

SECTION 11 - MULTIPLE DWELLING- SECOND DENSITY ZONE - RM2

The following provisions shall apply in all MULTIPLE DWELLING- SECOND DENSITY ZONES RM2:

No PERSON shall *HEREAFTER USE* any BUILDING, STRUCTURE or land nor *ERECT* any BUILDING or STRUCTURE except in accordance with the following provisions:

11.1 USES PERMITTED

11.1.1 Residential:

SINGLE-DETACHED DWELLING

SEMI-DETACHED DWELLING

DUPLEX

GROUP HOME (By-law 7670)

A BOARDING, OR LODGING HOUSE (By-law 2883)

BED & BREAKFAST (By-law 2003-137)

11.2 SINGLE-DETACHED DWELLING AND GROUP HOME (By-law 7670)

11.2.1 LOT FRONTAGE:

Minimum - 15 metres

11.2.2 LOT AREA:

Minimum - 555 square metres

11.2.3 YARD Requirements:

FRONT YARD - minimum 6.0 metres

REAR YARD - minimum 7.5 metres

SIDE YARD - minimum 1.5 metres

11.2.4 GROUND FLOOR AREA:

Minimum - 60 square metres

11.2.5 GROSS FLOOR AREA:

Minimum - 69 square metres

11.2.6 LOT COVERAGE:

Maximum - 35 percent

11.3 SEMI-DETACHED DWELLING OR DUPLEX (By-law 9196)

Regulations for a <u>SEMI-DETACHED DWELLING</u> or a <u>DUPLEX</u>	Regulations for each <u>DWELLING UNIT</u> of a <u>SEMI-DETACHED DWELLING</u>
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11.3.1 LOT FRONTAGE:

Minimum 18 metres	Minimum 9 metres
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11.3.2 LOT AREA:

Minimum 612 square metres	Minimum 306 square metres
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11.3.3 YARD Requirements:

Regulations for a <u>SEMI-DETACHED DWELLING</u>	Regulations for each <u>DWELLING UNIT</u> of a <u>SEMI-DETACHED DWELLING</u>
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FRONT YARD:

Minimum 6 metres	Minimum 6 metres
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REAR YARD:

Minimum 7.5 metres	Minimum 7.5 metres
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SIDE YARD:

Minimum 1.5 metres	Minimum Exterior Minimum 1.5 metres Common Wall - 0 metres
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Regulations for a DUPLEX

FRONT YARD:

Minimum 6 metres

REAR YARD:

Minimum 7.5 metres

SIDE YARD:

Minimum one side 1.8 metres
Minimum other side 2.4 metres

11.3.4 GROUND FLOOR AREA per DWELLING UNIT:

Minimum for *SEMI-DETACHED DWELLING* - 45 square metres (**By-law 5541**)

11.3.5 GROSS FLOOR AREA per DWELLING UNIT:

Minimum - 69 square metres

11.3.6 LOT COVERAGE:

Maximum - 40 percent

11.4 BOARDING OR LODGING HOUSE

11.4.1 LOT FRONTAGE:

Minimum - 16.7 metres

11.4.2 LOT AREA:

Minimum - 613 square metres

11.4.3 YARD Requirements:

FRONT YARD - minimum 6.0 metres

REAR YARD - minimum 7.5 metres

SIDE YARD - minimum 1.5 metres

11.4.4 GROUND FLOOR AREA:

Minimum - 69 square metres

11.4.5 GROSS FLOOR AREA:

Minimum - 69 square metres

11.4.6 LOT COVERAGE:

Maximum - 35 percent

11.5 EXCEPTIONS

11.5.1A Notwithstanding anything contained in Section 6.3 of this By-law, a hall may be reconstructed on *LOTS* 142, 143 and 146 in Registered Plan No. 15 of the Township of Crowland, now in the City of Welland, in the same location as previous hall, with its main entrance facing Beatrice Street and with a *FRONT YARD* on Beatrice Street not less than 2.134 metres. (**By-law 2972**)

(NORTH SIDE OF DEVON STREET BETWEEN BEATRICE STREET AND CHAFFEY STREET)

11.5.1B NOTWITHSTANDING anything contained in Section 11.1.1 that:

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Welland in the County of Welland and being composed of *LOT* No. 49 on the south side of Church Street east according to the Shotwell and Dunigan Plan as shown on Registered Plan No. 1649 for the Village, now the City of Welland may be used for the erection of an *APARTMENT BUILDING* constructed with a setback of 3.353 metres on the *FRONT YARD* and in accordance with the requirements of *APARTMENT BUILDINGS* as set out in Sections 14.5 to 14.5.5 inclusive. **(By-law 3233)**

(29 CHURCH STREET)

11.5.2 Deleted by By-law 2005-110.

11.5.3 NOTWITHSTANDING anything contained in By-law No.2667 requiring a 7.5 metres *REAR YARD* and a 3.048 metres *SIDE YARD* in an RM2 area, the following lands namely:-

The North part of *LOT* No. 29 according to Registered Plan No. 59 for the City of Welland as more particularly described in a deed registered in the Registry Office for the Registry Division of the County of Welland as No. 87553A:

COMMENCING at the north-west corner of said *LOT*;

THENCE south easterly along the westerly limit of Major Street 18.059 metres to the north-east corner of *LOT*;

THENCE southerly along the easterly limit of *LOT*, 7.366 metres to a point;

THENCE westerly in a straight line 17.628 metres more or less to a point in the easterly limit of Margery Road distant 10.998 metres measured southerly from the north-west corner of said *LOT*;

THENCE along the easterly limit of Margery Road, 10.998 metres to the place of beginning; be and the same are hereby exempted from the said requirements to the extent only of allowing an 3.658 metres extension to the east of the *BUILDING* situate thereon. **(By-law 3380)**

(60 MARGERY ROAD)

11.5.3 A. NOTWITHSTANDING the provisions of By-law 2667, the following lands; namely:

In the City of Welland in the County of Welland and being composed of *LOT* 31 and the northerly 39.624 metres from front to rear of the Hydro Electric Power Commission lands as shown on Registered Plan 59 for the Township of Crowland now in the City of Welland may be used for a *FUNERAL HOME* with an apartment above.

