

5.27 LIGHT INDUSTRIAL (M1) ZONE

No person shall within any Light Industrial (M1) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

5.27.1 Uses Permitted**a) Residential Uses**

- Prohibited.

b) Non-Residential Uses

- Auction sales barn;
- Animal shelter;
- Arena;
- Assembly, manufacturing, fabrication or processing plant which is not obnoxious or a nuisance by reason of emission of contaminants as defined in the Environmental Protection Act or the Health Protection and Promotion Act;
- Athletic, fitness or health club;
- Business, professional or administrative office;
- Building supply outlet;
- Bus depot;
- Data processing and related service;
- Film and/or recording studios;
- Fire hall, police station, ambulance depot;
- Garden nursery or greenhouse;
- Laboratory and/or research and development facility;
- Medical marihuana production facility;
- Mini storage warehouse;
- Motor vehicle body shop;
- Motor vehicle repair garage;
- Motor vehicle sales (existing);
- Motor vehicle wash;
- Municipal, County, Provincial maintenance depot;
- Park;
- Parking lot;
- Printing establishment;
- Public use in accordance with the General Provisions of this By-law;
- Recreational vehicle sales and service;
- Retail and wholesale outlet accessory to a permitted use;
- Service shop merchandise;
- Towing office and garage;
- Truck or transport depot;
- Veterinary clinic;
- Warehouse or wholesale establishment;

- Water treatment plant;
- Workshop.

(By-law No. 03-61)(By-law No. 2016-0049)

c) Accessory Uses

Uses, buildings and structures accessory to any of the permitted uses in accordance with the General Provisions of this By-law, including Shipping Containers.

(By-law No. 2020-0016)

5.27.2 Zone Provisions

a) Lot Area (minimum) 2000 square metres

b) Lot Frontage (minimum) 30 metres

c) Yards (minimum):

- i) Front..... 15 metres
- ii) Exterior Side (minimum) 12 metres
- iii) Interior Side 6 metres

- Where the interior side lot line or rear lot line abuts a Residential Zone, the minimum yard requirement shall be 20 metres.

(By-law No. 06-53)

- iv) Rear..... 15 metres

d) Lot Coverage (maximum)..... 50 percent

e) Landscaped Open Space (minimum) 10 percent

f) Setback from Street Centreline:

- In accordance with the General Provisions of this By-law.

g) Height of Building (maximum) 12 metres

h) Plant Strip:

- In accordance with the General Provisions of this By-law.

5.27.3 Use of Front and Exterior Side Yards

Required front and exterior side yards shall be open and unobstructed except that such yards may be used for the purpose of parking in accordance with the General Provisions.

5.27.4 Open Storage

(By-law No. 03-61)

Lands used for the outside display and/or storage of goods and materials shall:

- a) Be accessory to the use of the main building on the lot.
- b) Lands used for open storage of goods and materials shall comply with the required front and exterior side yard and setback requirements provided outside storage is not located closer

than 6.0 metres to an interior side lot line where the lot abuts a lot zoned in a residential category.

- c) Not exceed 20 percent of the lot area.
- d) Be screened from residential uses and public streets adjoining the lot by buildings or be enclosed by a planting strip, or be enclosed by a fence at least 1.8 metres in height from finished grade.

5.27.5 General Provisions

In accordance with Section 4, General Provisions, of this By-law.

5.27.6 Exception Provisions - Light Industrial (M1) Zone

5.27.6.1 Light Industrial Exception One (M1-1) Zone

(Part of Lot 21, Concession 4, in the Geographic Township of Richmond)

Within the M1-1 Zone, the permitted uses are restricted to:

- manufacturing, assembly, and fabrication plant;
- accessory retail outlet to the above industrial operation;
- outside storage and buildings accessory to the principal industrial use are considered incidental and subordinate thereto.

5.27.6.2 Light Industrial Exception Two (M1-2) Zone

(Part of Lot 17, Concession 2, in the Geographic Township of South Fredericksburgh)

Within the M1-2 Zone, the uses permitted are restricted to:

- mini warehouse storage;
- single unit dwelling house or accessory dwelling unit.

5.27.6.3 Light Industrial Exception Three (M1-3) Zone

(109 Dairy Avenue, described as Part 5 on Plan 29R-3761, in the Geographic Town of Napanee)

Within the M1-3 Zone the uses permitted are restricted to:

- business, professional, or administrative office;
- contractors yard;
- convenience store;
- hobby shop;
- merchandise or personal service shop;
- parking lot;
- retail or wholesale outlet accessory to a permitted use;
- warehouse.

