

SECTION 12 - MULTIPLE DWELLING- THIRD DENSITY ZONE- RM3

The following provisions shall apply in all MULTIPLE DWELLING- THIRD DENSITY ZONES RM3:

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

12.1 USES PERMITTED

12.1.1 Residential:

SINGLE-DETACHED DWELLING

SEMI-DETACHED DWELLING

DUPLEX

TRIPLEX (By-law 9621)

FREEHOLD TRIPLEX (By-law 2004-12)

FOURPLEX (By-law 9621)

TOWNHOUSE

GROUP HOME (By-law 7670)

STREET TOWNHOUSE (By-law 9439)

BOARDING OR LODGING HOUSE

BED & BREAKFAST

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

12.2.1 LOT FRONTAGE:

Minimum - 15 metres

12.2.2 LOT AREA:

Minimum - 555 square metres

12.2.3 YARD Requirements:

FRONT YARD - minimum 6.0 metres

REAR YARD - minimum 7.5 metres

SIDE YARD - minimum 1.5 metres

12.2.4 GROUND FLOOR AREA:

Minimum - 55 square metres

12.2.5 GROSS FLOOR AREA:

Minimum - 65 square metres

12.2.6 LOT COVERAGE:

Maximum - 35 percent

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

Regulations for a SEMI-DETACHED DWELLING or a DUPLEX

Regulations for each DWELLING UNIT of a SEMI-DETACHED DWELLING

12.3.1 LOT FRONTAGE:

Minimum 18 metres

Minimum 9 metres

12.3.2 LOT AREA:

Minimum 612 square metres

Minimum 306 square metres

12.3.3 GROSS FLOOR AREA per DWELLING UNIT:

Minimum - 65 square metres

12.3.4 LOT COVERAGE:

Maximum - 40 percent

12.3.5 YARD Requirements:

Regulations for a SEMI-DETACHED DWELLING

Regulations for each DWELLING UNIT of a SEMI-DETACHED DWELLING

FRONT YARD:

Minimum 6 metres

Minimum 6 metres

REAR YARD:

Minimum 7.5 metres

Minimum 7.5 metres

SIDE YARD:

Minimum 1.5 metres

Minimum Exterior -

Minimum 1.5 metres

Common Wall - 0 metres

GROUND FLOOR AREA per DWELLING UNIT:

Minimum for *SEMI-DETACHED DWELLING* - 50 square metres

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

12.4 TRIPLEX AND FOURPLEX

12.4.1 *LOT FRONTAGE:*

Minimum - 21.0 metres (**By-law 6692**)

12.4.2 *LOT AREA:*

Minimum - 665 square metres

12.4.3 *YARD Requirements:*

FRONT YARD minimum 6.0 metres

REAR YARD minimum 7.5 metres

SIDE YARD minimum one side 1.8 metres

minimum other side 2.4 metres

12.4.4 *GROSS FLOOR AREA per DWELLING UNIT:*

Minimum - 65 square metres (**By-law 2972**)

12.4.5 *LOT COVERAGE:*

Maximum - 40 percent (**By-law 2972**)

12.4A FREEHOLD TRIPLEX (By-law 2004-12)

**Regulations for a
*FREEHOLD TRIPLEX***

**Regulations for each
DWELLING UNIT of a
*FREEHOLD TRIPLEX***

12.4A.1	<i>LOT FRONTAGE</i>	Minimum 21.0 metres	Interior Unit - Minimum 6 metres End Unit - Minimum 9 metres
12.4A.2	<i>LOT AREA</i>	Minimum 665 square metres	Minimum 232 square metres
12.4A.3	<i>FRONT YARD</i>	Minimum 6.0 metres	Minimum 6.0 metres
	<i>REAR YARD</i>	Minimum 7.5 metres	Minimum 7.5 metres
	<i>SIDE YARD</i>	Minimum 3.0 metres	Minimum End Units - 3.0 metres Minimum Interior Units - 1.5 metres Common Wall - 0 metres
12.4A.4	<i>GROUND FLOOR AREA</i>	N/A	Minimum 40 square metres
12.4A.5	<i>GROSS FLOOR AREA</i>	N/A	Minimum 65 square metres
12.4A.6	<i>LOT COVERAGE</i>	Maximum 40%	Maximum 40%
12.5	<u>TOWNHOUSE</u> (By-law 2003-137)		
		<u>Regulations for a TOWNHOUSE LOT</u>	<u>Regulations for a TOWNHOUSE BUILDING</u>
12.5.1	<i>LOT FRONTAGE</i>	Minimum 21.0 metres	N/A
12.5.2	<i>LOT AREA</i>	Minimum 232 square metres per <i>DWELLING UNIT</i>	Minimum 232 square metres per <i>DWELLING UNIT</i>
12.5.3	<i>FRONT YARD</i>	Minimum 6.0 metres	
	<i>REAR YARD</i>	Minimum 7.5 metres	Minimum 7.5 metres from rear of unit to closest <i>LOT LINE</i>
	<i>SIDE YARD</i>	Minimum 4.5 metres	Minimum 4.5 metres from end unit to closest <i>LOT LINE</i> and to another group of dwellings
12.5.4	<i>GROUND FLOOR AREA</i>	N/A	Minimum 40 square metres per <i>DWELLING</i>

