings AND Retirement Homes of this Zoning By-law.			Not Permitted	Not Permitted
	Apartment Dwelling	In accordance with Section 3.4 - Amenity Areas for Maisonette Dwellings, Apartment Dwellings, Mixed Commercial/ Residential Buildings AND Retirement Homes of this Zoning By-law.				

	Retirement Home	In accordance with Section 3.4 - Amenity Areas for Maisonnette Dwellings, Apartment Dwellings, Mixed Commercial/ Residential Buildings AND Retirement Homes of this Zoning By-law.	Not Permitted
--	-----------------	--	---------------

## 5. Section 6.0 – Commercial and Mixed Use Zones

- a) Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones, under the heading “Use”, add “Single-Detached Dwelling” and “Semi-Detached Dwelling” as permitted uses and permit the use in the Mixed Use Downtown and Mixed Use Waterfront Zones by adding “x” under all subheadings: MD and MW.
- b) Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones, under the heading “Use”, “Single-Detached Dwelling” and “Semi-Detached Dwelling”, add footnote “(6)”.
- c) Section 6.0 – Commercial and Mixed Used Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones, add new footnote: “(6) Only existing uses are permitted.”
- d) Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones, under the heading “Use”, add “Additional Dwelling Unit”, “Triplex Dwelling”, “Fourplex Dwelling”, “Block Townhouse Dwelling”, “Cluster Townhouse Dwelling”, “Home Occupation”, “Museum”, “Art Gallery”, “School”, “Short Term Vacation Rental”, “Private School”, and “Park” as a permitted use and permit the use in Mixed Use Downtown and Mixed Use Waterfront Zones by adding “x” under all subheadings: MD and MW.
- e) Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones, under the heading “Use”, add “Homeless or Emergency Shelter” as a permitted use and permit the use in Mixed Use Corridor and Commercial Zones by adding “x” under all subheadings: MC, C1, C2, C3, C4, C5 and C6.
- f) Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones, under the heading “Use”, “Post-Secondary Institution”, subheadings “MD” and “MW”, add an “x”.

- g) Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones, under the heading “Use”, “Additional Dwelling Unit”, add footnote “(7)”.
- h) Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones, add new footnote: “(7) Only permitted within an existing Single-Detached Dwelling or Semi-Detached Dwelling.”
- i) Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones, under the heading “Use”, add “Nursing Home” and “Place of Worship” as a permitted use and permit the use in Mixed Use Downtown, Mixed Use Waterfront, and Mixed Use Corridor Zones by adding “x” under all subheadings: MD, MW, and MC.
- j) Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones, under the heading “Use”, “Group Home”, “Retirement Home”, and “Boarding/Rooming/Lodging House”, subheading “MC”, add an “x”.
- k) Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones, under the heading “Use”, repeal the heading “Day Nursery” and replace with the heading “Child Care Centre”.
- l) Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, Table 6.1: Permitted Uses in Commercial and Mixed Use Zones, under the heading “Use”, “Place of Worship”, subheading “MC”, add footnote “(8)”.
- m) Section 6.0 – Commercial and Mixed Use Zones, Subsection 6.1 – Permitted Uses, under Table 6.1: Permitted Uses in Commercial and Mixed Use Zones, add new footnote: “(8) Subject to a Maximum Lot Area of 2 hectares (20,000 m<sup>2</sup>)”.

## **6. Section 7.0 – Non-Residential and Non-Commercial Zones**

- a) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones, under the heading “Use”, add “Health Club (as an accessory use)” as a permitted use and permit the use within the Business Park Employment and General Employment Zones by adding “x” under all subheadings: E1 and E2.
- b) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-

Commercial Zones, under the heading “Use”, “Health Club (as an accessory use”, add footnote “(5)”.