That the said lands shall be subject to the following. **(By-law 3671)**

LOT FRONTAGE:

Minimum - 18.0 metres **(By-law 6692)**

LOT AREA:

Minimum - 613 square metres

YARD Requirements:

FRONT YARD - minimum 6.0 metres

REAR YARD and *SIDE YARD* - minimum equal to 75 percent of the height of the *BUILDING* or *STRUCTURE*, but not less than 4.5 metres. Such a *REAR YARD* or *SIDE YARD* shall not be required to be greater than 9.0 metres.

GROUND FLOOR AREA:

Minimum - 69 square metres

GROSS FLOOR AREA:

Minimum - 69 square metres

LOT COVERAGE:

Maximum - 30 percent

(827 EAST MAIN STREET - ALSO SEE: 11.5.9)

11.5.4 NOTWITHSTANDING anything contained *HEREIN*, a *BOARDING OR LODGING HOUSE* shall not be permitted upon 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 County of Welland and being composed of part of *LOT 28* in the 6th Concession of the Township of Crowland now in the City of Welland and more particularly described as follows:

COMMENCING at a point distant N 00° 50' E, 4.176 metres from the north-west angle of *LOT 5* according to Registered Plan 63 of the City of Welland;

THENCE S 0° 50' W, in and along the west limit of said Plan 63, 297.790 metres to the south-west angle of *LOT 16* according to said Plan 63 which point is the north limit of the right-of-way of the Toronto, Hamilton and Buffalo Railways;

THENCE on a curve to the right having a radius of 174.863 metres and a chord equivalent of 97.228 metres measured along a course N 75° 22' 30" W, in and along the north limit of said right-of-way 126.571 metres to a point in the east limit of the unopened road allowance between *LOTS 28* and *29* in the 6th Concession of the Township of Crowland;

THENCE continuing N 59° 14' W, in and along the north limit of said right-of-way to the centre line of the road allowance between *LOTS 28* and *29* in the 6th Concession;

THENCE N 0° 37' 30" E, in and along the centre line of said road allowance to a point on a line distant 10.058 metres on a course N 88° 48' W, from a point in the east limit of said road allowance distant N 0° 37' 30" E, 184.617 metres from the said right-of-way;

THENCE S 88° 48' E, 101.498 metres to a point;

THENCE N 0° 37' 30" E, 5.215 metres to a point;

THENCE N 69° 45' E, 13.426 metres to a point;

THENCE N 73° 01' E, 20.498 metres to a point;

THENCE N 76° 57' 30" E, 20.498 metres to a point;

THENCE N 81° 09' E, 21.336 metres more or less to a point;

THENCE N 85° 20' 30" E, 20.498 metres to a point;

THENCE N 89° 17' 30" E, 20.498 metres to the place of beginning. **(By-law 4715)**

(MAYFAIR ESTATES SUBDIVISION - PLAN M-68, ALL LOTS BUT ONLY SMALL SOUTHERLY PART OF EACH OF BLOCKS A, B AND C (THOSE PARTS OF WHICH WERE REZONED BY BY-LAW 4715 BUT NOT THOSE REZONED BY BY-LAW 8901))

11.5.5 A *BOARDING OR LODGING HOUSE* shall not be permitted on the lands described as follows:

ALL AND SINGULAR that certain parcel or tract of land and premises situate lying and being in the City of Welland in the County of Welland and being composed of parts of Roach Avenue, Duff Place, Martin Street and North Street and lots abutting thereon according to Registered Plans 19 and 14 for the Township of Crowland now in the City of Welland and more particularly described as follows:

COMMENCING at the intersection of the centre line of North Street with the production northerly of the east limit of *LOT 2669* according to said Plan 19;

THENCE south-westerly in and along the centre line of North Street following the *EXISTING* boundary between lands designated as RM2 and lands designated R2 to a point in the north-east limit of Horton Street in said Plan 14;

THENCE south-easterly in and along the north-east limit of Horton Street to its intersection with the westerly production of the southerly limit of *LOT 2632* according to said Plan 19;

THENCE easterly in and along the said production of the southerly limit of *LOT 2632* aforesaid to the south-east angle of said *LOT 2632*;

THENCE northerly in and along the east limits of *LOTS 2632 to 2607* inclusive to a point in the south limit of Martin Street;

THENCE continuing northerly in and along the production northerly of the east limit of *LOT 2607* across Martin Street to the south-west angle of *LOT 2665* according to said Plan 19;

THENCE northerly in and along the east limits of *LOTS 2665 and 2669* and the production northerly of the east end of said *LOT 2669* to the place of beginning. **(By-law 4656)**

(RM2 LANDS SOUTH OF NORTH STREET AND NORTH OF NORTH BOUNDARY

OF HORTON STREET)

11.5.6 NOTWITHSTANDING the provisions of By-law 2667, *LOTS 25 to 31*, inclusive, according to Registered Plan 30 for the Township of Crowland now in the City of Welland may be used for the parking of vehicles conditional upon the following:

- (1) a decorative closed board fence be constructed along the northerly limit of *LOT 31*, the easterly limits of *LOTS 25 to 31*, the westerly limits of *LOTS 32 and 33* and the southerly limit of *LOT 25* in accordance with By-law 3878, as amended; and that,
- (2) a guard rail fence be constructed on the interior of the aforementioned fence on Afton Avenue effectively closing all entrances and exits on Afton Avenue. **(By-law 5548)**

(24-36 AFTON AVENUE INCLUSIVE, AND THE LANDS IN BETWEEN)

