

SECTION 7 - RURAL AGRICULTURAL DISTRICT

The following provisions shall apply in all RURAL AGRICULTURAL DISTRICTS RA: -

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions: - (By-law 10144)

7.1 USES PERMITTED

7.1.1 Residential: (By-law 10144)

Single-detached dwelling and accessory living quarters for staff employed on the premises

7.1.2 Industrial: (Permitted only as outlined in Paragraph 7.9 and 7.10)

A warehouse or distributing depot
Light manufacturing or assembly of manufactured products
Heavy industrial

7.1.3 Agricultural:

Agricultural uses including crops, truck and market, gardening, nurseries, commercial greenhouse (By-law 1999-133), breeding, raising animals

7.1.4 Institutional:

Cemeteries

7.1.5 Other:

Animal hospitals, veterinary establishments, storing of farm machinery and vehicles used on the farm
Golf courses and golf driving ranges (By-law 1820)
Kennels (By-law 1999-133)

7.1.6 Converted Dwelling

7.2 AREA REQUIREMENTS

7.2.1 Lot Frontage:

Minimum - 30 metres

7.2.2 Lot Area:

Minimum 1.2 hectares

7.2.2 (a) Lots 361 to 378, inclusive, Plan 45, for the Township of Crowland now in the City of Welland, be divided into three 23.0m x 61.0m lots, for the purpose of erecting three single family dwellings thereon fronting on Matthews Road with front yard set back of not less than 9.0 metres, nor

greater than 12.0 metres. (By-law 5326)

- (b) Notwithstanding the provisions of Section 7.2.2 of By-law 1538, the lands described as Part 1, Plan 59R-8048 shall be given an exemption to permit a lot area of 0.405 hectares and the lands described as Part 2, Plan 59R-8048 shall be given an exemption to permit a lot area of 1.125 hectares. (By-law 9863)

(SOUTHWEST CORNER OF MATTHEWS AND SCHISLER ROADS)

7.2.3 Yard Requirements:

Front Yard - Minimum 18.0 metres

Rear Yard - Minimum 12.0 metres

Side Yard - Minimum 4.5 metres (By-law 1820)

7.2.4 Ground Floor Area:

Minimum - 88 square metres

7.2.5 Total Floor Area:

Minimum - 110 square metres

7.2.6 Coverage:

Maximum - 16 percent

7.2.7 Minimum Distance Separation:

New dwelling units shall be separated from existing animal operations in accordance with the Minimum Distance Separation (M.D.S.) I Requirements, or 300 metres, whichever is greater, excepting farm buildings under the same ownership; and new and expanded animal operations must be separated from existing dwelling units in accordance with the Minimum Distance Separation (M.D.S.) II Requirements. (By-law 1999-133)

7.3 STAFF DWELLINGS

Staff dwellings shall comply with the minimum provisions for R3 districts.

7.4 CONVERTED DWELLING

The provisions for a Converted Dwelling shall conform to Section 6.5 of this By-law.

7.5 EXEMPTIONS

Where a lot having a lesser frontage or area than is required herein is held under distinct and separate ownership from adjoining lots recorded with the Land Titles or Registry Office on or prior to the passing of this By-law, the following provisions shall apply:

Lot Area - Minimum 1,390 square metres

Lot Frontage - Minimum 12.0 metres

Lot Coverage - Maximum 25 Percent (By-law 10015)

Yard Requirements:

Front Yard - Minimum 18.0 metres

Side Yard - Minimum 1.5 metres

Rear Yard - Minimum 12.0 metres

EXEMPTIONS

Notwithstanding anything contained in Section 7 of this By-law, the lands described in Schedule "B" of By-law 6601 shall be exempted therefrom to allow the use of a motor vehicle repair shop Class B in the existing buildings.

7.6

Notwithstanding anything contained in this By-law, the parcels of land described herein as Firstly and Secondly, may be used, conveyed and otherwise transferred as separate parcels for residential purposes.

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being;

FIRSTLY: In the Township of Crowland, in the County of Welland, and being Composed of Part of Lot 15 in the 5th Concession of said Township, more particularly described as follows;

COMMENCING at a point in the east limit of said Lot No. 15 distant 3.048 metres measured southerly from the northeast angle thereof;

THENCE north 89 degrees 32 minutes west a distance of 17.449 metres;

THENCE south and parallel with the east limit of said Lot No. 15, a distance of 49.987 metres to a point;

THENCE easterly and parallel with the north limit of said Lot No. 15, a distance of 17.449 metres to a point in the east limit of said Lot No. 15;

THENCE northerly in and along the east limit of said Lot No. 15, a distance of 49.987 metres to the place of beginning.