- c) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones, add new footnote: “(5) This use is permitted only as an accessory use in accordance with Section 3.3 of this By-law.”
- d) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.2 – Lot and Building Requirements, Table 7.2: Lot and Building Requirements for Non-Residential and Non-Commercial Zones, Other Provisions, add the following to existing list of provisions. Said provision to read as follows:
  - “iii) Where an industrial use is located adjacent to a sensitive land use, the following minimum separation distance shall apply:
    - Class I – 20 metres
    - Class II – 70 metres
    - Class III – 300 metres.”
- e) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones, under the heading “Use”, “Miniature Golf”, subheading “OS”, add an “x”.
- f) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones, under the heading “Use”, add “Conservation Use” as a permitted use and permit the use in the Environmental Protection, Open Space, and Rural Zones by adding “x” under all subheadings: EP, OS, and RU.
- g) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones, under the heading “Use”, “Cottage”, “Outside Storage (as an accessory use)”, “Park (Private/Public)”, and “Rowing or Yacht Club”, subheading “RU”, add an “x”.
- h) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones, under the heading “Use”, “Outside Storage (as an accessory use)”, add footnote “(5)”.
- i) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.2 – Lot and Building Requirements, Table 7.2(b): Lot and Building Requirements for Other Non-Residential and Non-Commercial Zones, Minimum Landscaped

Open Space, amend “Residential Dwelling as the Main Use of the Lot: 30%” to read “Residential Dwelling as the Main Use of the Lot: 40%” under the “RU” subheading.

- j) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones, under the heading “Use”, “Assembly Hall”, “Business and Professional Office”, and “Veterinarian’s Office”, subheading “I1”, add an “x”.
- k) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones, under the heading “Use”, “Convenience Store”, “Financial Service”, and “Restaurant”, subheading “I1”, add an “x”.

**These are permitted only as an accessory use to the main use in the I1 Zone.**

- l) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones, under the heading “Use”, “Convenience Store”, “Financial Service”, and “Restaurant”, subheading “I1”, add footnote “(5)”.
- m) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones, under the heading “Use”, repeal the heading “Day Nursery” and replace with the heading “Child Care Centre”.
- n) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones, under the heading “Use”, repeal the heading “Newspaper Plant” and replace with the heading “Printing Establishment”.
- o) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones, add “Crown Lands” as a Column, and “CL” as a subheading to said column.
- p) Section 7.0 – Non-Residential and Non-Commercial Zones, Subsection 7.1 – Permitted Uses, Table 7.1: Permitted Uses in Non-Residential and Non-Commercial Zones, under the heading “Use”, add “Existing Use” as a permitted use and permit the use in the Crown Lands Zone by adding “x” under subheading CL.

**7. THAT Schedule “A” to By-law 050-2014 be and the same is hereby amended by rezoning following lands:**

- a) 2157 Parkedale Avenue, described as Part of Block A, Pan 253, City of Brockville, to E1-Business Park Employment Zone as shown on Schedule “A” hereto annexed as “E1-Business Park Employment Zone.”
- b) 2183 Parkedale Avenue, described as Part of Block A, Pan 253, City of Brockville, to E1-Business Park Employment Zone as shown on Schedule “A” hereto annexed as “E1-Business Park Employment Zone.”
- c) 681 Stewart Boulevard, described as Part of Lot 15, Concession 2, City of Brockville, to C3-General Commercial – Arterial Zone as shown on Schedule “A” hereto annexed as “C3-General Commercial – Arterial Zone.”
- d) 601 Stewart Boulevard, described as Part of Lot 15, Concession 2, City of Brockville, being Parts 2 and 3, RP 28R-12476 , to C2-General Commercial Zone as shown on Schedule “A” hereto annexed as “C2-General Commercial Zone.”
- e) 806 Chelsea Street, described as Part of Lots 14 and 15, Concession 2, City of Brockville, being Parts 9 to 14, 16 and 17, on RP 28R-6442, to C4-6-Highway Commercial Zone as shown on Schedule “A” hereto annexed as “C4-6-Highway Commercial Zone.”
- f) 700 Stewart Boulevard, described as Part of Lots 15 and 16, Concession 2, City of Brockville, being Parts 1 and 2, RP 28R-937, to H1-C4-Highway Commercial Zone as shown on Schedule “A” hereto annexed as “H1-C4-Highway Commercial Zone.”
- g) 85 Garden Street, described as Part of Lots 184 and 185, Block 15, Plan 67 City of Brockville, to R3-General Residential Zone as shown on Schedule “A” hereto annexed as “R3-General Residential Zone.”