			<i>UNIT</i>
12.5.5	<i>GROSS FLOOR AREA</i>	N/A	Minimum 65 square metres per <i>DWELLING UNIT</i>
12.5.6	<i>LOT COVERAGE</i>	40%	N/A
12.5A	<u>STREET TOWNHOUSE</u> (By-law 9196)		
	Regulations for a <u>STREET TOWNHOUSE</u>		Regulations for each <i>DWELLING UNIT</i> of a <u>STREET TOWNHOUSE</u>
12.5A.1	<i>LOT FRONTAGE:</i>		
	Minimum 27 metres		Interior Unit - Minimum 6 metres End Unit - Minimum 10.5 metres
12.5A.2	<i>LOT AREA:</i>		
	Minimum 928 square metres		Minimum 232 square metres
12.5A.3	<i>YARD Requirements:</i>		
	<i>FRONT YARD:</i>		
	Minimum 6 metres		Minimum 6 metres
	<i>REAR YARD:</i>		
	Minimum 7.5 metres		Minimum 7.5 metres
	<i>SIDE YARD:</i>		
	Minimum 4.5 metres		Minimum end units 4.5 metres Minimum Interior Units – 1.5 metres (By-law 2003-137) Common Wall – 0 metres (By-law 2003-137)
12.5A.4	<i>GROUND FLOOR AREA:</i>		
	n/a		Minimum 40 square metres
12.5A.5	<i>GROSS FLOOR AREA:</i>		
	n/a		Minimum 65 square metres
12.5A.6	<i>LOT COVERAGE:</i>		
	Maximum 40 percent		Maximum 40 percent

12.6 BOARDING OR LODGING HOUSE

The requirements for a *BOARDING OR LODGING HOUSE* shall conform to the provisions of Section 11.4 of this By-law.

12.8 EXCEPTIONS

12.8.1 Parcel 1

Notwithstanding the provisions of Section 12.1.1 and 12.1.2, Frank Panneta being the owner of the east half of *LOT 46*, Fitch and Griffiths Plan, being part of Plan 1649 for the City of Welland, be given a special home occupancy *USE* allowing him to conduct a two-chair barber shop on the premises provided he resides and works in the same *BUILDING*. **(By-law 3089)**

(190 LINCOLN STREET)

12.8.2 Notwithstanding anything contained in Section 12.1 that:

Firstly: All of *LOTS 5* and *6* on the South side of West Main Street, according to Jesse Stoner Plan for the City of Welland, and now part of Registered Plan 1649, for the said City.

Secondly: The East half of the East Half of *LOT 7* on the south side of West Main Street, according to Jesse Stoner Plan for the City of Welland, and now part of Registered Plan 1649 for the said City.

Thirdly: The Westerly 12.192 metres from front to rear of *LOT* Number 12, on the North Side of Bald Street, according to Jesse Stoner Plan for the City of Welland, and now part of Registered Plan 1649 for the said City, and any buildings or structures located or erected on the said lands may be used as a *FUNERAL HOME* together with off-*STREET* parking; provided that all other provisions of this By-law, as amended, shall apply. **(By-law 3141)**

(241 WEST MAIN STREET - ALSO SEE: 12.8.3, 12.8.4, 12.8.7)

12.8.3 Notwithstanding anything contained in By-law No. 2667, *LOT 5* on the south side of West Main Street according to the Jesse Stoner Plan for the City of Welland, and now part of Registered Plan 1649 for the said City, be exempted from the requirements for *FRONT YARDS* to the extent only that a *BUILDING* may be constructed thereon to within 2.134 metres of the front line. **(By-law 3241)**

(241 WEST MAIN STREET - ALSO SEE: 12.8.2, 12.8.4, 12.8.7)