SECONDLY: In the Township of Crowland, in the County of Welland, and being composed of Part of Lot No. 14 in the 4th Concession of said Township, more particularly described as follows:

COMMENCING at a point in the east limit of said Lot No. 14, in the 4th Concession of the Township of Crowland, distant therein 3.048 metres north from the southeast angle thereof;

THENCE west and parallel with the south limit of said Lot, a distance of 24.384 metres to the place of beginning;

THENCE north and parallel with the east limit of said Lot 14, a distance of 47.72 metres to a point;

THENCE west and parallel with the south limit of said Lot 14, a distance of 64.008 metres to a point;

THENCE south and parallel with the east limit of said Lot 14, a distance of 45.72

metres to a point;

THENCE east and parallel with the south limit of said Lot 14, a distance of 64.008 metres to the place of beginning. (By-law 1603)

7.7

Notwithstanding anything contained in this By-law, the parcel of land herein described may be used for the operation thereon of a race track for power-driven go-carts and miniature motor vehicles with necessary accessory buildings, including an eating establishment and a snack bar;

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of Crowland, in the County of Welland and Province of Ontario, containing by admeasurement an area of fourteen acres and one-tenth of an acre (14.1 A) be the same more or less and composed of Part of Lot 13 in the 7th Concession of the said Township and more particularly described as follows:

COMMENCING at a point in the East limit of said Lot distant Northerly thereon 1700 feet from the South-east angle of said Lot;

THENCE South 89 degrees 42 minutes 30 seconds West parallel 3.048 metres to a square iron bar which marks the West limit of Doans Ridge Road as widened and the place of beginning of the land herein to be described;

THENCE North 0 degrees 21 minutes 30 seconds West parallel to the East limit of said Lot 63.169 metres more or less to a wire fence which marks the North limit of the land herein described;

THENCE South 89 degrees 42 minutes 30 seconds West along said wire fence 273.506 metres more or less to a wire fence which marks the West limit of the land herein described;

THENCE South 0 degrees 21 minutes 30 seconds East along said West boundary fence and parallel to the East limit of said Township Lot 236.777 metres more or less to a wire fence marking the South boundary of the land herein described;

THENCE North 89 degrees 42 minutes East along said South boundary fence 188.747 metres more or less to a point which would be in a line drawn 25 degrees 21 minutes West;

THENCE North 25 degrees 21 minutes East along said East limit 194.980 metres more or less to the place of beginning. (By-law 1745)

(687 DOANS RIDGE ROAD)

7.8

That notwithstanding that the following described lands are within Zone Designation "RA", the said lands may be used and buildings constructed thereon for the operation of a SERVICE STATION herein and thereon:

IN THE TOWNSHIP OF CROWLAND in the County of Welland, and being composed of Part of Lot Twelve in the Broken Front Concession of the said Township, more particularly described as follows;

COMMENCING at the southwest angle of said Lot;

THENCE easterly along the southerly limit of said Lot a distance of 91.44 metres to a point;

THENCE northerly parallel to the westerly limit of said Lot a distance of 91.44 metres to a point;

THENCE westerly parallel to the southerly limit of the said Lot, a distance of 91.44

metres to a point in the westerly limit of said Lot;

THENCE southerly along the westerly limit of said Lot a distance of 91.44 metres to the place of beginning. (By-law 1870)

(BIGGAR AND MOYER ROAD (NORTHEAST CORNER))

7.9

That the Industrial Uses set out in Section 7.1.2 hereof, be and they are hereby deleted, SAVE AND EXCEPT from the following lands:

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Welland, in the Regional Municipality of Niagara, formerly in the Township of Crowland now in the City of Welland and being composed of Parts of Lots 14, 15, 16 and 17, Concession VI, and all of Lots 15 and 16, and the Gore thereof, Concession VII, for the said Township of Crowland, now in the City of Welland and more particularly described as follows:

COMMENCING at the intersection of the centre line of Buchner Road and Strawn Road;

THENCE southerly along the centre line of Strawn Road, 588.264 metres, more or less, to a point;

THENCE easterly and parallel to the south limit of Buchner Road, 233.172 metres more or less, to a point;

THENCE southerly and parallel to the east limit of Strawn Road, 224.028 metres, more or less, to a point;

THENCE easterly and parallel to the north limit of Ridge Road, 126.796 metres, more or less, to a point;

THENCE southerly and parallel to the east limit of Strawn Road, 224.637 metres, more or less, to a point in the centre line of Ridge Road;