**8. THAT Schedule “A” hereto annexed shall be read with and forms part of this By-law**

Given under the Seal of the  
Corporation of the City of Brockville  
and passed this ??<sup>th</sup> day of XX, 2026

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

# ATTCHAMENT 3

## COMMENTS AND RESPONSES FROM OPEN HOUSE AND INTERESTED PARTIES MEETING AND OTHER CHANGES

COMMENTS	RESPONSES
<p>The draft Zoning By-law Amendment has been designed to restrict restaurant and retail uses as home occupations. The provisions for home occupations further state “there shall be no food preparation or food services permitted from the premises.” There was a request to reconsider this limitation. Examples were noted being the City of Waterloo and the City of Edmonton. Comments on this matter were provided at the Public Meeting dated June 3, 2026 and via email following the Public Meeting.</p>	<p>We have reviewed the Zoning By-law for the City of Waterloo and the Zoning By-law for the City of Edmonton and note as follows:</p> <p><u>City of Waterloo</u></p> <p>The City of Waterloo includes a list of permitted home occupation uses. The following is relevant:</p> <p><i>Retail</i> – Retail is not a permitted use. The City of Waterloo identified Class A Artist Studio as a permitted use and specifically <u>excludes</u> the display and retail of items made by the artist or craftsperson on the premises.</p> <p><i>Restaurant and Food Preparation</i> – The Zoning By-law permits a Home Low Risk Food Kitchen. This use is heavily regulated as follows:</p> <ul style="list-style-type: none"> <li>• Restaurant is not a permitted use.</li> <li>• No client or customer shall pick-up/take possession of Low Risk Food from the premises containing the Home Low Risk Food Kitchen or the surrounding Highways (s).</li> <li>• Low Risk Food is defined as food items that are generally considered non-hazardous (in a form of state that cannot grow micro-organisms that can cause illness), and do not require time and temperature control, more specifically:</li> </ul>

COMMENTS	RESPONSES
	<ul style="list-style-type: none"> <li>○ plain breads and rolls/buns (no meat, dairy, cheese, or other fillings)</li> <li>○ cakes, brownies, tarts, muffins, cookies/biscuits, crackers (which may include icing provided that the does not require refrigeration)</li> <li>○ chocolate</li> <li>○ hard candies and brittles</li> <li>○ fudge and toffees</li> <li>○ coffee beans and tea leaves</li> <li>○ granola, trail mix, nuts and seeds</li> </ul> <ul style="list-style-type: none"> <li>● The City of Waterloo has licensing for this type of use.</li> </ul> <p>Edmonton Zoning By-law:</p> <p>The following regulations are provided regarding food and drink services (restaurant), and indoor sales or services (retail) with respect to a residential use.</p> <p><i>3.3.1. These Uses are only permitted where an Interior Side Lot Line Abuts a Site in a non-residential Zone that permits Commercial Uses, at the time of Development Permit application.</i></p> <p><i>3.3.2. Where one or more of these Uses are proposed in a building previously developed as Semi-detached Housing or Row Housing, the entire building must be converted for non-residential Uses.</i></p> <p><i>3.3.3. The maximum Floor Area is 300 m<sup>2</sup> per individual establishment.</i></p>