11.5.7 NOTWITHSTANDING the provisions of By-law 2667, no *DUPLEXES* may be allowed on lands described below; and the *SEMI-DETACHED* units on the north side of Victory Avenue shall contain not more than two-bedroom units:

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 County of Welland and being composed of part of *LOT 23*, Concession 6 for the Township of Crowland now in the City of Welland and part of Parcel "G" according to Registered Plan 54 for the Township of Crowland now in the City of Welland and more particularly described as follows:

COMMENCING at an iron bar planted at the intersection of the southerly limit of Morningstar Avenue with the southerly projection of the westerly limit of MacInnis Street;

THENCE N 00° 22' 05" W, 131.673 metres to a standard iron bar;

THENCE N 89° 48' 55" E, 10.058 metres to the centre line of MacInnis Street being the place of beginning of the *HEREIN* described parcel of land;

THENCE N 00° 22' 05" W, along the centre line of MacInnis Street, 81.077 metres to a point in the north limit of said Parcel "G";

THENCE S 89° 48' 55" W, being along the north limit of said Parcel "G" and the south limits of *LOTS 345 to 357*, inclusive, according to said Plan 54 and the extension westerly thereof, 199.293 metres to an iron bar planted in the east limit of the lands of the Canadian National Railway;

THENCE S 1° 36' 05" E, in and along the said east limit of the Canadian National Railway lands, 81.101 metres to a point in the said east limit of the said Canadian National Railway lands;

THENCE N 89° 48' 55" E, 167.369 metres, more or less, to the place of beginning;

AND shown as Parts 1 to 26, inclusive, Parts 67 to 78, inclusive and Parts 85 to 97, inclusive, and parts of MacInnis Street, Victory Avenue and Conventry Road on Plan RD 255 for the City of Welland registered the 17th day of December 1970 in the Registry Office for the Registry Division of Niagara South. **(By-law 5606)**

(BOTH SIDES OF VICTORY AVENUE BETWEEN COVENTRY ROAD AND MACINNIS STREET)

- 11.5.8** NOTWITHSTANDING the provisions of By-law 2667, the southerly 30.48 metres of LOT 26, according to Registered Plan 25 for the Town of Welland now the City of Welland, may be used for a *RETAIL STORE*, with eating establishments to be excluded from this site. **(By-law 6014)**

(256 LINCOLN STREET)

- 11.5.9** NOTWITHSTANDING the provisions of By-law 2667, the following lands may be used for a *FUNERAL HOME* with an apartment above:

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 County of Welland and being composed of part of LOT 30, according to Registered Plan 59 for the former Township of Crowland, now known as Plan 978, more particularly described as follows:

COMMENCING at the north-east corner of said LOT 30;

THENCE westerly along the northerly limit of said LOT 30 being also the southerly limit of East Main Street, 4.267 metres;

THENCE southerly parallel to the easterly limit of said LOT 30, 39.624 metres to a point in the southerly limit of LOT 30;

THENCE easterly along the southerly limit of said LOT 30, 4.267 metres to a point in the easterly limit of said LOT 30;

THENCE northerly along the easterly limit of said LOT 30, 39.624 metres more or less to the point of commencement.

CONTAINING by admeasurement an area of 39.019 square metres more or less.

The said lands shall be subject to the following. **(By-law 6685)**

LOT FRONTAGE:

Minimum - 18.0 metres **(By-law 6692)**

LOT AREA:

Minimum - 613 square metres

YARD Requirements:

FRONT YARD - minimum 6.0 metres

REAR YARD and *SIDE YARD* - minimum equal to 75 percent of the height of the *BUILDING* or *STRUCTURE*, but not less than 4.5 metres. Such a *REAR YARD* or *SIDE YARD* shall not be required to be greater than 9.0 metres.

GROUND FLOOR AREA:

Minimum - 69 square metres

GROSS FLOOR AREA:

Minimum - 69 square metres

LOT COVERAGE:

Maximum - 30 percent

(827 EAST MAIN STREET - ALSO SEE: 11.5.3A)

11.5.10 Deleted by By-law 10016.

11.5.11 Notwithstanding the provisions of Section 11, *LOT 308*, the most easterly 15.240 metres of *LOT 309* and the easterly 2.032 metres throughout from front to rear of *LOT 307*, according to Registered Plan 43 for the Township of Crowland, now in the City of Welland, now known as Plan 963, shall be given an exemption to allow a *MOTOR VEHICLE REPAIR SHOP CLASS "A"*. **(By-law 7505)**

(640 ONTARIO ROAD)

11.5.12 NOTWITHSTANDING the provisions of Section 11, Parts of *LOTS 9* and *18*, according to the Thomas Burgar Plan, now known as Plan 557 shall be given an exemption to allow the *USE* of the said lands for the purposes of a *SECOND-HAND STORE* more particularly described as follows:

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 County of Welland) and being composed of Part of *LOT 9* on the south side of Randolph Street and Part of *LOT 18* on the west side of Burgar Street according to Thomas Burgar Plan now known as Plan 557 and which said parcel or tract of land is more particularly described as follows:

COMMENCING at the north-east corner of the said *LOT 9*;

THENCE south two degrees twelve minutes thirty seconds west along the easterly limit of said *LOT 20.918* metres more or less to an iron bar planted in a line drawn parallel to and perpendicularly distant southerly 0.305 metres from the southerly face of the southerly wall of the two storey brick and tile *BUILDING* situate on the northerly part of said *LOT 9*, said bar being the place of beginning of the parcel to be described;

THENCE north eighty-six degrees fifty-five minutes thirty seconds west along said parallel line 15.813 metres to an iron bar planted in the westerly limit of *LOT 9*;

THENCE south eleven degrees thirty-seven minutes thirty seconds east along the westerly limit of said *LOT* and its southerly production 14.493 metres to an iron bar planted in a fence line;

THENCE north eighty-six degrees forty-three minutes thirty seconds east along said fence line 12.405 metres to an iron bar planted in the westerly limit of Burgar Street distant therein 12.649 metres from the place of beginning;

THENCE north two degrees twelve minutes thirty seconds east along said westerly

limit 12.649 metres to the place of beginning.

