

February 13, 2024

**ZONE COMPLIANCE (By-Law 10245)**  
**CLAD INC. – OWNER**  
**85 DAVY ROAD, BELLEVILLE**

The subject property is presently zoned Special M1-2 Restricted Industrial Zone and the two (2) existing buildings are being used in accordance to the permitted Main Industrial uses listed.

The Zone Requirements are:

Front Yard Depth (minimum)	15.0 m	exception does not apply
Rear Yard Depth (minimum)	7.5 m	exceptions do not apply
Interior Side Yard Width (minimum)	7.5 m	exceptions do not apply
Lot Coverage (maximum)	65 %	
Building Height (maximum)	Does Not Apply per Special Provision M1-2	
Off-Street Parking	1 parking space for every 1.5 employee on combined employment of the two largest shift: plus, 1 parking space for each non-shift employee; plus 1 parking space for each company vehicle.	
Off-Street Loading	2 Loading Facilities for every building with Gross Floor Area over 2,300 sq. m inclusive	

The proposed severance will subdivide the property as follows:

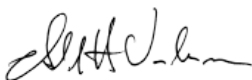
	<b>Severed Parcel 85 Davy Road</b>	<b>Retained Parcel 312 Bell Blvd</b>
Lot Area	20,500 m2	29,139 m2
Gross Building Area	5,084 m2	13,445 m2
Number of Employees	65	To Be Confirmed.
Front Yard Depth	29.6 m	35 m
Rear Yard Depth	29.6 m	8.0 m
Interior Side Yard	29.8 m	16.5 m
Lot Coverage	25 %	46 %
Building Height	4.6 m	8.5 m
Off Street Parking	120	61
Off Street Loading	6	9

There will be no change of use and the present use of the buildings complies with the Zoning Requirements without any issue

The proposed severance of the property will allow all the Zone Requirements still to be met.

Yours Truly,

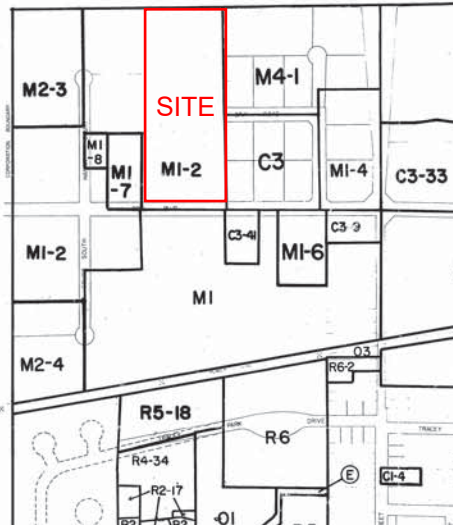
**van MEER limited**



Arnold H. Vandermeer, P.Eng  
Pres.

AHV/  
Attach:

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The following provisions shall apply to the use of land and the construction of buildings in all M1 Zones, subject to the general provisions under Part B and Part C of this By-Law.

1. **PERMITTED USES**

Any person may use land and erect, occupy and maintain buildings and structures thereon for any of the following purposes, if conducted wholly within enclosed buildings:

(1) **Main Industrial Uses**

- 2002-165
- a)

light manufacturing, assembling, processing and for fabricating of goods and materials;
- b)

warehousing and storage of goods, but not including salvage yards;
- c)

wholesale business;
- d)

research and development facility;
- e)

training facility and/or commercial school;
- f)

business, professional and/or administrative office;
- g)

printing and/or publishing establishment;
- h)

commercial and/or industrial rental/service business;
- i)

industrial and office equipment sales, rental, supply and service; and
- j)

business and industrial incubator.

(2) **Accessory Uses, Buildings or Structures**

Any use, building or structure which is subordinate and customarily incidental to a main industrial use of the building. These uses would include a retail outlet for the purpose of selling goods manufactured, stored and/or assembled on the premises, provided such outlet is part of the main building, and occupies not more than five (5) percent of the gross floor area of the main building or 93.0 sq. m., whichever is the lesser.

2. **ZONE REQUIREMENTS**

- (1)

Front Yard Depth (minimum)

15.0 m., except
- Where the opposite side of the street is in a Residential Zone or RH Zone

22.8 m.
- (2)

Rear Yard Depth (minimum)

7.5 m., except
- a)

Where the rear yard abuts a railway Residential Zone or RH Zone, 12.0 m., of which the 1.5 m. abutting the lot line shall be maintained as landscaped area.
- b)

Where the rear yard abuts a railway right-of-way which will provide loading facilities.

Nil

- (3) Interior Side Yard Width (minimum) 7.5 m., except
  - a) Where the side yard abuts a lot in a Residential Zone or RH Zone, 12.0 m., of which the 1.5 m. abutting the lot line shall be maintained as landscaped area; or
  - b) Where the side yard abuts a railway right-of-way which will provide loading facilities Nil
- (4) Lot Coverage (maximum) 65%
- (5) Building Height (maximum) 15.0 m.

3. **FOR ACCESSORY BUILDINGS OR STRUCTURES PROVISIONS**

See Part C, Section 8.