THENCE westerly along the centre line of Ridge Road to the intersection of the said centre line and the centre line of Strawn Road;

THENCE southerly along the centre line of Strawn Road, to the intersection of the said centre line and the centre line of Netherby Road;

THENCE westerly along the centre line of Netherby Road to the intersection of the said centre line and the centre line of Reaker Road, formerly Moore Road;

THENCE northerly along the centre line of Reaker Road, and its extension to the north, to the intersection of the said centre line and the centre line of Ridge Road;

THENCE westerly along the centre line of Ridge Road to the intersection of the said centre line and the centre line of Moore Road;

THENCE northerly along the centre line of Moore Road to the centre line of Lyons Creek;

THENCE southwesterly following the centre line of Lyons Creek to the production southerly of the westerly boundary of the lands of the St. Lawrence Seaway Authority;

THENCE northerly along the said boundary and its production southerly, 512.064 metres, more or less, to a point;

THENCE easterly and parallel to the south limit of Buchner Road, to the centre line of Highway 140;

THENCE southerly along the centre line of Highway 140, to a point being the

centre line of Lyons Creek;

THENCE northeasterly along the centre line of Lyons Creek to the intersection of the centre line of the Penn Central Railway right-of-way and Buchner Road;

THENCE easterly along the centre line of Buchner Road to the point of commencement. (By-law 6003) (see accompanying sketch)

7.10

Before any industrial uses are permitted, consideration shall be given to the appropriateness of the development in terms of the following:

1. The adequacy of the area road system.
2. The availability and capacity of the water and sewer system.
3. The possibility of pollution of streams and other watercourses
4. The possibility of air pollution, and
5. The possibility of further urbanization within the area being required as a result of the industry.

The uses permitted in an agricultural area do not include junk yards, wrecking yards, automobile wrecking and dumping yards or any use of this nature which is objectionable by virtue of unsightliness, noise or smell.

When a proposal to locate a use in this section is made, and where, in the opinion of Council, it would not be appropriate under the points noted above, then such a use will not be permitted unless the adverse effects can be overcome to the satisfaction of the Council. (By-law 6977)

7.11

Deleted by By-law 10577.

7.12

Notwithstanding anything contained in Section 7 of this By-law, the lands described in Schedule "B" and shown in Schedule "A" of By-law 7126 shall be exempted from subsection 7.2.2 to allow the creation of a 0.567 hectare residential lot. (By-law 7126)

7.13

H-RA-X1 Zone (By-law 9922)

1. The uses permitted in the H-RA-X1 Zone shall be restricted to the warehousing and assembly of manufactured goods;
2. Notwithstanding other provisions of By-law 1538, save those noted hereinafter the zone provisions for the H-RA-X1 Zone shall be as follows:

Minimum Lot Frontage	Nil
Minimum Lot Area	2.25 Hectares
Minimum Front Yard	Nil
Minimum Rear Yard	20 metres
Minimum Side Yard	10 metres
Minimum Landscape Open Space	20 percent
Maximum Lot Coverage	10 percent
Maximum Building Height	10 metres

Parking and Loading Requirements for the H-RA-X1 Zone shall be in accordance with Sections 5.20, 5.21, 5.22 and 5.23 of By-law 1538, as amended.

(566 RIDGE ROAD (REAR))

7.14

RA-X2 Zone (By-law 10074)

1. That Part of Lot 16, Concession I, former Township of Crowland, now City of Welland designated as Part 1 on Reference Plan 59R-8222 and shown on Schedule "A" of By-law 10074 as "Change to RA-X2 Zone" are hereby rezoned RA-X2 Zone.
2. That the uses permitted in the RA-X2 Zone shall be a single unit dwelling and accessory uses thereto.
3. That the Zone provisions for the RA-X2 Zone shall be as follows:

Minimum Lot Area	4 hectares
Minimum Lot Frontage	100 metres
Minimum Front Yard	18 metres
Minimum Rear Yard	75 metres
Minimum West Side Yard	50 metres
Minimum East Side Yard	4.5 metres
Maximum Main Building Height	12 metres

Other provisions of By-law 1538, as amended as set out in Section 5 - General Provisions To All Districts shall apply to the RA-X2 Zone.
4. Notwithstanding By-law 10074, nor By-law 1538, no development whatsoever nor disturbance of existing vegetation shall take place within 15 metres of the stream traversing the RA-X2 Zone.