PREMISING that the westerly boundary of Burgar Street is on a bearing of south two degrees twelve minutes thirty seconds west and relating all bearings HEREIN thereto.
(By-law 7678)

(99 BURGAR STREET)

- 11.5.13** Notwithstanding the provisions of Subsection 11.3.2 of Section 11, *BLOCKS A and B*, according to Registered Plan M-68, shall be given an exemption to allow the following to apply to a *SEMI-DETACHED DWELLING*:

LOT AREA:

Minimum - 575 square metres

(By-law 8901)

(ALL OF MAYFAIR DRIVE - SEE ALSO 5.20.18)

- 11.5.13 (a)** Notwithstanding the provisions of Section 8, the following lands, as set out in By-law 9253, shall be given an exemption to allow the USE of the said lands for the purposes of a *BUSINESS OFFICE*.

In the City of Welland in the Regional Municipality of Niagara and being composed of *LOTS 2858 and 2859*, according to Registered Plan 19, for the Township of Crowland now in the City of Welland, now known as Plan 941.

(610 BROADWAY)

- 11.5.13 (b)** NOTWITHSTANDING the provisions of Section 8, the following lands, as set out in By-law 9253, shall be given an exemption to allow the *USE* of the said lands for parking for the adjacent *BUSINESS OFFICE*:

In the City of Welland in the Regional Municipality of Niagara and being composed of that part of Cutress Avenue (formerly Third Avenue), according to Registered Plan 19, for the Township of Crowland now in the City of Welland, now known as Plan 941;

COMMENCING at a point in the southerly limit of Broadway, being also the north-east corner of *LOT 2858*, according to Registered Plan 19 for the Township of Crowland now in the City of Welland, now known as Plan 941;

THENCE easterly along the said southerly limit of Broadway to a point in the north-westerly limit of the Railway lands;

THENCE south-westerly along the said north-westerly limit of the said Railway lands to a point, said point being the south-east corner of said *LOT 2858*;

THENCE northerly in and along the easterly limit of said *LOT 2858*, 16.343 metres, more or less to the point of commencement.

(UNNAMED STREET EAST OF 610 BROADWAY (SEE ABOVE))

- 11.5.14** Notwithstanding the provisions of Section 11, the following lands may be used for the purpose of permitting four *EXISTING* residential units:

In the City of Welland, in the Regional Municipality of Niagara and being composed of all of LOT 72 and southerly half of LOT 271, Registered Plan 23 for the Township of Crowland, now known as Plan 945, in the City of Welland. **(By-law 9483)**

(411 SCHOLFIELD AVENUE)

11.5.15 RM2-X1 ZONE (By-law 10160) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 10659)

Part of LOT 1, Concession 11, former Township of Pelham, now in the City of Welland shown on Schedule "A" of By-law 10160 as "Change to RM2-X1 ZONE" is hereby rezoned H-RM2-X1 ZONE.

The *USES* permitted and the provisions for the RM2-X1 ZONE shall be those permitted and provided for in the Multiple *DWELLING*- Second Density Zone (RM2) save and except as follows:

- (a) Notwithstanding any other Section of Zoning By-law 2667, as amended, no *PERSON* shall *ERECT* any *BUILDING* or *STRUCTURE* including, but not limited to, swimming pools, tennis courts, gazebos, sheds, *ACCESSORY BUILDINGS* or fences on any portion of any property west of a line parallel to and set back 30 metres from the *FRONT LOT LINE*;
- (b) No disturbance, removal of vegetation or placement or removal of fill is permitted within 15 metres of the water's edge of Draper's Creek.

(PART OF MEADOWS SUBDIVISION)

11.5.16 RM2-X2 ZONE (By-law 10280 and 11003)

Part of LOTS 229 and 230, former Township of Thorold, now in the City of Welland shown on Schedule "A" of By-law 10280 as "Change to RM2-X2 ZONE" is hereby rezoned RM2-X2 ZONE.

The *USES* permitted in the RM2-X2 ZONE shall be those permitted in the RM2 ZONE.

The Zone Provisions for the RM2-X2 ZONE shall be those of the RM2 ZONE with the exception that the minimum *EXTERIOR SIDE YARD* requirements for *SEMI-DETACHED BUILDINGS* will be 1.5 metres subject to the requirements of Section 6.3 of By-law 2667, as amended.

(JACKSON COURT WEST, JEFFERSON COURT WEST, SEAWAY HEIGHTS SUBDIVISION; PART OF TOWPATH VILLAGE 59M-230)

11.5.17 RM2-X3 ZONE (By-law 10464)

Part of LOT 22, Concession 4, former Township of Crowland, now in the City of Welland, shown on Schedule "A" of By-law 10464 as "Change to RM2-X3 ZONE" is hereby rezoned RM2-X3.

The *USES* permitted in and the Zone Provisions for the RM2-X3 ZONE shall be those of the RM2 ZONE.

Notwithstanding Section 5.3(a)ii of By-law 2667 an *ACCESSORY BUILDING* with a

height of 6.1 metres is permitted.

Notwithstanding Section 5.3 of By-law 2667, an *ACCESSORY BUILDING* with a *LOT COVERAGE* of 13.9 percent of the *LOT AREA* and which is located 0.6 metres from the northerly *LOT LINE* is permitted.

(54 WHITE AVENUE)

11.5.18 RM2-X4 ZONE (By-law 11095)

Part of *LOT 77*, east side of Niagara Street, Dunnigan's Survey now known as Plan 549 and 550 more particularly described as Part 1, Plan 59R-9878 known municipally as 262 Niagara Street and shown on Schedule "A" of By-law 11095 as "Change to RM2-X4 ZONE" is hereby rezoned RM2-X4 ZONE.

