

1 Administration and Interpretation

1.1 Title

This By-law shall be known as the "City of Cornwall Zoning By-law" or By-law No. 2022-001 of the Corporation of the City of Cornwall.

1.2 Lands Subject to By-law

The provisions of this By-law shall apply to the whole of the City of Cornwall.

1.3 Scope of this By-law

1. No person shall use or cause or permit to be used any land, or erect, alter or use or cause or permit to be erected, altered or used any building except in compliance with the provisions of this By-law.
2. No land shall be used and no building or structures shall be erected, altered, enlarged, or used within the municipal boundaries of the City of Cornwall except in compliance with the provisions of this By-law.
3. When the regulations or requirements of any Department of Government impose greater restrictions than the restrictions imposed by this By-law, then such greater restrictions shall govern.

1.4 Validity

If any Section or provision of this By-law, including anything contained in the Zoning Map attached hereto, is for any reason declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than the Section or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining Sections or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

1.5 Effective Date

This By-law shall come into effect on the day it is passed by Council, subject to the appeal provisions of the Planning Act, as amended.

1.6 Repeal of By-laws

All previous By-laws and amendments thereto passed pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. 13, as amended, are hereby repealed, and such repeal shall come into effect upon the date this By-law comes into force.

1.7 Administrator

The Administrator of this Zoning By-law shall be such officer or employee of the Corporation of the City of Cornwall as the Council shall from time to time designate by By-law.

1.8 Permits, Licenses, and Approvals

1. No permit for the use of land, or for the erection of a building or structure, shall be issued unless the existing or proposed use of the land, building or structure is in compliance with the provisions of this By-law.
2. No land shall be changed in use, and no building hereafter erected or altered shall be used or changed in use until a Certificate of Occupancy has been issued by the Administrator stating that the building or the proposed use thereof is in accordance with the provisions of this By-law.
3. No license shall be issued, or approval given, in respect of any matter within the jurisdiction of the City of Cornwall, unless the existing or proposed use of the land, buildings or structures in connection with which such licence or approval is sought is in compliance with the provisions of this By-law.
4. Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law or any other By-law in force within the Municipality or from obtaining any permit, license, permission, authority or approval required by this or any other By-law of the Municipality or by any other law in force from time to time.

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1.9 Compliance with Regulations of the Raisin Region Conservation Authority

1. Nothing in this By-law shall exempt any person from complying with the requirements and regulations of the Raisin Region Conservation Authority.
2. Notwithstanding the generality of the above, within areas regulated by the Raisin Region Conservation Authority, including areas within the Environmental Constraint – Floodplain Zone, no person shall use, alter, or erect any building or structure, or undertake any site alteration with respect to the erection of a building or structure, without complying with the requirements and regulations of the Raisin Region Conservation Authority.
3. Development and site alteration in areas regulated by the Raisin Region Conservation Authority may require a permit from the Conservation Authority.
4. Where a permit has been issued by the Raisin Region Conservation Authority, the provisions or conditions set out in the permit shall take precedence over the provisions of this By-law.

1.10 Expropriation and Conveyance under the Planning Act

1. For the purposes of determining compliance with the regulations of this By-law, in the event of an expropriation or conveyance of a part of a lot by or to the City of Cornwall or any other authority having the power of expropriation, the lot or the building or the use, as the case may be, will not be found to be in conflict with the provisions of this By-law by reason only of that expropriation or conveyance.
2. For the purposes of provision (1) in this Section, expropriation means expropriation by the City of Cornwall or any other authority having the power of expropriation, and conveyance means the taking or receiving of land by the City of Cornwall or any other authority having the power of expropriation, either in satisfaction of a condition imposed on a consent to a severance by the Committee of Adjustment or as a condition of the City of Cornwall's site plan control approval process, or any other process allowing the City of Cornwall or any other expropriation authority having jurisdiction, the right to require such a conveyance.

1.11 Penalty

1. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter c. P.33, as amended.
2. Every person who contravenes this By-law is guilty of an offence and upon conviction is liable to a fine of not more than \$2,000.00 for each day or part thereof upon which the contravention has continued, recoverable under provisions of the Provincial Offences Act, R.S.O. 1990, Chapter c. P.33, as amended.
3. Where a conviction is entered under provision (1) of this Section, in addition to any other remedy or any penalty provided by law, the Court in which the conviction has been entered, and any Court of competent jurisdiction, thereafter, may make an Order prohibiting the continuation or repetition of the offence by the person convicted.

1.12 Requests for Relief

1. Where an amendment to this Zoning By-law is requested by an Owner of land in the City, the said Owner shall complete and submit to the City, prior to the request being considered, an Application for Zoning By-law Amendment(s), and all information and material required in order for the Council of the City of Cornwall to make a decision.
2. Where a minor variance to the provisions of this Zoning By-law is requested by an Owner of land in the City, the said Owner shall complete and submit to the City, prior to the request being considered, an Application for a Minor Variance, and all information and material required in order for the Committee of Adjustment of the City of Cornwall to make a decision.

