

**5.26 BUSINESS PARK (BP) ZONE**

No person shall within any Business Park (BP) Zone use any lot or erect, alter or use any building or structure except as specified hereunder:

**5.26.1 Uses Permitted****a) Residential Uses**

- Prohibited.

**b) Non-Residential Uses**

- Animal shelter;
- Assembly hall;
- Athletic, fitness or health club;
- Bakery;
- Bingo hall;
- Brewing and/or winemaking establishment;
- Bowling alley;
- Business, professional or administrative office;
- Commercial school;
- Convenience store;
- Courier establishment;
- Data processing and related services;
- Eating establishment and drive through eating establishment;
- Financial office or institution;
- Fire hall, police station, ambulance depot;
- Garden nursery and supply;
- Laboratory and research facility;
- Licensed establishment;
- Microbrewery;
- Mini storage warehouse;
- Motor vehicle repair garage;
- Motor vehicle dealership;
- Motor vehicle sales used;
- Motor vehicle wash;
- Municipal, county, provincial maintenance depot;
- Park;
- Parking Lot;
- Printing establishment;
- Public use in accordance with the General Provisions of the By-law;
- Recreational vehicle sales and service;
- Research and development facility;
- Retail establishment not exceeding 500 square metres;
- Retail or wholesale outlet accessory to a permitted use;
- Service shop, personal;
- Service shop, merchandise;

- Taxi establishment;
- Towing office and garage;
- Veterinary clinic;
- Warehouse.

(By-laws No. 02-45, 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)

**5.26.2 Zone Provisions**

- a) Lot Area (minimum)..... 1000 square metres
- b) Lot Frontage (minimum) .....30 metres
- c) Yards (minimum):
- i) Front.....6 metres
  - ii) Exterior Side .....6 metres
  - iii) Interior Side .....3 metres
    - Where the interior side lot line or rear lot line abuts a Residential Zone the minimum yard requirement shall be 20 metres.
  - iv) Rear.....10 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) Planting Strip:
- In accordance with the General Provisions of this By-law.

**5.26.3 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.

(By-law No. 03-61)

**5.26.4 Outside Display and Sales Area and/or Open Storage**

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

- a) Be accessory to the main use on the lot;
- b) Land used for outdoor displays and sales and/or storage of goods or materials shall comply with the required front and exterior side yard and setback requirements provided that such

- outside storage is not located closer than 6 metres to an interior side lot line where the lot line abuts a lot zoned in a residential category; (By-law No. 03-61)
- c) Not exceed 15 percent lot coverage; and
- d) Be screened from residential uses and public streets adjoining the lot by buildings, or be enclosed by plantings in conjunction with a planting strip, or be enclosed by a fence extending at least 1.8 metres in height from the finished grade.

### 5.26.5 **General Provisions**

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

### 5.26.6 **Exception Provision - Business Park (BP) Zone**

#### 5.26.6.1 **Business Park Exception One (BP-1) Zone**

Repealed (By-law No. 03-61)

#### 5.26.6.2 **Business Park Exception Two (BP-2) Zone**

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

Within the BP –2 Zone, the uses permitted include:

- Place of entertainment.

(By-law No. 02-65)

#### 5.26.6.3 **Business Park Exception Three (BP-3) Zone**

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

Within the BP-3 Zone, the uses permitted include:

- Moulding manufacturing and retail establishment.

(By-law No.05-53)

#### 5.26.6.4 **Business Park Exception Four (BP-4) Zone**

(East side of Advance Avenue, in the Town of Napanee)

Within the BP-4 Zone, the uses permitted include:

- clinic, medical.

(By-law No. 07-25)

#### 5.26.6.5 **Business Park Exception Five (BP-5) Zone**

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

Within the BP-5 Zone, the uses permitted also include:

- day nursery.

(By-law No. 2009-51)

#### 5.26.6.6 **Business Park Exception Six (BP-6) Zone**

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

Within the BP-6 Zone, the uses permitted also include:

- “clinic, medical”.

(By-law No. 2010-27)

**5.26.6.7 Business Park Exception Seven (BP-7) Zone**

(127 Milligan lane; Part of Park Lot 12, Town of Greater Napanee)

Within the BP-7 Zone the following provisions apply:

**a) Uses Permitted**

- Uses permitted in the Business Park (BP Zone)
- Custom Cabinet Making Facility

**b) Definitions:**

“**Custom Cabinet Making Facility**” means a building or part of a building where the assembly of cabinets from pre-fabricated materials is performed, which may include the cutting of panels to custom lengths and sizes and painting, staining or finishing, but shall not include the processing of raw materials. The use may include an accessory office and accessory showroom for the retail sale of cabinets and related retail goods.

(By-law No. 2017-36)

**5.26.6.8 Business Park Exception Eight (BP-8) Zone**

(449 Milligan Lane)

- a) **THAT** in addition to the permitted uses listed in Section 5.26.1 b) – Business Park (BP) Zone, Non-Residential Uses, the following additional Non-Residential Use is also permitted:

- **Cannabis – Micro-Production Facility**

For the purposes of this site-specific permission, the following definition shall apply:

“**CANNABIS – MICRO-PRODUCTION FACILITY**” shall mean an indoor facility on which cannabis, cannabis seed or cannabis oil is grown, processed, extracted, packaged or otherwise made ready for sale, tested, destroyed, stored and/or shipped, in accordance with a valid licence issued by the Federal Government of Canada under the Cannabis Regulations, or any successor thereto, for Micro Cultivation, Micro Processing, or both, but shall not mean any property on which cannabis is grown exclusively for legal use solely by the registered owner of the Property.

- b) **THAT** in addition to the provisions of Sections 5.26.2, for the Business Park (BP) Zone, the following additional provisions shall also apply for a permitted Cannabis – Micro-Production Facility in the BP Zone:

1. Required parking shall be provided at a ratio of 1 parking space per 125 square metres of gross floor area or portion thereof;
2. The maximum Gross Floor Area for a Cannabis – Micro-Production Facility shall be 450 m<sup>2</sup>
3. The minimum setback for a Cannabis – Micro-Production Facility to any Sensitive Land Use shall be 70 metres, as measured between the closest point between any building(s) containing such uses, measured in a straight line.

**SECTION 5**

**PROVISIONS - BP ZONE**

- c) **THAT** notwithstanding the provisions of Section 5.26.4, no outside display, sales or storage of Cannabis products or materials is permitted.
- d) Except as amended herein, all other provisions of By-law 02-22, as amended, shall apply.