The *USES* permitted in the RM2-X4 ZONE shall be those permitted in the RM2 ZONE as well as a *TRIPLEX DWELLING*.

The provision for the RM2-X4 ZONE shall be those of the RM2 ZONE and the following:

TRIPLEX

Minimum <i>LOT FRONTAGE</i>	21 metres
Minimum <i>LOT AREA</i>	665 square metres
Minimum <i>FRONT YARD</i> Setback	6 metres
Minimum North <i>SIDE YARD</i>	1.69 metres
Minimum South <i>SIDE YARD</i>	2.4 metres
Minimum <i>REAR YARD</i>	6.96 metres

Notwithstanding Section 5.3(c)i of By-law 2667, as amended, the following provisions shall apply:

	3 Car Garage <u>(ACCESSORY BUILDING)</u>	Shed <u>(ACCESSORY BUILDING)</u>
Minimum East <i>YARD</i> Setback	0.0 metres	0.81 metres
Minimum South <i>YARD</i> Setback	0.01 metres	

(262 NIAGARA STREET)

11.5.19 RM2-X5 ZONE (By-law 2003-12)

That *LOT 54* and Part of *LOT 53*, north side of Elgin Street, Plans 549 and 550, known municipally as 35 Aqueduct Street and shown on Schedule "A" of By-law 2003-12 as

“Change to RM2-X5 ZONE” is hereby rezoned RM2-X5;

The *USES* permitted in the RM2-X5 ZONE shall be those permitted in the RM2 ZONE as well as a six (6) plex;

The provisions for the RM2-X5 ZONE shall be those of the RM2 ZONE save and accept for a six (6) plex which shall be as follows:

Minimum <i>LOT FRONTAGE</i>	30.0 metres
Minimum <i>LOT AREA</i>	960 square metres
Minimum <i>FRONT YARD</i> Setback	7.5 metres
Minimum <i>REAR YARD</i> Setback	14.0 metres
Minimum South <i>YARD</i> Setback	7.0 metres
Minimum North <i>YARD</i> Setback	5.0 metres
Minimum <i>LOT COVERAGE</i>	35%
For Existing <i>ACCESSORY BUILDING</i>	
Minimum West <i>YARD</i> Setback	0.5 metres
Minimum North <i>YARD</i> Setback	0.4 metres

(35 AQUEDUCT STREET)

11.5.20 RM2-X6 ZONE (By-law 2003-49)

1. That Part of Block V, Plan 564 located north of 264 Hellems Avenue and shown on Schedule “A” of By-law 2003-49 as “Change to RM2-X6 ZONE” is hereby rezoned RM2-X6 ZONE;
2. The *USE* permitted in a RM2-X6 ZONE shall be a *SINGLE-DETACHED DWELLING*;
3. The provisions for the RM2-X6 ZONE shall be those of the RM2 ZONE and except as follows:

Minimum <i>LOT FRONTAGE</i>	12.0 metres
Minimum <i>FRONT YARD</i> Setback	8.0 metres
Minimum <i>SIDE YARD</i> Setback – one side	2.4 metres
Minimum <i>SIDE YARD</i> Setback – other side	1.2 metres
4. That notwithstanding Section 2.1 – *ACCESSORY BUILDING/STRUCTURE* of By-law 2667, as amended, the *ACCESSORY BUILDING* on the subject lands as of the date of passing of this By-law shall be permitted without a *MAIN BUILDING*.

(NORTH OF 264 HELLEMS AVENUE)**11.5.21 RM2-X7 ZONE (By-law 2003-49)**

1. That Part of Block V, Plan 564 known municipally as 264 Hellems Avenue and as shown on Schedule "A" of By-law 2003-49 as "Change to RM2-X7 ZONE" is hereby rezoned RM2-X7 ZONE;
2. The *USES* permitted in a RM2-X7 ZONE shall be a *SINGLE-DETACHED DWELLING*;
3. The provisions for the RM2-X7 ZONE shall be those of the RM2 ZONE save and except as follows:

Minimum <i>LOT FRONTAGE</i>	12.8 metres
Minimum <i>FRONT YARD</i> Setback	5.8 metres
Minimum <i>SOUTH YARD</i> Setback	0.6 metres
Maximum <i>LOT COVERAGE</i>	45%
North Setback for Existing <i>ACCESSORY BUILDING</i>	0.45 metres

4. That notwithstanding Section 5.3 (d) *LOT COVERAGE* of By-law 2667, as amended, the existing *ACCESSORY BUILDING* may have a *LOT COVERAGE* of 169% of the *GROSS FLOOR AREA* of the *MAIN DWELLING*.

(264 HELLEMS AVENUE)**11.5.22 RM2-X8 ZONE (By-law 2003-49)**

1. That Part of Block V, Plan 564 known municipally as 266 and 268 Hellems Avenue and as shown on Schedule "A" of By-law 2003-49 as "Change to RM2-X8 ZONE" is hereby rezoned RM2-X8 ZONE;
2. The *USE* permitted in the RM2-X8 ZONE shall be a *SINGLE-DETACHED DWELLING* and a *FOUR-PLEX DWELLING*;
3. The provisions for the RM2-X8 ZONE shall be those of the RM2 ZONE save and except as follows:

Minimum <i>LOT FRONTAGE</i>	12.8 metres
Minimum <i>LOT AREA</i>	480 square metres
Minimum <i>FRONT YARD</i> Setback	5.1 metres
Minimum <i>REAR YARD</i> Setback	7.5 metres
Minimum North <i>YARD</i> Setback	2.1 metres
Minimum South <i>YARD</i> Setback	0.78 metres

Maximum *LOT COVERAGE* 35%

4. Notwithstanding Section 5.20.24 (15) – Off-Street Parking Requirements of By-law 2667, as amended, the minimum number of *PARKING SPACES* for the *FOUR-PLEX* shall be 4.