- 12.8.4**
1. The lands thirdly described in Schedule "B" of By-law 7919 shall be exempted from the requirements for *FRONT YARD* to the extent that the *BUILDING* may be constructed thereon to within 1.829 metres of the front property line as shown in the site plan authorized by By-law 7918.
 2. The lands thirdly described in Schedule "B" of By-law 7919 shall be exempted from the requirements for *SIDE YARDS* to the extent that a *BUILDING* may be constructed as shown in the site plan authorized by By-law 7918.
 3. The lands thirdly described in Schedule "B" of By-law 7919 shall be exempted

from the requirements for *REAR YARD* to the extent that the *BUILDING* may be constructed as shown in the site plan authorized by By-law 7918.

(241 WEST MAIN STREET - ALSO SEE: 12.8.2, 12.8.3, 12.8.7)

- 12.8.5** Notwithstanding the provisions of By-law 2667, *LOTS* 232 and 233, according to Registered Plan 10, for the Township of Crowland, now in the City of Welland, now known as Plan 933, may be used as a Union Hall and/or *ASSEMBLY HALL*, subject to the provisions of Section 21.2.2. **(By-law 6966)**

(16 STEEL STREET - ALSO SEE: 21.3.4)

- 12.8.6** Notwithstanding the provisions of By-law 2667, *LOT* 241, according to Registered Plan 877, for the Township of Crowland, now in the City of Welland, now known as Plan 565, may be used for a parking *LOT*. **(By-law 6966)**

(LOT BETWEEN 9 AND 15 IRON STREET)

- 12.8.7** Notwithstanding the provisions of Section 12.1, the lands firstly and secondly described in Schedule "B" attached to By-law 7919 shall be given an exemption to allow the *USE* of the said lands for the purpose of off-*STREET* parking to be used in conjunction with the *FUNERAL HOME*.

(241 WEST MAIN STREET - ALSO SEE: 12.8.2, 12.8.3, 12.8.4)

- 12.8.8**
1. Notwithstanding the provisions of Section 12, the lands described in Schedule "B" attached to By-law 8364, shall be given an exemption to allow the *USE* of the said lands for the purposes of eleven, multiple-attached, one-storey, *DWELLING UNITS* with nine of such units being located on the first floor and two of such units being located on the second floor.
 2. Notwithstanding the provisions of Section 12.5.4, the lands described in Schedule "B" attached to By-law 8364, shall be given an exemption to allow the *GROSS FLOOR AREA* per *DWELLING UNIT* to be in accordance with Section 14.5.4 of By-law 2667.

(20-22 KINGSWAY)

- 12.8.9** Notwithstanding the provisions of Section 12, the lands firstly and secondly described in Schedule "B" attached to By-law 8504 shall be used only for an *ATHLETIC/FITNESS CLUB*.

(370 HELLEMS AVENUE - ALSO SEE: 5.20.17)

- 12.8.10**
1. Notwithstanding the provisions of Section 12, the lands described in Schedule "B" attached to By-law 9566 shall be exempted from the requirements for the *FRONTAGE* from the required 21.0 metres to 10.06 metres;
 2. Notwithstanding the provisions of Section 12, the lands described in Schedule "B" attached to By-law 9566 shall be exempted from the requirements for the *REAR YARD* from the required 7.5 metres to 4.5 metres.

(138 THOROLD ROAD - ALSO SEE: 5.20.20)

12.8.11 Notwithstanding the provisions of Section 12, the lands described as "Firstly" in Schedule "B" attached to By-law 9638, shall be used only for the construction of fourteen (14) *STREET TOWNHOUSES*.

(819 - 845 CLARE AVENUE)

12.8.12 Deleted by By-law 10578.

12.8.13 RM3-X1 ZONE (By-law 10177) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2005-89)

LOT 1 and Part of *LOTS 2, 9 and 10*, Plan 614 shown on Schedule "A" of By-law 10177 as "Change to H-RM3-X1 ZONE" is hereby rezoned H-RM3-X1 ZONE.

The *USES* permitted in the RM3-X1 ZONE shall be a maximum of four (4) *STREET TOWNHOUSES*.