1.13 Interpretation

1. This Zoning By-law should be read in its entirety, in conjunction with the Zoning Map, to determine the provisions which apply to a lot, use, building or structure.
2. 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.
3. In this By-law the word 'shall' is mandatory. Unless otherwise specifically indicated, words in the singular include the plural and vice versa; words in the present tense include the future and vice versa; and the masculine includes the feminine and vice versa.

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4. In this By-law, the definitions and interpretations set out in Section 2 Definitions shall apply, unless the context clearly requires otherwise, and any words not specifically defined in this By-law shall carry their customary meaning.
5. Where any provision in this By-law has been converted from imperial standards to metric standards, any use, building or lot which was previously in compliance with the imperial standard at the date of the passing of this By-law shall be deemed to comply. Rounding associated with conversions from imperial standards to metric standards shall be subject to the discretion of the City.

1.13.1 Zones

For the purpose of this By-law, the City of Cornwall is divided into a number of Zones which implement the land use designations in the City of Cornwall Official Plan. The boundaries of these Zones are shown on the Zoning Map, which is hereby declared to form a Schedule of this By-law.

Zone Symbol	Zone
Residential Zones	
RES 10	Residential 10 (Low Density)
RES 15	Residential 15 (Low Density)
RES 20	Residential 20 (Medium Density)
RES 30	Residential 30 (Medium-to-High Density)
RES 40	Residential 40 (High Density)
RES 50	Residential 50 (Mobile Home Park)
Commercial Zones	
NC	Neighbourhood Commercial
GC	General Commercial
CBD	Central Business District
LVD	Le Village District

Zone Symbol	Zone
MUC	Mixed-Use Commercial
HC	Highway Commercial
CC	Community Commercial
CMD	Cotton Mills District
Institutional Zones	
GI	General Institutional
MI	Major Institutional
Employment Zones	
EAL	Employment Area Light
EAG	Employment Area General
EAH	Employment Area Heavy
Agricultural Zones	
PR AGR	Prime Agricultural
RA	Rural Area
Open Space Zones	
OSP	Open Space
OSP C	Open Space Commercial
Environmental Constraint Zones	
EC-NH	Environmental Constraint-Natural Heritage
EC-F	Environmental Constraint-Floodplain
Special Uses Zones	
SPU	Special Uses

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1.13.2 Building, Structure, and Use Classification

The buildings, structures and uses specifically named as permitted uses in a particular Zone are the only uses permitted in the particular Zone in which they are named and classified, unless otherwise stated in Section 3 General Provisions or in the site-specific Exception Zone provisions in the particular Zone.

1.13.3 Exception Zones

Where a Zone symbol is followed by a dash and a number (e.g. "RES 10-1", "GC-2"), the lands zoned as such shall be subject to all of the provisions of the Zone represented by such symbol, except as otherwise provided by the site-specific Exception Zone provisions in the particular Zone. The site-specific Exception Zone provisions are listed separately under each Zone in the text of this By-law.

1.13.4 Holding (H) Zones

1. On any parcel or area of land where a Zone symbol (e.g. RES 10, GC) on the Zoning Map is followed by the symbol (H), such Zone shall be considered to be a Holding Zone. The intent of the Holding Zone is to signify Council's approval, in principle, of future development of the land for the purposes indicated by the symbol. Where a Holding Zone applies, no lands shall be used and no buildings or structures shall be erected or used for any purpose other than those uses existing for such land, building or structure on the date of passing of this By-law, until such time that this By-law has been amended to remove the Holding Zone there from, in accordance with the Holding Zone policies of the City of Cornwall Official Plan. The Holding Zone shall not apply to accessory buildings or to alterations or expansions to the main building, which do not exceed 10 percent of the total gross floor area of the original building existing when this By-law was passed.
2. Notwithstanding the above, the following uses shall not be affected by the symbol (H) indicated on the Zoning Map:
 - a) Uses which do not involve the erection of buildings and structures which are otherwise permitted in the Zone;
 - b) Agricultural uses, limited to crop production;
 - c) Conservation uses;
 - d) Golf courses, with the exception of golf ranges and miniature golf;

- e) Public parks.

1.14 Interpretation of Zoning Map and Zone Boundaries

1. The Zone boundaries are shown on the Zoning Map, which forms a Schedule of this By-law.
2. The extent and boundaries of all Zones set out on the Zoning Map shall be interpreted in accordance with the following provisions:
 - a) Boundaries of Zones shall be construed, wherever possible, to be concurrent with lot lines, property boundaries, street lines, high water marks, top of bank, boundaries of rights-of-way for railways, hydro-electric transmission corridors or pipelines, boundaries of registered plans or municipal boundaries existing on the date of passing of this By-law;
 - b) Wherever it occurs, the municipal limit of the City of Cornwall is the boundary of the Zone adjacent to it; and
 - c) Where a Zone boundary is shown on the Zoning Map, the Zone symbol within the boundary shall apply to all lands within such boundary.

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