(266 AND 268 HELLEMS AVENUE)

11.5.23 RM2-X9 ZONE (By-law 2003-46)

1. That Lot 24, Plan 931 known municipally as 404 Ontario Road and shown on Schedule “A” of By-law 2003-46 as “Change to RM2-X9 ZONE” is hereby rezoned RM2-X9 ZONE;
2. The *USES* permitted in the RM2-X9 ZONE shall be a *SINGLE-DETACHED DWELLING*, a *SEMI-DETACHED DWELLING* or a *DUPLEX*;
3. The provisions for the RM2-X9 ZONE shall be those of the RM2 ZONE save and except as follows:

Minimum *LOT FRONTAGE* 17.6 metres

4. Any attached garage may be used for the storage of household goods and those goods normally incidental to residential *USE* by the Owner of the property or residential tenants of the property.

(404 ONTARIO ROAD)

11.5.24 RM2-X10 ZONE (By-law 2003-169)

1. That Lot 19 and Part of Lot 20, Plan 603, known municipally as 149 Elmview Street and shown on Schedule “A” attached to By-law 2003-169 as “Change to RM2-X10 ZONE” is hereby rezoned RM2-X10 ZONE;
2. The *USES* permitted in the RM2-X10 ZONE shall be those permitted in the RM2 ZONE as well as a *Triplex*;
3. The provisions for the RM2-X10 ZONE shall be those of the RM2 ZONE save and except for a *TRIPLEX* which shall be as follows:

Minimum *LOT FRONTAGE* 15.4 metres

Minimum *LOT AREA* 550 square metres

Minimum *FRONT YARD* Setback 4.6 metres (existing)

Minimum *EAST YARD* Setback 0.9 metres

Minimum *WEST YARD* Setback 2.4 metres

Maximum *LOT COVERAGE* 40 percent

4. Notwithstanding Section 5.3 (c) (i) of By-law 2667, as amended, the minimum *WEST YARD* setback for the existing *ACCESSORY BUILDING* shall be 0.6

metres;

5. Notwithstanding Section 5.20.24 (15) of By-law 2667, as amended, the existing *TRIPLEX* shall have a minimum of 3 required *PARKING SPACES*.

(149 ELMVIEW STREET)

11.5.25 RM2-X11 ZONE (By-law 2005-49)

1. That Part of Lot 246, former Township of Thorold, now in the City of Welland being Part 1, Plan 59R-2220 and Part 3, Plan 59R-11831, located on the south side of Woodlawn Road, east of South Pelham Road and shown on Schedule "A" attached to By-law 2005-49 as "Change to RM2-X11 ZONE" is hereby rezoned RM2-X11 ZONE;
2. The *USES* permitted in the RM2-X11 ZONE shall be those permitted in the RM2 ZONE;
3. The provisions of the RM2-X11 ZONE shall be those provided for in the RM2 ZONE save and except as follows:

Minimum *LOT AREA* for a *SEMI-DETACHED DWELLING* or *DUPLEX* (Part 1, Plan 59R-2220) 556 square metres

Minimum *LOT AREA* for a *DWELLING UNIT* of a *SEMI-DETACHED DWELLING* (Part 1, Plan 59R-2220 and north part of Part 3, Plan 59R-11831) 278 square metres

(SOUTH EAST CORNER SOUTH PELHAM ROAD AND WOODLAWN ROAD)

11.5.26 RM2-X12 ZONE (By-law 2005-88)

1. That Part of Block V, Plan 564, known municipally as 9 Asher Street and shown on Schedule "A" attached to By-law 2005-88 as "Change to RM2-X12 ZONE" is hereby rezoned RM2-X12 ZONE;
2. The *USES* permitted in the RM2-X12 ZONE shall be a *SINGLE-DETACHED DWELLING*;
3. The provisions for the RM2-X12 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	7.3 metres
Minimum <i>LOT AREA</i>	130.0 square metres
Minimum <i>FRONT YARD</i> Setback	5.0 metres
Minimum <i>REAR YARD</i> Setback	2.8 metres
Minimum East <i>YARD</i> Setback	0.0 metres (for existing structure only)
	1.5 metres (for any new structure)

Minimum West <i>YARD</i> Setback	1.0 metres (for existing structure only)
	1.5 metres (for any new structure)
Maximum <i>LOT COVERAGE</i>	50 percent

(9 ASHER STREET)

11.5.27 RM2-X13 ZONE (By-law 2005-88)

1. That Part of Block V, Plan 564 known municipally as 204 and 206 Hellems Avenue and shown on Schedule "A" attached to By-law 2005-88 as "Change to RM2-X13 ZONE" is hereby rezoned RM2-X13 ZONE;
2. The *USES* permitted in the RM2-X13 ZONE shall be a *SINGLE-DETACHED DWELLING* and a *SEMI-DETACHED DWELLING*;
3. The provisions for the RM2-X13 ZONE shall be as follows:

	DWELLING UNIT			
	<i>SINGLE-DETACHED DWELLING</i>	<i>SEMI-DETACHED DWELLING</i>	204	206
Minimum <i>LOT FRONTAGE</i>	11.6 metres	11.6 metres	5.6 metres	5.6 metres
Minimum <i>LOT AREA</i>	250.0 square metres	250.0 square metres	106.0 square metres	106.0 square metres
Minimum <i>FRONT YARD</i> Setback	6.0 metres	2.8 metres – <i>EXISTING</i>	2.8 metres – <i>EXISTING</i>	2.8 metres – <i>EXISTING</i>
		6.0 metres – new	6.0 metres – new	6.0 metres – new
Minimum <i>REAR YARD</i> Setback	7.0 metres	3.6 metres	3.6 metres	7.5 metres
		1.5 metres – new		
Minimum North Yard Setback	1.5 metres	0.6 metres – <i>EXISTING</i>	0.6 metres – <i>EXISTING</i>	0.6 metres – <i>EXISTING</i>
		1.5 metres - new	1.5 metres – new	1.5 metres – new
Minimum South Yard	1.5 metres	0.6 metres – <i>EXISTING</i>	0.6 metres – <i>EXISTING</i>	0.6 metres – <i>EXISTING</i>