The ZONE Provisions for the RM3-X1 ZONE shall be as follows:

REGULATIONS FOR A STREET TOWNHOUSE

REGULATIONS FOR EACH DWELLING UNIT OF A STREET TOWNHOUSE

LOT FRONTAGE:

Minimum 33 metres

Interior Unit	Minimum metres	6.0
East End Unit	Minimum metres	12.0
West End Unit	Minimum metres	9.0

LOT AREA:

Minimum 696 square metres

Minimum 232 square metres

YARD Requirements:

FRONT YARD:

Minimum 12 metres

Minimum 12 metres

REAR YARD:

Minimum 15.2 metres

Minimum 15.2 metres

SIDE YARD:

East side Minimum 6.0 metres

Minimum 6.0 metres

West Side Minimum 3.0 metres

Minimum 3.0 metres

Interior Units - nil either side

(29, 31, 31 ½ AND 33 THOROLD ROAD))

12.8.14 RM3-X2 ZONE (By-law 10178) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 10253)

Part of LOT 89, Plan 550 known municipally as 360 Niagara Street, shown on Schedule "A" of By-law 10178 as "change to H-RM3-X2 ZONE" is hereby rezoned H-RM3-X2 ZONE.

The USES permitted in the RM3-X2 ZONE shall be a TRIPLEX.

Prior to the lifting of the holding symbol (H) the only USE permitted will be the EXISTING DUPLEX.

The ZONE Provisions for the RM3-X2 ZONE shall be as follows:

LOT FRONTAGE:

Minimum 13.4 metres

LOT AREA:

Minimum 595 square metres

YARD Requirements:

<i>FRONT YARD</i>	Minimum 3.5 metres
<i>REAR YARD</i>	Minimum 7.5 metres
<i>SIDE YARD</i>	Minimum one side 1.2 metres
	Minimum other side 2.4 metres

GROSS FLOOR AREA Per DWELLING UNIT:

Minimum - 65 square metres

LOT COVERAGE:

Maximum - 40 percent

Driveway Access:

Minimum width - 3.8 metres

(360 NIAGARA STREET)

12.8.15 RM3-X3 ZONE (By-law 10642) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2000-45)

1. That Part of *LOT 236*, former Township of Thorold, now in the City of Welland (Part 2, Plan 59R-5056), shown on Schedule "A" attached to By-law 10642 amended as "Change to H-RM3-X3 ZONE" is hereby rezoned H-RM3-X3 ZONE.
2. The *USES* permitted in the RM3-X3 ZONE shall be limited to a six (6) unit cluster type *TOWNHOUSE* complex.
3. The provisions of the RM3-X3 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	45 metres
Minimum <i>LOT AREA</i>	2,000 square metres
Minimum <i>FRONT YARD</i>	6 metres
Minimum <i>REAR YARD</i>	7.5 metres
Minimum South <i>SIDE YARD</i>	7.5 metres
Minimum North <i>SIDE YARD</i>	2 metres
Minimum <i>LANDSCAPED OPEN SPACE</i>	40 percent
Maximum <i>LOT COVERAGE</i>	40 percent
Minimum <i>GROUND FLOOR AREA</i> Per Unit	40 square metres
Minimum <i>GROSS FLOOR AREA</i> Per Unit	65 square metres
Maximum <i>BUILDING HEIGHT</i>	10.5 metres
Parking Requirements	1.5 spaces per unit

(810 CLARE AVENUE)

12.8.16 RM3-X4 ZONE (By-law 10574)

Part of *LOT 224*, former Township of Thorold, now in the City of Welland, located north of Quaker Road, west of Towpath Road and shown on Schedule "A" of By-law 10574 as "Change to RM3-X4 ZONE" is hereby rezoned RM3-X4 ZONE.

The *USES* permitted and the provisions for the RM3-X4 ZONE shall be those permitted and provided for in the Multiple *DWELLING*- Third Density Zone (RM3) save and except as follows:

Notwithstanding any other Section of Zoning By-law 2667, as amended, no *PERSON* shall *ERECT* any *BUILDING* or tennis courts, gazebos, sheds, *ACCESSORY BUILDINGS* or fences on any portion of any property within a setback of 7.0 metres from the easterly rear property line.

(PART OF TOWPATH VILLAGE SUBDIVISION - 78-104 BRITANNIA AVENUE)

12.8.17 RM3-X5 ZONE (By-law 10574 and 11003)

Part of LOT 224, former Township of Thorold, now in the City of Welland, located north of Quaker Road, west of Towpath Road and shown on Schedule "A" of By-law 10574 as "Change to RM3-X5 ZONE" is hereby rezoned RM3-X5 ZONE.