COMMENTS	RESPONSES
	<p>3.3.4. <i>Developments must carry out their operations so that no Nuisance is created.</i></p> <p>3.3.5. <i>Outdoor business activity, storage, and outdoor speakers and amplification systems are not permitted.</i></p> <p>3.3.6. <i>Despite Subsection 3.3.5, outdoor seating areas are permitted to a maximum area of 20 m<sup>2</sup> and must only be located in the Front Yard or Flanking Side Yard.</i></p> <p>To summarize, retail is not generally permitted as home occupations throughout residential areas in either municipality. Food preparation is not permitted in the City of Edmonton. Limited food preparation is permitted in the City of Waterloo as a home occupation but is extremely regulated in the types of food that is permitted (e.g. general catering, or retail sale from the premises would not be allowed).</p> <p>It is recommended that the general provisions regarding home occupations remain as proposed. These uses can pose impacts on residential neighbourhoods regarding traffic, parking, and odour. There are also concerns that these uses may impact commercial areas that were established and designed for these types of uses. There may be opportunities in the future to consider higher intensity commercial uses at the edges of residential neighbourhoods; however, these uses would require a significant level of analysis, and likely new Official Plan policies.</p>
<p>The property known as 85 Garden Street is shown as being zoned Commercial. Based on my understanding, this appears to be an error that may have been carried forward from the previous by-law. It was requested that the property be rezoned to Residential zone (R3) to correct this error.</p>	<p>This change has been made.</p>

COMMENTS	RESPONSES
Cataraqi Region Conservation Authority – Notes that there are no concerns.	Noted.
Enbridge Gas – Notes that there are no concerns.	Noted.
<p>TransCanada Pipelines Limited – Requests as follows:</p> <ol style="list-style-type: none"> <li>1. Replace existing references to “TransCanada” in Section 3.49 and Appendix 2 of the Zoning By-law with “TransCanada PipeLines Limited” or “TCPL”.</li> <li>2. Addition of a new TCPL subsection with the following provisions:               <ol style="list-style-type: none"> <li>3.49 c) TransCanada PipeLines Limited (TCPL)                   <ol style="list-style-type: none"> <li>i) Notwithstanding any other provision of this By-law, a minimum setback of 7.0 metres shall be required from any part of a building or structure to the edge of the TCPL pipeline right-of-way.</li> <li>ii) Notwithstanding any other provision of this By-law, a minimum setback of 7.0 metres shall be required from any parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces and any associated aisle or driveway to the edge of the TCPL pipeline right-of-way.</li> </ol> </li> </ol> </li> </ol>	Changes have been made as requested. Recognizing that Appendices are informational and do not form operative parts of the By-law, updates to Appendix 2 should be made by City Staff.