Setback

		1.5 metres – new	1.5 metres – new	1.5 metres – new
Common Walls	-	0 metres	0 metres	0 metres
Minimum <i>LOT</i> <i>COVERAGE</i>	40 percent	45 percent	53 percent	53 percent

(204 AND 206 HELLEMS AVENUE)

11.5.28 RM2-X14 ZONE (By-law 2005-110)

1. That Lots 103, 104, 128, 129 and 130, Plan 937 known municipally as 344 Avon Street and shown on Schedule “A” attached to By-law 2005-110 as “Change to RM2-X14 ZONE” is hereby rezoned RM2-X14 ZONE;
2. The *USES* permitted in the RM2-X14 ZONE shall be those permitted in the RM2 and a Credit Union, *FRATERNAL ORGANIZATION, ASSEMBLY HALL, a DAY CARE FACILITY* and Associated Administrative Offices;
3. The provisions for the RM2-X14 ZONE shall be those provided for in the RM2 ZONE and the following:

For the *EXISTING* Building:

Minimum East <i>YARD</i> Setback	6.0 metres
Minimum North <i>YARD</i> Setback	6.0 metres
Minimum West <i>YARD</i> Setback	30.0 metres
Minimum South <i>YARD</i> Setback	12.0 metres

4. Notwithstanding Section 5.20 of By-law 2667, vehicle parking is permitted in the west and south yards;
5. Three (3) vehicular access points are permitted to the site;
6. A fence is required along the south property lines.

(344 AVON STREET)

11.5.29 H-RM2-X15 ZONE (By-law 2006-137)

1. That part of Lot 29 and 30, Concession 6, in the City of Welland, municipally known as 290 Riverside Drive and shown on Schedule “A” attached to By-law 2006-137 as “Change to H-RM2-X15 ZONE” is hereby rezoned H-RM2-X15 ZONE;
2. The *USES* permitted in the H-RM2-X15 ZONE shall be *SEMI-DETACHED DWELLINGS* and *BUILDINGS, STRUCTURES* and uses accessory thereto,

3. The provisions for the H-RM2-X15 ZONE shall be as follows:

	REGULATIONS FOR A SEMI-DETACHED DWELLING	REGULATIONS FOR EACH DWELLING UNIT OF A SEMI- DETACHED DWELLING
Minimum <i>LOT FRONTAGE</i>	18.0 metres	9.0 metres
Minimum <i>LOT AREA</i>	600 square metres	300 square metres
Minimum <i>FRONT YARD</i>	6.0 metres from the front of the <i>BUILDING</i> , except where there is an attached garage. When there is an attached garage the setback requirement will be 5.0 metres from the front of the <i>BUILDING</i> and 6.0 metres for the attached garage	6.0 metres from the front of the <i>BUILDING</i> , except where there is an attached garage. When there is an attached garage the setback requirement will be 5.0 metres from the front of the <i>BUILDING</i> and 6.0 metres for the attached garage
Minimum <i>REAR YARD</i>	7.5 metres	7.5 metres
Minimum <i>SIDE YARD</i>	1.5 metres	1.5 metres Common Wall – 0 metres
Maximum <i>LOT COVERAGE</i>	40%	40%

(290 RIVERSIDE DRIVE)

11.5.30 H-RM2-X16 ZONE (By-law 2007-159) (HOLDING SYMBOL “H” PARTIALLY REMOVED BY BY-LAW 2009-57 – LOTS 441 AND 442, PLAN 953) (HOLDING SYMBOL “H” PARTIALLY REMOVED BY BY-LAW 2010-32 – LOTS 1, 2, 6-12 (INCLUSIVE) AND BLOCK 16, PLAN 59M-378)

1. That Lots 441 to 453 inclusive, Lots 483 to 486 inclusive, Part of Lots 454 to 462 inclusive, Part of closed Vanier Drive and Part of closed Tanguay Street, Plan 953, former Township of Crowland, now in the City of Welland and shown on Schedule ‘A’ attached to By-law 2007-159 as “Change to H-RM2-X16 ZONE” is hereby rezoned H-RM2-X16 ZONE;
2. That the *USES* permitted in the H-RM2-X16 ZONE shall be *SEMI-DETACHED DWELLINGS* and *BUILDINGS, STRUCTURES* and *USES ACCESSORY* thereto;
3. That the provisions of the H-RM2-X16 ZONE shall be as follows:

	Regulations For A SEMI-DETACHED DWELLING	Regulations For Each DWELLING UNIT Of A SEMI-DETACHED DWELLING
Minimum <i>LOT FRONTAGE</i>	18 metres	8.0 metres
Minimum <i>LOT AREA</i>	545 square metres	240 square metres
Minimum <i>FRONT YARD</i>	6.0 metres	6.0 metres
Minimum <i>REAR YARD</i>	6.0 metres	6.0 metres
Minimum <i>SIDE YARD</i>	1.2 metres	1.2 metres
		Common Wall – 0 metres
Minimum <i>GROUND FLOOR AREA</i> Per Unit	N/A	45 square metres
Minimum <i>GROSS FLOOR AREA</i> Per Unit	N/A	69 square metres
Maximum <i>LOT COVERAGE</i>	50%	50%

4. Until such time as the Holding Symbol (H) is removed the only *USES* permitted shall be Model Homes in accordance with the Subdivider’s Agreement.