The *USES* permitted and the provisions for the RM3-X5 ZONE shall be those permitted and provided for in the Multiple DWELLING- Third Density ZONE (RM3) save and except as follows:

1. Notwithstanding any other Section of Zoning By-law 2667, as amended, no PERSON shall ERECT any BUILDING or tennis courts, gazebos, sheds, ACCESSORY BUILDINGS or fences on any portion of any property within a setback of 8.0 metres from the northerly rear property line.
2. 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. **(By-law 11003)**

(PART OF TOWPATH VILLAGE SUBDIVISION - 2-10 (EVEN) GRETEL PLACE)

12.8.18 RM3-X6 ZONE (By-law 10700 and 10836)

1. Part of LOT 224, former Township of Thorold, now in the City of Welland located north of Quaker Road, west of Towpath Road and shown on Schedule "A" of By-law 10700 and By-law 10836 as "Change to RM3-X6 ZONE" is hereby rezoned RM3-X6 ZONE.
2. The *USES* permitted in and the provisions for the RM3-X6 ZONE shall be those permitted in and provided for in the Multiple DWELLING- Third Density ZONE (RM3) save and except as follows:

	REGULATIONS FOR STREET TOWNHOUSE	A	REGULATIONS FOR EACH DWELLING UNIT OF A STREET TOWNHOUSE
Minimum FRONTAGE	LOT 27 metres		End Unit - 10.2 metres
Minimum LOT AREA	696 square metres		225 square metres
SIDE YARD	Minimum 3.0 metres except where a STREET TOWNHOUSE BUILDING flanks an O1 Zone where the minimum shall be 4.5 metres		Minimum End Units - 3.0 metres except where an end unit flanks an O1 Zone where the minimum shall be 4.5 metres Interior Units - nil either side
Maximum COVERAGE	LOT 45 percent		50 percent

(PART OF TOWPATH VILLAGE SUBDIVISION - 21-221 (ODD) ST. LAWRENCE DRIVE)

12.8.19 RM3-X7 ZONE (By-law 10700, 10836, 11003 AND 2001-31)

1. Part of LOT 224, former Township of Thorold, now in the City of Welland, located north of Quaker Road, west of Towpath Road and shown on Schedule "A" of By-laws 10700, 10836, 11003 and 2001-31 as "Change to RM3-X7 ZONE" is hereby rezoned RM3-X7 ZONE.
2. The USES permitted in and the provisions for the RM3-X7 ZONE shall be those permitted in and provided for in the Multiple DWELLING- Third Density ZONE (RM3) save and except as follows:

	REGULATIONS FOR A STREET TOWNHOUSE	REGULATIONS FOR EACH DWELLING UNIT OF A STREET TOWNHOUSE
Minimum FRONTAGE	LOT 27 metres	End Unit - 10.2 metres
Minimum LOT AREA	696 square metres	225 square metres
SIDE YARD	Minimum 3.0 metres except where a STREET TOWNHOUSE BUILDING flanks a STREET or a USE other than a STREET TOWNHOUSE, where the minimum shall be 4.5 metres	Minimum End Units - 3.0 metres except where an end unit flanks a STREET or a USE other than a STREET TOWNHOUSE, where the minimum shall be 4.5 metres Interior Units - nil either side
Maximum COVERAGE	LOT 45 percent	50 percent

	REGULATIONS FOR A SEMI-DETACHED DWELLING	REGULATIONS FOR EACH DWELLING UNIT OF SEMI-DETACHED DWELLING
SIDE YARD	Minimum Exterior 1.5 metres	Minimum Exterior 1.5 metres
LOT AREA	Minimum 576 square metres (By-law 11003)	Minimum 288 square metres

(PART OF TOWPATH VILLAGE SUBDIVISION - 983-1067 (ODD) HANSLER ROAD)

12.8.20 RM3-X8 ZONE (By-law 10836)

1. Part of LOT 224, former Township of Thorold, now in the City of Welland, located north of Quaker Road, west of Towpath Road and shown on Schedule

“A” of By-law 10836 as “Change to RM3-X8 ZONE” is hereby rezoned RM3-X8 ZONE;

- The *USES* permitted in and the provisions for the RM3-X8 ZONE shall be those permitted in and provided for in the Multiple *DWELLING*- Third Density ZONE (RM3) save and except as follows:

	REGULATIONS FOR STREET TOWNHOUSE	A	REGULATIONS FOR EACH DWELLING UNIT OF A STREET TOWNHOUSE
Minimum <i>FRONTAGE</i>	<i>LOT</i> 27 metres		End Unit - 10.2 metres
Minimum <i>LOT AREA</i>	696 square metres		225 square metres
Maximum <i>COVERAGE</i>	<i>LOT</i> 45 percent		50 percent

