

RESIDENTIAL 40

RES 40

- GENERAL -

02-4-1 All structures and buildings erected, altered or used in a RES 40 Zone shall conform to the regulations of this subsection.

- Permitted Uses -

02-4-2 No building or part thereof and no land shall be used, caused to be used, or be permitted to be used for purposes other than:

164/91
108/80

a) Existing Single and Two Family dwellings at the time of the passing of this By-law 108/80.

021/01

b) Rooming, Lodging or Boarding House

c) Multiple-Family Dwelling, including apartment house and row houses.

d) Home occupation, of any nature which does not adversely affect the amenities of the neighborhood.

069/94

e) An office or consulting room of a physician or dentist when located in his or her residence, or on the ground floor of an apartment house in which he or she is a resident. On-site parking shall be provided at the general commercial rate of 1 space per 300 square feet or part thereof of area used or intended for the office or consulting room of a physician or dentist, in addition to the required residential space(s). A minimum, however, of 3 spaces for the office or consulting room of a physician or dentist is required.

f) School, church, hospital, community center.

g) A private club.

168/05

h) Service Commercial uses within a multiple-family dwelling, see Section 02-4-3.

i) Accessory building incidental to any of the above uses.

020/07

j) A private seniors' residence

02-4-2 PERMITTED USES – CONT'D

- 182/86 Notwithstanding anything other provisions of this section, any or all uses permitted in the Commercial 70 zone shall be permitted on the ground floor of the existing building located on Lot 5, part of Lots 6 and 54, Registered Plan 9, property known municipally as 36 Marlborough Street South, having a frontage of approximately 68 feet on Marlborough Street and a frontage of approximately 50 feet on Albert Street, provided parking is made available in accordance with Section 01-3-1 of By-law 751-1969.

- 009/90 Notwithstanding any other provisions of this Section, the office operation of a construction company, and Neighbourhood Commercial uses shall be permitted on Part of Lots 25, 26 and 27, north of Water Street between Bedford Street and Cumberland Street, with the Neighbourhood Commercial uses subject to the Service Commercial standards outlined in the Residential 40 zoning.

- 164/91 Notwithstanding anything else in this By-law, a School offering Computer (training) courses shall be permitted at 32 Bergin Avenue (Northwest corner of Bergin Avenue and Race Street), City of Cornwall.

- 037/92 Notwithstanding any other requirements of this Section, a 40-unit senior's apartment complex limited to a maximum of four (4) storeys shall be permitted on Part of Lots 7 and 8, south side of Sixth Street, City of Cornwall, commonly known as the O.H.C. lands. This is an increase in the number of permitted units, as identified in By-law 017, 1991, which originally allowed for 25 units.

STANDARDS

02-4-3 BUILDING AND LOT REQUIREMENTS FOR MAIN BUILDINGS

	a) GENERAL PROVISIONS	
131/86	<p>i) For Row House - Linear and Row House - Cluster uses permitted in a Residential 20 zone also permitted in a Residential 40 zone, the requirements of the Residential 20 zone shall apply. For single family dwellings and two family dwellings the requirements of the Residential 15 zone shall apply.</p> <p>ii) For all other uses, the standards listed below shall apply.</p> <p>iii) For all Rooming and Boarding Houses erected, altered or enlarged in a RES 40 zone, all standards applicable to Apartment Houses shall apply.</p>	
188/08		APARTMENT HOUSE
	b) MINIMUM FRONT YARD	6m
	c) MINIMUM SIDE YARD:	
	i) Normal requirements	4.5m
189/90	ii) Corner Lot	6m
	d) MINIMUM REAR YARD	7.6m
108/96	e) MAXIMUM LOT OCCUPANCY (main buildings)	N/A
	f) ANGULAR PLANES	
	<p>No apartment building shall be erected, altered or enlarged to project through an enclosing spatial envelope formed by the construction of angular planes upon the lot lines and extending over the lot. These planes shall be erected at an angle of 60 degrees to the horizontal. Where a lot line coincides with the street line, the angular plane may be erected with its base upon the centre line of the street, provided that the latter is not more than 10m distant from the front or side lot line.</p> <p>Projection through the enclosing envelope is permitted if such projection is enclosed within the arms of a horizontal angle of 90 degrees drawn from a point on the line upon which the horizontal angular plane is constructed, opposite to the centre of the projection.</p> <p>Minimum yard dimensions shall be determined by these angular planes, but in no case shall the front yard be less than 6m or the side yards less than 4.5m.</p>	

BUILDING AND LOT REQUIREMENTS FOR MAIN BUILDINGS (continued)