(VANIER COURT SUBDIVISION – NORTH OF LINCOLN STREET AND EAST OF VANIER DRIVE)

11.5.31 H-RM2-X17 ZONE (By-law 2007-159) (HOLDING SYMBOL “H” PARTIALLY REMOVED BY BY-LAW 2010-32 – LOTS 3, 4, 5, PLAN 59M-378)

1. That Lots 478 through 482 inclusive, Part of Lots 459 through 462 inclusive, Part of Lots 471, 472, 473 and 477 and 491 through 496 inclusive, Plan 953 and Part of Tanguay Street, Plan 953, former Township of Crowland, now in the City of Welland and shown on Schedule ‘A’ attached to By-law 2007-159 as “Change to H-RM2-X17 ZONE” is hereby rezoned H-RM2-X17 ZONE;
2. That the *USES* permitted in the H-RM2-X17 ZONE shall be *SEMI-DETACHED DWELLING* and *BUILDINGS, STRUCTURES* and *USES ACCESSORY* thereto;
3. That the provisions of the H-RM2-X17 ZONE shall be as follows:

Regulations For A SEMI-DETACHED DWELLING	Regulations For Each DWELLING UNIT Of A SEMI-DETACHED DWELLING
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Minimum <i>LOT FRONTAGE</i>	18 metres	8.0 metres
Minimum <i>LOT AREA</i>	545 square metres	240 square metres
Minimum <i>FRONT YARD</i>	6.0 metres	6.0 metres
Minimum <i>REAR YARD</i>	6.0 metres	6.0 metres
Minimum <i>SIDE YARD</i>	1.2 metres	1.2 metres
		Common Wall – 0 metres
Minimum <i>GROUND FLOOR AREA</i> Per Unit	N/A	45 square metres
Minimum <i>GROSS FLOOR AREA</i> Per Unit	N/A	69 square metres
Maximum <i>LOT COVERAGE</i>	50%	50%

- No *BUILDINGS* or *STRUCTURES* shall be permitted within the easterly 14.0 metres so long as the Ministry of Transportation has an identified future Highway 406 corridor.

(VANIER COURT SUBDIVISION – NORTH OF LINCOLN STREET AND EAST OF VANIER DRIVE)

11.5.32 H-RM2-X18 ZONE (By-law 2008-147)

- That Part Township Lot 233 shown on Schedule “A” attached to By-law 2008-147 as “Change to H-RM2-X18 ZONE” is hereby rezoned H-RM2-X18 ZONE;
- The *USES* permitted in the H-RM2-X18 ZONE shall be *SINGLE-DETACHED DWELLING, SEMI-DETACHED DWELLING, BED & BREAKFAST*;
- The provisions for the H-RM2-X18 ZONE for *SINGLE-DETACHED DWELLINGS, SEMI-DETACHED DWELLINGS* and *BED & BREAKFASTS* shall be those provided in the RM2 ZONE.

(597 FIRST AVENUE)

11.5.33 RM2-X19 ZONE (By-law 2009-10)

- That Part Lots 27 and 28, Plan 552 and shown on Schedule “A” attached to By-law 2009-10 as “Change to RM2-X19 ZONE” is hereby rezoned RM2-X19 ZONE.
- That the *USES* permitted in the RM2-X19 ZONE shall be a *SINGLE-DETACHED DWELLING*; a *SEMI-DETACHED DWELLING*.
- That the ZONE provisions of the RM2-X19 ZONE for a *SINGLE-DETACHED*

DWELLING shall be those provided for in the RM2 ZONE save and except as follows:

LOT AREA Minimum 550 square metres

4. That the ZONE provisions of the RM2-X19 ZONE for a SEMI-DETACHED DWELLING shall be those provided for in the RM2 ZONE save and except as follows:

	Regulations for a SEMI-DETACHED DWELLING	Regulations for each DWELLING UNIT of a SEMI-DETACHED DWELLING
<i>LOT AREA</i>	Minimum 550 square metres	Minimum 257 square metres

(42 BALD STREET)

11.5.34 RM2-X20 ZONE (By-law 2009-131)

1. That LOT 48 and Part of LANE, Plan 596 and shown on Schedule "A" attached to By-law 2009-131 as "Change to RM2-X20 ZONE" is hereby rezoned RM2-X20 ZONE.
2. That the USES permitted in the RM2-X20 ZONE shall be a SINGLE-DETACHED DWELLING and a PARKING LOT.
3. That the provisions of the RM2-X20 ZONE shall be those provided for in the RM2 ZONE save and except as follows:

LOT FRONTAGE Minimum 12.0 metres

LOT AREA Minimum 535 square metres

(207 ROSS STREET)

11.5.35 H-RM2-X21 ZONE (By-law 2009-132)

1. That Part of Lot 9, Plan 557 and shown on Schedule "A" attached to By-law 2009-132 as "Change to H-RM2-X21 ZONE" is hereby rezoned H-RM2-X21 ZONE.
2. That the USES permitted in the H-RM2-X21 ZONE shall be a SINGLE-DETACHED DWELLING, a DUPLEX, a TRIPLEX.
3. That the ZONE provisions for the H-RM2-X21 ZONE shall be as follows:

LOT FRONTAGE (north property line) Minimum 20 metres

LOT AREA Minimum 330 square metres

YARD Requirements

North *YARD* Minimum 2.2 metres

South *YARD* Minimum 0.3 metres

East Side *YARD* Minimum 0 metres

West Side *YARD* Minimum 5.1 metres

GROSS FLOOR AREA Per *DWELLING UNIT* Minimum 65 square metres

LOT COVERAGE Maximum 51 percent

4. Notwithstanding Section 5.20.4.1 of By-law 2667, as amended, required parking for a *TRIPLEX* is permitted within the north *YARD*.
5. Notwithstanding Section 5.20.24(15) of By-law 2667, as amended, the *TRIPLEX* shall have three (3) required *PARKING SPACES*.

(97 BURGAR STREET)