(PART OF TOWPATH VILLAGE SUBDIVISION - 247-545 (ODD) ST. LAWRENCE DRIVE)

12.8.21 RM3-X9 ZONE (By-law 10965)

- That Part of *LOT* 26, Concession 6, former Township of Crowland, now in the City of Welland more particularly described as Part 2, Plan 59R-6691 and as shown on Schedule “A” of By-law 10965 as “Change to RM3-X9 ZONE” is hereby rezoned RM3-X9 ZONE.
- The *USE* permitted in the RM3-X9 ZONE shall be a *TRIPLEX*.
- The provisions for the RM3-X9 ZONE shall be those provided for in the Multiple *DWELLING* - Third Density ZONE (RM3) for a *TRIPLEX* save and except as follows:

Minimum <i>LOT FRONTAGE</i>	15.2 metres
Minimum <i>LOT AREA</i>	436 square metres
Minimum <i>LANDSCAPED OPEN SPACE</i>	40 percent of <i>LOT AREA</i>

Notwithstanding Sections 5.20.4.1 and 5.20.24 - Off-*STREET* Parking Requirements, required parking is permitted in the *FRONT YARD* and the minimum requirement for parking spaces is four (4).

(33 CANAL BANK STREET)

12.8.22 RM3-X10 ZONE (By-law 10987) (HOLDING SYMBOL “H” REMOVED BY BY-LAW 11093)

- That the easterly 43.56 metres of Part 5, Plan 59R-5331 being Part of *LOT* 246, former Township of Thorold, now in the City of Welland, known municipally as 660 South Pelham Road and shown on Schedule “A” of By-law 10987 as “Change to H-RM3-X10 ZONE” is hereby rezoned H-RM3-X10

ZONE.

2. The *USES* permitted in the RM3-X10 *ZONE* shall be limited to a maximum of eight (8) *TOWNHOUSES*.
3. The provisions for the RM3-X10 *ZONE* shall be as follows:

Minimum <i>LOT FRONTAGE</i>	0 metres
Minimum <i>LOT AREA</i>	2,840 square metres
Minimum North <i>YARD</i> Setback	7.5 metres
Minimum East <i>YARD</i> Setback	3.0 metres
Minimum South <i>YARD</i> Setback	7.5 metres
Minimum West <i>YARD</i> Setback	3.0 metres
Minimum <i>LANDSCAPED OPEN SPACE</i>	40 percent
Maximum <i>LOT COVERAGE</i>	40 percent
Minimum <i>GROSS FLOOR AREA</i> Per Unit	65 square metres
4. That notwithstanding any other Section of Zoning By-law 2667:
 - (a) The subject lands may exist as a *LOT* without *FRONTAGE* on a *STREET*;
 - (b) A *BUILDING*(s) or *STRUCTURE*(s) may be erected and used on the subject lands;
 - (c) Access to the subject lands will be by way of a permanent easement over the adjoining lands to the west;
 - (d) A total of one (1) *PARKING SPACE* per *DWELLING UNIT* shall be provided on the subject lands with an additional minimum of four (4) *PARKING SPACES* being provided, through a long term lease, on the adjacent property to the west.
 - (e) A closed board fence shall not be required between the subject lands and the lands to the west as a buffer for the parking area.

(658 SOUTH PELHAM ROAD)

12.8.23 RM3-X11 ZONE (By-law 11232) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 1999-111) (By-law 2000-67) (By-law 2003-85)

1. That Part of Parts 1 and 2, Plan 59R-9399 and shown on Schedule "A" of By-law 11232 as "Change to H-RM3-X11 *ZONE*" is hereby rezoned H-RM3-X11 *ZONE*.
2. The *USES* permitted in the H-RM3-X11 *ZONE* shall be those residential

USES permitted in the RM3 *ZONE*.

3. Notwithstanding Sections 5.2 and 5.20 of By-law 2667, the provisions for the H-RM3-X11 *ZONE* shall be those provided for in the RM3 *ZONE*. The provisions of Sections 5.2 and 5.20 of By-law 2667 shall apply save and accept references to *STREET* shall be read as private streets.
4. The provisions for the RM3-X11 *ZONE* shall be those provided for in the RM3 *ZONE* save and except as follows:
 - (i) The maximum *LOT COVERAGE* for interior *TOWNHOUSE UNITS* shall be 55% and the maximum *LOT COVERAGE* the whole of a *TOWNHOUSE BLOCK* shall be 45%;
5. Notwithstanding Section 5.7 - Encroachments of By-law 2667 a privacy screen/wall with foundation may protrude a maximum of 2 metres into the required 7.5 metre *REAR YARD* in the RM3-X11 *ZONE*.