(SOUTH SIDE OF BIGGAR ROAD, WEST OF DARBY ROAD)

7.15

RA-X3 Zone (By-law 10074)

1. That Part of Lot 16, Concession I, former Township of Crowland, now City of Welland designated as Part 2, 3 and 4 on Reference Plan 59R-8222 and shown on Schedule "A" of By-law 10074 as "Change to RA-X3 Zone" are hereby rezoned RA-X3 Zone.
2. That the uses permitted in the RA-X3 Zone shall be a single unit dwelling and accessory uses thereto.
3. That the Zone provisions for the RA-X3 Zone shall be as follows:

Minimum Lot Area	4 hectares
Minimum Lot Frontage	100 metres
Minimum Front Yard	18 metres
Minimum Rear Yard	18 metres
Minimum Side Yard	4.5 metres
Maximum Main Building Height	12 metres

Other provisions of By-law 1538 as amended, as set out in Section 5 - General Provisions To All Districts thereto shall apply to the RA-X3 Zone.
4. Notwithstanding this By-law, nor By-law 1538, no development whatsoever nor disturbance of existing vegetation shall take place within 15 metres of the stream traversing the RA-X3 Zone.

(SOUTH SIDE OF BIGGAR ROAD, WEST OF DARBY ROAD)

7.16

RA-X4 Zone (By-law 10257)

1. That Part of Lot 16, Broken Front Concession and Part of Lot 16, Concession 1, former Township of Crowland, now in the City of Welland and shown on Schedule "A" of By-law 10257 as "Change to RA-X4 Zone" is hereby rezoned RA-X4 Zone.
2. That the uses permitted in the RA-X4 Zone shall be restricted to a single unit dwelling and accessory uses thereto.
3. That the provisions for the RA-X4 Zone shall be as follows:

Minimum Lot Area	-	13 hectares
Minimum Lot Frontage	-	15 metres
Minimum Front Yard	-	18 metres
Minimum Rear Yard	-	12 metres
Minimum Side Yard	-	4.5 metres
Maximum Building Height	-	12 metres

Other provisions of By-law 1538, as amended, as set out in Section 5 - General Provisions to All Districts shall apply to the RA-X4 Zone.
4. Notwithstanding By-law 10257, nor By-law 1538, no development whatsoever nor disturbance of existing vegetation shall take place:
 - (a) within 15 metres of the stream traversing the RA-X4 Zone; nor
 - (b) west or north of the line identified as "120 metre buffer zone" on Schedule "A" of By-law 10257.

(NORTH SIDE OF BIGGAR ROAD, WEST OF DARBY ROAD)

7.17

RA-X5 Zone (By-law 10577)

1. That Part of Lot 16, Concession 2, former Township of Crowland, now City of Welland known municipally as 330 Young Road and as shown on Schedule "A" of By-law 10577 as "Change to RA-X5 Zone" is hereby rezoned RA-X5 Zone.
2. The uses permitted in the RA-X5 Zone shall be those permitted in the RA District and a private club.
3. The Zone provisions of the RA-X5 Zone shall be as follows:

North Rear Yard	-	Minimum 12.0 metres
East and West Side Yards	-	Minimum 12.0 metres
South Yard	-	Minimum 12.0 metres
Lot Area	-	Maximum 1.9 hectares

(330 YOUNG ROAD)

7.18

RA-X6 Zone (By-law 11186)

1. That Part of Lot 12, Concession 5, former Township of Crowland, now in the City of Welland located on the west side of Pearson Road, north of Buchner Road and shown on Schedule "A" of By-law 11186 as "Change to RA-X6 Zone" is hereby rezoned RA-X6 Zone.

2. The uses permitted in the RA-X6 Zone shall be limited to the growing of crops, growing of forest products, market gardening, storage of farm produce and farm implements used on the premises, and greenhouse operations.

3. The provisions for the RA-X6 Zone shall be as follows:

Minimum Frontage	-	30 metres
Minimum Lot Area	-	3.5 hectares
Minimum Front Yard Setback	-	50.0 metres
Minimum Rear Yard Setback	-	12.0 metres
Minimum Side Yard Setback	-	6.0 metres

For any greenhouse operation the minimum setback from any property line shall be 46 metres.