131/86

g) MAXIMUM FLOOR AREA AND MINIMUM OPEN SPACE	
The gross floor area of any apartment building shall not exceed twice the area of the lot. Minimum open space shall be provided in accordance with the following table:	
Gross Floor Area as % of Lot Area	Minimum Open Space as % of Lot Area
Less than	30%
1.00	40%
1.26	50%
1.51	60%

h) MINIMUM LANDSCAPED AREA
A lot occupied by a multiple-family dwelling shall have not less than 35% of the required open space reserved for landscaping, which shall include planting, playgrounds, and surfaced walks or terraces for the exclusive use of pedestrians. But not more than 50% of the prescribed landscaped area is to be paved.
The landscaped area shall not include any space beneath or within any building. Grass strips or paving less than 1.5m in width shall not be included in computing the landscaped area.

i) TWO OR MORE BUILDINGS ON A SINGLE PARCEL
Where two or more apartment buildings are to be erected on a single parcel of land, each building shall be assigned a portion of the total parcel. Each portion shall be deemed to be a lot, and the building erected upon it shall conform to the regulations of this sub-section with respect to that lot.

j) SERVICE COMMERCIAL
In an apartment building which contains 30 or more dwelling units the following commercial uses are permitted:
i) News stand
ii) Drug Store
iii) Snack Bar
iv) Barber Shop
v) Beauty Parlor
vi) Vending Machines
vii) Laundry and dry cleaning pick-up office
viii) Coin Laundry, but only within the basement

Such commercial uses shall be intended primarily for the convenience of tenants and shall be located on the ground floor or in the basement. There shall be no exterior advertising and no direct access from the street. The total floor area of commercial uses shall not exceed 4% of the gross floor area of the building.

In a development project which comprises two or more apartment buildings, "service commercial" uses may be concentrated in one building, provided that the total floor area of such commercial uses does not exceed 4% of the gross floor area of all buildings in the project.

02-4-4 **BUILDING AND LOT REQUIREMENTS FOR ACCESSORY BUILDINGS/**
067/17 **ACCESSORY STRUCTURE**

A) MULTIPLE-FAMILY RESIDENTIAL

078/14 An accessory building not more than 3 metres from grade to eaves and 5 metres from grade to peak or one storey in height may be located in the rear yard not closer than 1m to a side or rear lot line. An accessory building more than 5 metres in height shall be considered a main building and shall be subject to the provision for two or more buildings on a single parcel. Where a side line of the lot is identical with the limit of a road allowance, the setback of an accessory building shall not be less than the width of the side yard which is required for the main building.

069/94
092/98
038/02 On any lot the total area of an accessory building including garage shall not exceed 10% of the area of the lot to a maximum size of 60 square meters. A maximum of three (3) Accessory Buildings per lot will be permitted and the maximum total area of all accessory buildings on a lot shall be capped at 93 square meters. This does not include pool and deck coverage.

2010-103 **B) OTHER USES**

Accessory buildings shall not exceed 10% of the area of the lot, and shall be a maximum of 60 square feet (646 square feet), and shall not exceed 4.58 metres at the top of roof peak. The accessory building shall be set back to 0.8 metres from the sides and rear lot

02-4-5 **EXCEPTIONS WITHIN THE RES. 40 ZONE**

Notwithstanding any other requirements of this section, no development on Block I, R.P. 321 shall exceed 12.25 metres in height, exclusive of chimneys and antenna masts, and further that no development on that property shall exceed 150 dwelling units.

017/91 Notwithstanding any other requirements of this section, a 25-unit Senior's Apartment Complex limited to a maximum of four (4) storeys shall be permitted on Part of Lots 7 and 8, south side of Sixth Street, City of Cornwall, commonly known as the O.H.C. lands.

037/92 Notwithstanding any other requirements of this section, a 40-unit senior's apartment complex limited to a maximum of four (4) storeys shall be permitted on Part of Lots 7 and 8, south side of Sixth Street, City of Cornwall, commonly known as the O.H.C. lands. This is an increase in the number of permitted units, as identified in By-law 017, 1991, which originally allowed for 25 units.

02-4-6 PROPERTIES AND RELATED USES SUBJECT TO A HOLDING (H) CATEGORY

187/90 Notwithstanding any other provisions of this By-law, a Holding (H) category shall apply to all the Residential 40 (RES 40) permitted uses on Part Mills and Factories Lot, Registered Plan 8 and Part of Lot 7, Concession 1, City of Cornwall. The site is commonly referred to as the former Reach Plastics Building/property and is situated at the south-east corner of William and Edward Streets. The Holding (H) category shall not be removed until such time as the following is completed to the satisfaction of Council: A report is prepared by a qualified consultant (to the satisfaction of the Eastern Ontario Health Unit) identifying a method(s) and implementation strategy to reduce and then control bacterial counts in the Canal water abutting the Reach Plastics Building.

030/91 The Holding (H) category is deleted on the Residential 40 (RES 40) zone permitted uses on Part Mills and Factories Lot, Registered Plan 8 and Part of Lot 7, Concession 1, City of Cornwall. The site is commonly referred to as the former Reach Plastics Building/property and is situated at the southeast corner of William and Edward Streets.