# ATTCHAMENT 4

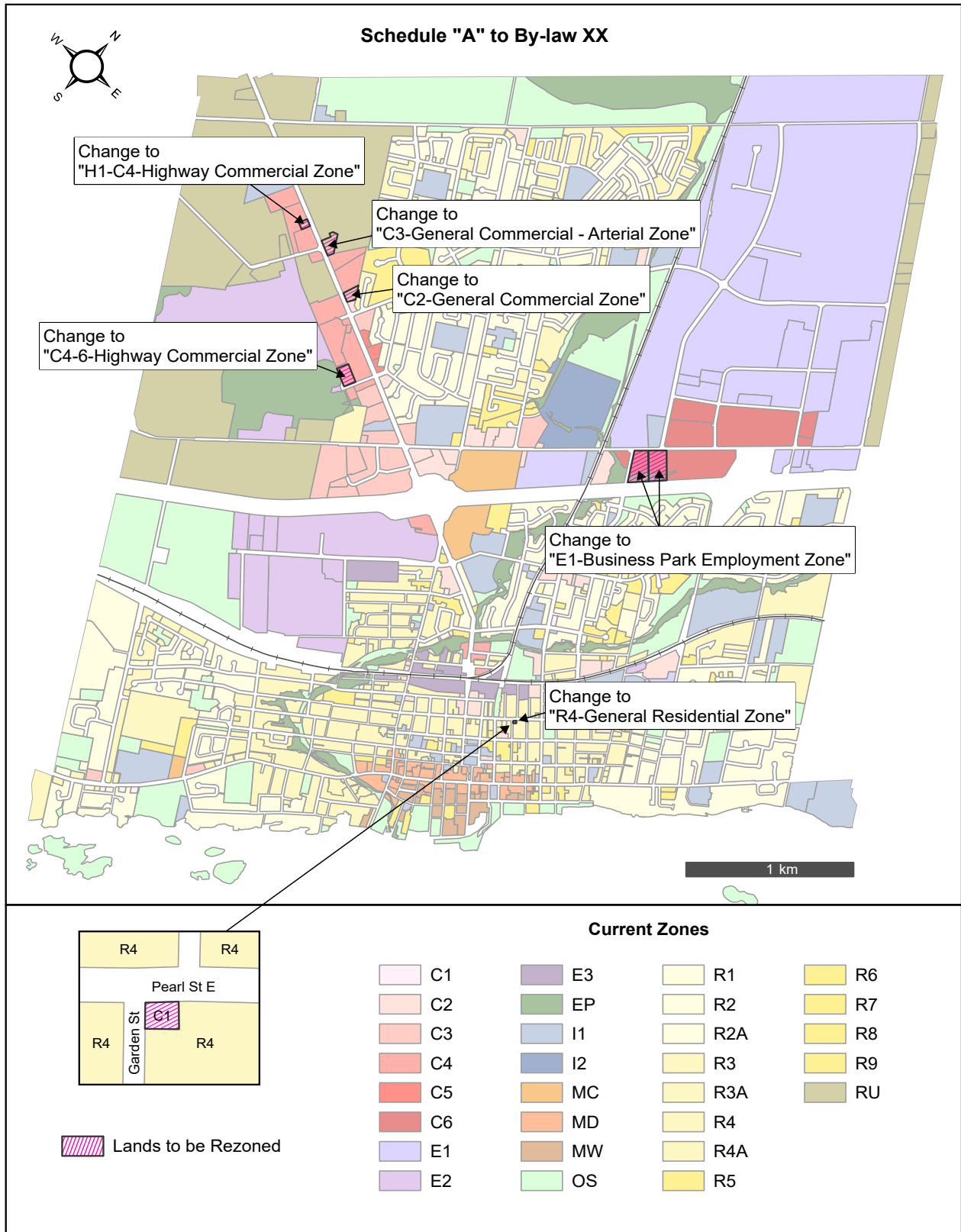
## Vehicular Parking

### Proposed Changes to Vehicular Parking Rates

GFA = Gross Floor Area    GLA = Gross Leasable Area

Use	Existing	Proposed
Apartment Dwelling / Maisonette Dwelling	1.1 spaces/unit (Downtown and Central Waterfront Area)	1 space/unit for an apartment dwelling and 1.1 spaces/unit for a maisonette dwelling (Downtown and Central Waterfront Area)
Apartment Units as part of Mixed Commercial / Residential Building	1.1 spaces/unit 1.0 space/unit (south of the CNR Mainline and in the Downtown and Central Waterfront Area)	1 space/unit 0.7 space/per unit (south of the CNR Mainline and in the Downtown and Central Waterfront Area)
Triplex Dwelling	1.5 spaces/unit 2 spaces/unit where each triplex dwelling is on its own lot	1.5 spaces/unit
Assembly Hall	1 space/10 m <sup>2</sup> of GFA	1 space/20 m <sup>2</sup> of GFA
Automobile Repair Garage	4 spaces/service bay	3 spaces/service bay or 1 space/100 m <sup>2</sup> of GFA, whichever is greater
Automobile Service Station	4 spaces/service bay	3 spaces/service bay or 1 per 100 m <sup>2</sup> of GFA, whichever is greater
Automobile Sales and Used Automobile Sales Establishment, Service Establishment, Automobile Rental Agency, and Automobile Leasing Agency	1 space/20 m <sup>2</sup> of GFA	1 space/30 m <sup>2</sup> of GFA
Bank or Trust Company	6 spaces/100 m <sup>2</sup> of GLA	1 space/20 m <sup>2</sup> of GFA
Car Wash	3 spaces/wash rack (self-service) 5 spaces/wash rack (drive-through/conveyor)	1 space/wash rack, plus 6 waiting spaces/wash rack
Clinic or Medical Office	1 space/15 m <sup>2</sup> of GLA	1 space/20 m <sup>2</sup> of GFA
Convenience Store	5 spaces/100 m <sup>2</sup> of GLA	1 space/30 m <sup>2</sup> of GFA
Hardware, Home Appliance, Home Decorating, Home Furnishing or Home Improvement Store	2 spaces/100 m <sup>2</sup> of GLA	1.5 spaces/100 m <sup>2</sup> of GFA
Micro-Brewery and Micro-Winery	1 space/15 m <sup>2</sup> of GLA for any restaurant, retail and/or sampling area 1 space/90 m <sup>2</sup> of GLA for all other floor space	1 space/30.0 m <sup>2</sup> of GLA for any restaurant, retail and/or sampling area 1 space/100 m <sup>2</sup> GLA for all other floor space