4. **FOR OFF-STREET PARKING PROVISIONS**

See Part C, Sections 14 and 15.

5. **FOR OFF-STREET LOADING PROVISIONS**

See Part C, Sections 16 and 17.

6. **SPECIAL PROVISIONS**

- 10413 (1) Notwithstanding the provisions of Subsection 2(1) and 2(3) of this Part V, within the areas zoned M1-1 the minimum front yard shall be 13.7 m. and the minimum side yards shall be 3.0 m. on one side and 7.5 m. on the other side.
- (2) Notwithstanding the provisions of Section 2 of this Part V, within the areas zoned M1-1 the yards existing at the time of the passing of the By-Law shall be deemed to comply with the provisions of this By-Law.
- (3) Notwithstanding the provisions of Subsection 2(5) of this Part V, within the areas zoned M1-2 the maximum height requirement shall not apply.
- 11600 (4) Notwithstanding the provisions of Section 1(1) of this Part V, within the area zoned M1-3, in addition to those uses already permitted, a retail furniture store having a maximum gross floor area of 1,680 sq. m. shall be a permitted use. Furthermore, within the area zoned M1-3, and notwithstanding the provisions of Section 14, the minimum number of required parking spaces shall be seventy four (74). Within the area zoned M1-3 and notwithstanding the provisions of Part C, Section 15(1)c) the minimum required width of a parking aisle shall be 6.4 m.
- 12357 (5) Notwithstanding the provisions of Subsection 1(1) of this Part V, within the area zoned M1-4, in addition to those uses already permitted, a building supplies retail facility and associated outside storage area shall be developed in accordance with the site plan attached hereto and forming part of this By-Law as Appendix IV.

In addition to the provisions of this Part V, within the area zoned M1-4 the following provisions shall apply:

Where open storage is visible from the street, such storage shall be enclosed by adequate screening including a solid privacy fence not less than 1.8 m. in height and by landscaping sufficient to provide a visual screen; and no open storage shall be permitted to be located in a front yard, or closer than 15.0 m. (minimum) to any side lot line (including outside side lot line) or closer than 9.0 m. (minimum) to any rear lot line.

providing a service to the occupant shall not be deemed to contravene this By-Law;

- (d) Where a recreational vehicle is parked in any yard of a lot, such vehicle shall not be used for living or sleeping accommodation for longer than 30 consecutive days by any person in transit between one place and another; but in no event shall such living or sleeping accommodation be leased or rented;
- (e) No person shall use any lot for the parking in any yard of:
  - i. a motor vehicle used for stock car racing;
  - ii. a motor vehicle which has had part or all of its superstructure removed;
  - iii. a motor vehicle which is in an unlicenceable condition.

2002-61 (f) A truck trailer box shall not be permitted within any residential zone.

**14. OFF-STREET PARKING REQUIREMENTS**

For every building or structure erected, altered or enlarged after the passing of this By-Law, except in those areas listed in Part C Subsection 15 (1) listed, there shall be provided and maintained off-street parking in conforming with the following Schedule:

**SCHEDULE**

<u>TYPE OR NATURE OF BUILDING</u>	<u>MINIMUM REQUIRED PARKING SPACES</u>
<u>10413</u> a detached one family dwelling, a duplex or semi-detached dwelling, or horizontal multiple attached dwelling where each unit fronts on a public street and has its own garage and driveway and where not in the form of group housing	1 parking space for each dwelling unit
<u>11125</u> a boarding, rooming and/or lodging house	1 parking space per dwelling unit if family occupied; plus  1 parking space per boarder; plus  1 parking space per staff member involved who is on duty; plus  1 parking space per four boarders for visitor parking
all other dwellings not listed in this	1 1/4 parking spaces for each dwelling unit schedule
a hospital	1 parking space for every 3 beds
a motel or hotel	1 parking space for each sleeping room
a tavern, restaurant or eating establishment	1 parking space for every 4 persons that can be accommodated at one time

iii. 1  
parking space for each 929.0  
sq. m. of gross floor area or  
part thereof.

manufacturing or warehousing

b) where the manufacturing or  
industrial undertaking is largely  
operated by employees working in  
shifts:

i. 1  
parking space for every 1.5  
employees on combined  
employment of the two  
largest shifts; plus

ii. 1  
parking space for each non-  
shift employee; plus

iii. 1  
parking space for each  
company vehicle

a nursing home

a parking space for every 4 beds or portion thereof.

a day nursery

1 parking space for every 12 children enrolled or part thereof, plus 1 visitor

10980 parking space

for every building or structure not  
every 28 sq. m.  
specified above

1 parking space for  
of gross floor area

15.