(SOUTH SIDE MORRIS TRAIL, LOTS 18-29, 54-83, PLAN 59M-269, ST. ANDREWS TERRACE SUBDIVISION)

12.8.24 RM3-X12 ZONE (By-law 2000-35)

1. That Part of LOT 229, former Township of Thorold, now in the City of Welland located east of Lancaster Drive, south of Jefferson Court East and shown on Schedule "A" of By-law 2000-35 as "Change to RM3-X12 *ZONE*" is hereby rezoned RM3-X12 *ZONE*.
2. The *USES* permitted in the RM3-X12 *ZONE* shall be those permitted in the RM3 *ZONE*.
3. The provisions for the RM3-X12 *ZONE* shall be those provided for in the RM3 *ZONE* save and except as follows:

REGULATIONS FOR A STREET TOWNHOUSE	REGULATIONS FOR EACH DWELLING UNIT OF A STREET TOWNHOUSE
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SIDE YARD

Minimum 3.0 metres except where a <i>STREET TOWNHOUSE</i> building flanks a street where the minimum shall be 4.5 metres	Minimum End <i>UNITS</i> - 3.0 metres except where an end <i>UNIT</i> flanks a <i>STREET</i> where the minimum shall be 4.5 metres
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Maximum <i>LOT COVERAGE</i>	50 percent
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(EAST OF LANCASTER DRIVE, SOUTH OF JEFFERSON COURT EAST)

12.8.25 RM3-X13 ZONE (By-law 2000-35)

1. That Part of LOT 229, former Township of Thorold, now in the City of Welland located east of Lancaster Drive, south of Jefferson Court East and shown on Schedule "A" of By-law 2000-35 as "Change to RM3-X13 *ZONE*" is hereby

rezoned RM3-X13 ZONE.

2. The Uses permitted in the RM3-X13 ZONE shall be restricted to a *SINGLE-DETACHED DWELLING*, a *SEMI-DETACHED DWELLING* or a *STREET TOWNHOUSE*.
3. The provisions for the RM3-X13 ZONE shall be those provided for in the RM3 ZONE save and except as follows:

REGULATIONS FOR A STREET TOWNHOUSE	REGULATIONS FOR EACH DWELLING UNIT OF A STREET TOWNHOUSE
---	---

SIDE YARD

Minimum West - 7.0 metres	Minimum West Exterior - 7.0 metres
Minimum East - 3.0 metres	Minimum East Exterior - 3.0 metres
Maximum <i>LOT COVERAGE</i>	50 percent

(EAST OF LANCASTER DRIVE, SOUTH OF JEFFERSON COURT EAST)

12.8.26 RM3-X14 ZONE (By-law 2001-32)

1. That Part of *LOT 3*, N.T. Fitch Plan, Plan 554 known municipally as 284 Niagara Street and shown on Schedule "A" attached to By-law 2001-32 as "Change to RM3-X14 ZONE" is hereby rezoned RM3-X14 ZONE.
2. The *USES* permitted in the RM3-X14 ZONE shall be those permitted in the RM3 ZONE.
3. The provisions for the RM3-X14 ZONE shall be those provided for in the RM3 ZONE save and except as follows:

FOURPLEX

Minimum <i>LOT FRONTAGE</i>	17 metres
Minimum <i>LOT AREA</i>	530 square metres
Minimum <i>FRONT YARD</i> Setback	6.0 metres
Minimum <i>REAR YARD</i> Setback	7.5 metres
Minimum North <i>SIDE YARD</i> Setback	2.4 metres
Minimum South <i>SIDE YARD</i> Setback	0.8 metres
Maximum <i>LOT COVERAGE</i>	40%

4. Notwithstanding Section 5.3 (c) (i) of By-law 2667, the minimum south *SIDE YARD* setback for the existing *ACCESSORY BUILDING* (garage) shall be 0.8 metres.

5. Notwithstanding Section 5.20.24 (15) of By-law 2667, the existing *FOURPLEX* shall have a minimum of 4 required *PARKING SPACES*.