Offices (Business, Public, Professional)	3.5 spaces/100 m <sup>2</sup> of GLA on the first storey 2 spaces/100 m <sup>2</sup> of GLA above or below the first storey	1 space/30 m <sup>2</sup> of GFA on the first storey 1 space/50 m <sup>2</sup> of GFA above or below the first storey
Restaurants (Including Take-Out Restaurant)	1 space/15 m <sup>2</sup> of GLA (restaurant) 1 space/8 m <sup>2</sup> of GLA (take-out restaurant) Minimum of 5 spaces shall be provided in all cases	1 space/15 m <sup>2</sup> of GLA (restaurant) 1 space/10 m <sup>2</sup> of GLA (take-out restaurant) Minimum of 5 spaces shall be provided in all cases
Retail Uses (General)	5 spaces/100 m <sup>2</sup> of GLA	1 space/30 m <sup>2</sup> of GFA
Supermarket or Grocery Store	6 spaces/100 m <sup>2</sup> of GLA	1 space/25 m <sup>2</sup> of GFA
Wholesale Establishment	1.5 spaces/100 m <sup>2</sup> of GLA	1 space/100 m <sup>2</sup> of GFA
Industrial Use, Light Industrial Use	1 space/100 m <sup>2</sup> of GLA for the first 900 m <sup>2</sup> 1 space/185 m <sup>2</sup> of GLA thereafter	1 space/100 m <sup>2</sup> of GLA for the first 900 m <sup>2</sup> 1 space/200 m <sup>2</sup> of GLA thereafter
Day Nursery	2 spaces/20 m <sup>2</sup> of GFA	1 space/28 m <sup>2</sup> of GFA

# ATTCHAMENT 5





**City of Brockville**  
**Municipal Accessibility Advisory Committee**  
**Minutes**  
**1:00 PM - Wednesday, June 17, 2026**  
City Hall, Council Chambers

---

The Municipal Accessibility Advisory Committee meeting was called to order on Wednesday, June 17, 2026, at 1:00 PM, in the City Hall, Council Chambers, with the following present:

**Members Present:** Chair Matthew Wilson, Amanda Bradford, and Paris Escandón  
**Regrets:** Mary Ann Greenwood, Charise Lavigne, Councillor Louise Severson, Solange Courteau, and William Ackermann  
**Staff:** Brittany Robinson, Transportation Systems Coordinator, Chad Davis, Supervisor of Parks, Jessica Blanchard, Deputy City Clerk, and Sheena Earl, City Clerk

**Land Acknowledgement Statement**

**Chair's Remarks**

Chair Matthew Wilson welcomed everyone to the meeting and noted that he would be chairing the meeting on behalf of Councillor Severson.

J. Blanchard, Deputy City Clerk, stated that quorum was not present.

*No official business was conducted, and no motions, votes, or decisions took place.*

**Disclosure of Pecuniary Interest**

Nil.