(WEST SIDE OF PEARSON ROAD, NORTH OF BUCHNER ROAD)

7.19

RA-X7 Zone (By-law 11311)

1. That Part of Lot 15 Gore, south of Concession 7, former Township of Crowland, now in the City of Welland, known municipally as 416 Netherby Road and shown on Schedule "A" attached to By-law 11311 as "Change to RA-X7 Zone" is hereby rezoned RA-X7 Zone;

2. The uses permitted in the RA-X7 Zone will be a saw mill, kiln, light manufacturing of finished lumber products, yard storage, one (1) single detached residential dwelling;

3. The provisions for the RA-X7 Zone will be as follows:

Minimum Lot Frontage	90.0 metres
Minimum Lot Area	1.2 hectares
Minimum Front Yard Setback	18.0 metres
Minimum Rear Yard Setback	12.0 metres
Minimum Side Yard Setback	4.5 metres
Maximum Lot Coverage	15%
Minimum Front Yard Setback for Outdoor Storage	42.0 metres

(416 NETHERBY ROAD)

7.20

RA-X8 Zone (By-law 11335)

1. That Part of Lot 11, Concession 5, former Township of Crowland now in the City of Welland being Part 23, Plan 59R-7377 and shown on Schedule "A" attached to By-law 11335 as "Change to RA-X8 Zone" is hereby rezoned RA-X8 Zone;

2. That the uses permitted in the RA-X8 Zone shall be those permitted in the RA District;

3. The provisions for the RA-X8 Zone shall be those provided for in the RA District save and except as follows:

Minimum Lot Area	0.4 hectares
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(894 BUCHNER ROAD)**7.21****RA-X9 Zone (By-law 1999-49)**

1. That Part of Lot 16, Concession 4, being Parts 1 and 2, Plan 59R-1063, Former Township of Crowland, now in the City of Welland, located on the east side of Farr Road, north of East Main Street known municipally as 72 Farr Road and shown on Schedule "A" attached to By-law 1999-49 as "Change to RA-X9 Zone" is hereby rezoned RA-X9 Zone;
2. The uses permitted in the RA-X9 Zone shall be limited to the growing of crops, growing of forest products, growing of nursery stock, market gardening, storage of produce grown on site, storage of farm implements used on the property, greenhouse operations and retail sales limited to products grown on site;
3. The provisions for the RA-X9 Zone shall be as follows:

Minimum Frontage	280 metres
Minimum Lot Area	7.5 Hectares
Minimum Front Yard Setback	18.0 metres
Minimum Rear Yard Setback	12.0 metres
Minimum Side Yard Setback	4.5 metres

For any greenhouse operation, the minimum setback from any property line shall be 46 metres.

(76 FARR ROAD)**7.22****RA-X10 Zone (By-law 1999-49)**

1. That Part of Lot 16, Concession 4, Former Township of Crowland, now in the City of Welland located on the east side of Farr Road, north of East Main Street known municipally as 100 Farr Road and shown on Schedule "A" attached to By-law 1999-49 as "Change to RA-X10 Zone" is hereby rezoned RA-X10 Zone;
2. The uses permitted in the RA-X10 Zone shall be limited to the growing of crops, growing of forest products, growing of nursery stock, market gardening, storage of produce grown on site, storage of farm implements used on the property, greenhouse operations, retail sales limited to products grown on site, the raising or sale of animals for breeding, riding, showing, boarding or racing, and a dwelling unit associated with an established farming operation;
3. The provisions for the RA-X10 Zone shall be as follows:

Minimum Frontage	370 metres on Schisler Road 640 metres on Farr Road
Minimum Lot Area	23.8 hectares
Minimum Front Yard Setback	18.0 metres
Minimum Rear Yard Setback	12.0 metres
Minimum Side Yard Setback	4.5 metres

For a green house operation, the minimum setback from any property line shall be 46 metres.

(100 FARR ROAD)**7.23****RA-X11 Zone (By-law 2000-48)**

1. That Part of Lot 12, Concession 4, former Township of Crowland, now in the City of Welland, located on the east side of Moyer Road, south of East Main Street known municipally as 130 Moyer Road and shown on Schedule "A" attached to By-law 2000-48 as "Change to RA-X11 Zone" is hereby rezoned RA-X11 Zone;
2. The uses permitted in the RA-X11 Zone are those permitted in the RA District;
3. The provisions for the RA-X11 Zone shall be those provided for in the RA District save and except as follows:

Minimum Lot Area	0.7 hectares
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(138 MOYER ROAD)

7.24

RA-X12 Zone (By-law 2000-48)

1. That Part of Lot 12, Concession 4, former Township of Crowland, now in the City of Welland, located on the east side of Moyer Road, south of East Main Street known municipally as 130 Moyer Road and shown on Schedule "A" attached to By-law 2000-48 as "Change to RA-X12 Zone" is hereby rezoned RA-X12 Zone;
2. The uses permitted in the RA-X12 Zone are those permitted in the RA District;
3. The provisions for the RA-X12 Zone shall be those provided for in the RA District save and except as follows:

Minimum North Side Yard	4.0 metres
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Minimum Lot Area	0.5 hectares
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(130 MOYER ROAD)