(By-law No. 02-39)

5.27.6.4 Light Industrial Exception Four (M1-4) Zone

(Part of Lot 23, described as Part 3 of Plan of Survey 29R-3666, Concession 3, in the Geographic Township of Richmond)

Within the M1-4 Zone uses permitted include the use of lands, buildings, and structures for the

manufacturing and sale of paint and related coatings.

5.27.6.5 Light Industrial Exception Five (M1-5) Zone

(Part of Lot 22, Concession 4, in the Geographic Township of Richmond)

Within the M1-5 Zone, the uses permitted are restricted to:

- one single detached dwelling house;
- motor vehicle dealership;
- recreational vehicle sales and service establishment;
- marine sales and service establishment;
- contractor’s or tradesman’s yard;
- snowmobile sales and service establishment;
- warehouse.

Provided the following requirements are complied with:

- a) Lot area (minimum)..... 2.0 hectares
 - b) Lot Frontage (minimum) 100 metres
 - c) Lot Coverage (minimum).....40%
 - d) Landscaped Open Space (minimum).....20%
- (By-law No. 07-47)

Outside Display and Sales Area

The outside display and sales area shall only be permitted in accordance with the following provisions:

- i) that the area utilized for the outside display and sales shall not exceed 30 percent of the lot area;
- ii) that the area to be used for the outside display and sales shall not be closer than 10 metres to the interior side lot line and shall comply with the minimum required front and rear yard requirements of the Light Industrial (M1) Zone.
- iii) Outside storage (maximum)30 per cent of the lot area.

5.27.6.6 Light Industrial Exception Six (M1-6) Zone

(Dairy Avenue, in the Geographic Town of Napanee)

Within the M1-6 Zone, the uses permitted include:

- the parking and maintenance of school buses.

5.27.6.7 Light Industrial Exception Seven (M1-7) Zone

(Part of Lot 23, Concession 2, Dairy Avenue, in the Geographic Town of Napanee)

Within the M1-7 Zone, the uses permitted include:

- Parking Lot.

Within the M1-3 and M1-7 Zones, where the principal use on the site is a "Parking Lot", the following provisions apply:

- a) the zones shall be deemed to be one zone for zoning purposes,
- b) notwithstanding setback requirement of By-law 02-22, the parking lot shall be located such that it is no closer than 3.0 metres to:
 - i) lands zoned in a residential category,

- ii) the road allowance of Dairy Avenue.
- c) furthermore in all other cases the parking lot setback from a lot line is 1.0 metres (minimum).
(By-law No. 02-39)

5.27.6.8 Light Industrial Exception Eight (M1-8) Zone

(Part of Lot 22, Concession 2, in the Geographic Town of Napanee)

Within the M1-8 Zone, the following provisions apply:

a) Uses Permitted

Uses Permitted also include:

- Landscaping Establishment for the sale of landscaping products and related outside storage;
- Contractor's yard;
- Landscaping;
- Eating establishment.

b) A Workshop includes the repair and maintenance of equipment.

(By-law No. 04-82) (By-law No. 08-36)

5.27.6.9 Light Industrial Exception Nine (M1-9) Zone

(Part of Lot 23, Concession 3, in the Geographic Township of Richmond)

Within the M1-9 Zone, the following provisions apply:

a) Uses Permitted

Uses permitted also include:

- A contractor's yard.

(By-law No. 06-18)

5.27.6.10 Light Industrial Exception Ten (M1-10-H) Zone

(Part of Lot 21, Concession 3, in the Geographic Township of Richmond; Described as Part of Plan of Survey 29R-659)

Within the M1-10 Zone, the following provisions apply:

a) Uses Permitted

Residential Uses

- Prohibited.

Non-Residential Uses

- Office associated with the principal use on the site;
- Parking lot;
- Public Use in accordance with the General Provisions of this By-law;
- Truck or transport depot;
- Warehouse.

b) Provisions:

- Interior side yard: Where the interior side lot line or rear lot line abuts a residential zone

or residential use the minimum yard requirement shall be 20 metres.

c) Zone Interpretation:

- Should lands within the M2-4 and M1-1 zones be developed as one development project, then the two zones may be interpreted as one zone for zoning purposes, and the applicable provisions will be those of the M1-10 zone.

d) Servicing:

- The site may be developed based on private services such as a well and subsurface sewage disposal system (septic system).

e) Holding Provisions and H Removal:

The H may be removed in accordance with Section 36 of the Planning Act when:

- The holding provision requirements contained in the General Provisions of the By-law have been satisfied; and
- The following studies or reports have been submitted and the recommendations therein approved:
 - I. Traffic report satisfactory to the County,
 - II. Noise report,
 - III. Hydrogeology and terrain analysis regarding the servicing based on private services.

(By-law 2014-65)