**Adoption of the Minutes**

Nil.

**Delegations and Presentations**

Nil.

**Correspondence and Communications**

Nil.

## **Staff Reports**

1. 2024-2029 Multi Year Plan Update

S. Earl, City Clerk, provided an overview of the 2024-2029 Accessibility Multi-Year Plan Update.

2. Para-Transit Booking Platform - Brittany Robinson, Transportation Systems Coordinator

B. Robinson, Transportation Systems Coordinator, advised that the Para-Transit Booking Platform will be launched on July 2. She noted that staff will begin using the platform prior to its public launch.

## **New Business**

1. Wheel Around - M. Wilson

M. Wilson reminded members that the Wheel Around event is scheduled for Tuesday, June 23 at 4:00 p.m. He noted that the event provides participants with an opportunity to experience wheelchair use and gain a greater understanding of accessibility.

S. Earl added that the event is weather dependent and will be rescheduled in the event of rain.

## **Member Reports and Project Updates**

Nil.

## **Adjournment**

*The meeting adjourned at 1:10 p.m.*



# City of Brockville Municipal Heritage Committee Meeting Minutes

**3:00 PM - Wednesday, June 17, 2026**  
Boardroom, City Hall

---

The Municipal Heritage Committee meeting was called to order on Wednesday, June 17, 2026, at 3:00 PM, in the Boardroom, City Hall, with the following present:

**Members Present:** Jo-Ann Allen, Dean Aqiqi, Ida Duc, Reginald Read and Councillor Hobbs  
**Regrets:** Hicham Boutaleb  
**Staff Present:** Tara Laberee Bondi, Clerks Assistant

---

## Land Acknowledgement Statement

### Chair's Remarks

Nil.

### Disclosure of Pecuniary Interest

Nil.

### Approval of the Minutes

Moved by: R. Read

Seconded by: D. Aqiqi

THAT the minutes of the Heritage Brockville Committee meeting dated April 15, 2026, be adopted as circulated.

CARRIED

## Delegations and Presentations

### 1. Heritage Brockville Committee Items

J. Allen brought in items given to her by the former Chair of the Committee, P. Bullock. Two architectural drawings, heritage files and materials leftover from heritage awards will now be kept by City staff. The committee members discussed and agreed that the drawings should be first offered to City Planning staff and then to the current property owners.

## **Correspondence and Communications**

### 1. CHO News

The Winter 2026 edition arrived in late spring and was circulated amongst committee members.

## **Staff Reports**

### 1. Designation Plaque

T. Laberee Bondi told members that all designated buildings in Brockville had been recognized with a similar style plaque. The committee discussed designs for the new plaques for the Brockville Library and Brockville Arts Centre. Members would like to ensure the design meet accessibility standards and language requirements.

Moved by: J. Allen

Seconded by: D. Aqiqi

THAT the design of the new heritage designation plaques for the Brockville Public Library and the Brockville Arts Centre be of similar design and material as the existing designation plaques for Brockville heritage buildings.

CARRIED

## **New Business**

### 1. List of Local Heritage Committees

D. Aqiqi reviewed the list of heritage committees he contacted to discuss whether they had proposed any resolutions regarding extending the deadline for the heritage registry. D. Aqiqi compiled the contacts and committee information as a resource for the committee.

Councillor Hobbs will reach out to MPP Clark regarding extending the deadline for the heritage registry.

### **Member Reports and Project Updates**

1. Review of Heritage Registry and Designation Reports

D. Aqiqi reviewed the draft heritage designation report he is working on for 132 - 140 King Street East.

R. Read has a list of houses of interest received from former member D. Grant that he will work on compiling into a spreadsheet for the committee over the summer.

### **Adjournment**

THAT the Heritage Brockville Committee meeting be adjourned until its next regular meeting scheduled for September 16, 2026.

CARRIED

*Meeting adjourned at 4:15 pm.*