SUPPLEMENTARY OFF-STREET PARKING REQUIREMENTS

(1) The following supplementary requirements shall apply to all required parking areas in all zones except in the case of detached one family dwellings, semi-detached dwellings, duplex dwellings and horizontal multiple attached dwellings where not in the form of Group

Housing:

a) Every parking space shall have a minimum width of 2.4 m. and a minimum length of 6.0 m. provided that a parking space having a parking angle less than twenty (20) degrees shall be at least 7.0 m. in length. No obstruction of a required parking space shall be permitted. Where a solid wall abuts a parking space, such parking space shall have a minimum width of 2.7 m. However, where a minimum width of 2.7 m. is supplied in parking structures, supporting columns may project a maximum of 0.3 m. into one side only of the parking space, where the other side of the parking space is not limited by a solid wall and where the minimum aisle width is 6.4 m. for parking supplied in conjunction with residential uses, and 6.7 m. for non-residential uses;

b) All off-street parking required for any main use shall be provided on the same lot on which such main use is located;

c) Ingress and egress directly to and from any off-street parking spaces shall be by means of a hard-surfaced aisle having a width of at least 3.9 m. for a parking angle of 0 degrees to 50 degrees, 5.5 m. for a parking angle greater than 50 degrees but less than 70 degrees, and 7.0 m. for parking supplied in conjunction with residential uses, and 7.3 m. for non-residential uses, for a parking angle of 70 degrees to 90 degrees, provided, however, for the latter parking angle where each parking space has a minimum width of 2.7 m. the aisle may be reduced to a width of 6.4 m. for parking supplied in conjunction with residential uses, and to a width of 6.7 m. for non-residential uses;

d) The parking area shall be constructed of crushed stone, slag, gravel, having an asphalt or cement binder, or any type of permanent type surfacing with drainage facilities that comply with the requirements of the Corporation;

e) Every driveway to a parking area shall be surfaced in the same or better manner as the parking area. Such driveway or driveways shall have a minimum width of 3.0 m. but shall not exceed 9.0 m. in width;

f) The lights used for illumination of the parking area shall be so arranged as to divert the light away from adjacent lots;

g) Driveways to a parking area shall not pass through zones other than the one containing such parking area;

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

(2) In addition to the requirements of Subsection 15(1) above, the following additional requirements shall apply to required parking areas provided in all C1, C2, C3, C4, C5, C6, C7, **M1**, M2, M3, NH and CF Zones;

a) Where parking is provided in any front yard or outside side yard, the parking areas shall be separated from any adjacent street line by a strip of land not less than 1.5 m. in width, which shall be reserved for landscaping purposes and such strip shall include a curb or similar barrier, except for a driveway or driveways.

b) A structure not more than 4.5 m. in height and not more than 4.5 sq. m. in area may be erected in the parking area for the use of parking attendants;

c) No gasoline pump for retail purposes or other service station equipment shall be located or maintained on any off-street parking area;

d) Where off-street parking abuts a Residential Zone or RH Zone, the parking area shall be separated from the abutting lot line by a strip of land at least 1.5 m. in width. Such strip of land shall be retained for landscaping purposes, and shall include at least one row of hardy shrubs not less than 1.5 m. in height and shall be maintained in a healthy growing condition except for a driveway or driveways.

(3) For detached one family dwellings, semi-detached dwellings, duplex

dwellings and horizontal multiple attached dwellings, where not in the form of Group Housing, the required off-street parking space per dwelling unit may be located in a driveway or private garage located on the same lot as the dwelling unit.

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(4) a) Notwithstanding the requirements of Part C, Section 14, of this By-Law, within the areas zoned C2 and located within the boundary formed by the following, off-street parking shall be provided in accordance with the requirements of Subsection 15.(4)b) of this Part C:

the west side of Church Street between Dundas Street East and Station Street;

the south side of Station Street between Church Street and the Moira River, and the south side of Moira Street between Coleman Street and North Front Street;

the north side of the CP rail line between Church Street and Coleman Street;

and the east side of Coleman Street between Dundas Street West and Bridge Street West, and the west side of Coleman Street between Bridge Street West and Moira Street West (properties fronting on the west side of Coleman Street shall be considered to form part of the defined area).

b) For every building or structure erected, altered or enlarged after the passing of this By-Law within the area identified in Subsection 15(4)a) of this Part C, there shall be provided and maintained off-street parking in conformity with the requirements of Part C, Section 14, with the exception that for the first 371.6 sq. m. of gross floor area of the building or structure no parking spaces shall be provided, and for the total gross floor area of the building or structure in excess of 371.6 sq. m., the total number of parking spaces required to be provided for one or more permitted main commercial uses or main community facility uses shall be reduced by 10% in total.

Notwithstanding the preceding, and notwithstanding the requirements of Part C, Section 14, no parking shall be required to be provided for the property identified as Municipal Number 160-168 Front Street.

16.

OFF-STREET LOADING REQUIREMENTS

For every building or structure hereafter erected for an industrial or commercial use, except in the C5 Zone, involving the frequent shipping, loading or unloading of persons, animals, goods, wares or merchandise, there shall be provided and maintained for the premises, loading facilities on land that is not part of a street, comprised of one or more loading spaces in accordance with the gross floor area of the building or structure as follows:

GROSS FLOOR AREA LOADING SPACES	NUMBER OF
415 sq. m. or less	None
from 415 sq. m. to 2,300 sq. m. inclusive	1
over 2,300 sq. m.	2

17.

SUPPLEMENTARY OFF-STREET LOADING REGULATIONS