(284 NIAGARA STREET)

12.8.27 RM3-X15 ZONE (By-law 2001-33)

1. That Part of *LOT 18*, Plans 549 and 550 known municipally a 35 Elgin Street and shown on Schedule "A" attached to By-law 2001-33 as "Change to *RM3-X15 ZONE*" is hereby rezoned *RM3-X15 ZONE*.
2. The *USES* permitted in the *RM3-X15 ZONE* shall be those permitted in the *RM3 ZONE*.
3. The provisions for the *RM3-X15 ZONE* shall be those provided for in the *RM3 ZONE* save and except as follows:

TRIPLEX

- | | |
|---------------------------------------|-------------------|
| Minimum <i>LOT FRONTAGE</i> | 20.0 metres |
| Minimum <i>LOT AREA</i> | 415 square metres |
| Minimum <i>FRONT YARD</i> Setback | 1.6 metres |
| Minimum <i>REAR YARD</i> Setback | 7.5 metres |
| Minimum East <i>SIDE YARD</i> Setback | 2.4 metres |
| Minimum West <i>SIDE YARD</i> Setback | 0.4 metres |
| Maximum <i>LOT COVERAGE</i> | 40% |
4. Notwithstanding Section 5.3 (c) (i) of By-law 2667, the minimum south *SIDE YARD* setback for the existing *ACCESSORY BUILDING* shall be 0.3 metres.
 5. Notwithstanding Section 5.20.24 (15) of By-law 2667, the existing *TRIPLEX* shall have a minimum of 2 required *PARKING SPACES*.

(35 ELGIN STREET)

12.8.28 H-RM3-X16 ZONE (By-law 2004-21 deleted and replaced by By-law 2007-64) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2008-163)

1. That Block 150, 59M-269 shown on Schedule "A" attached hereto to By-law 2007-64 as "Change to *H-RM3-X16 ZONE*" is hereby Rezoned *H-RM3-X16 ZONE*.
2. The *USES* permitted in the *H-RM3-X16 ZONE* shall be *SINGLE-DETACHED DWELLINGS* and a *FREEHOLD TRIPLEX*.
3. The provisions for the *H-RM3-X16 ZONE* for *SINGLE-DETACHED DWELLINGS* shall be those provided in the *RM3 ZONE*, save and except as

follows:

YARD Requirements:

FRONT YARD 4.5 metres to *DWELLING UNIT*

6.0 metres to attached garage

SIDE YARD 1.25 metres

LOT COVERAGE: Maximum 50%

Porches shall be excluded from the calculation of *LOT COVERAGE*;

4. The provisions for the H-RM3-X16 *ZONE* for each *DWELLING UNIT* of a *FREEHOLD TRIPLEX* shall be those provided for in the RM3 *ZONE*, save and except as follows:

YARD Requirements:

FRONT YARD 4.5 metres to *DWELLING UNIT*

6.0 metres to attached garage

LOT COVERAGE: Maximum 50%

Porches shall be excluded from the calculation of *LOT COVERAGE*;

5. The provisions of Sections 5.2 and 5.20 of By-law 2667, as amended, shall apply save and except references to *STREET* shall be read as private *STREETS* for properties accessed via Perth Trail.
6. Notwithstanding Section 5.7 of By-law 2667, as amended, porches are permitted to encroach a maximum of 1.8 metres into the *FRONT YARD* for *SINGLE-DETACHED DWELLINGS* and *FREEHOLD TRIPLEX UNITS*. In the case of *CORNER LOTS*, such encroachment of the porch is not permitted.
7. Notwithstanding Section 5.7 of By-law 2667, as amended, covered or uncovered steps/stairs that are used to provide access from the ground to the porch, permitted as an encroachment, shall be located no closer than 1.0 metre from the *FRONT LOT LINE* on all lots except *CORNER LOTS*. In the case of *CORNER LOTS*, no encroachment of covered or uncovered steps/stairs is permitted.
8. Until such time as the Holding Symbol (H) is removed, the only *USES* permitted shall be Model Homes, the type and location of which are shown in the executed Model Home Agreement.

9. That “Model Home”, for the purposes of this By-law, shall be defined as follows:

“Model Home – A *SINGLE-DETACHED* or block *DWELLING UNIT* not provided with municipal water and sewer services and not occupied as a *DWELLING* to be used in the interim for the sole purposes of marketing, display, promotion and the sale of residential *UNITS*”.

10. Notwithstanding Section 2.80 of By-law 2667, as amended, where a Model Home Agreement has been executed by the City and the Owner, Building Permits may be issued on the basis of the proposed *LOTS/BLOCKS* and *YARD* setbacks in accordance and as identified in said Agreement. In such instances, the proposed *LOT* and *DWELLING* shall not be conveyed by way of deed or transfer prior to servicing the *BUILDING* for which the permit was issued.
11. Notwithstanding Section 6.1 of By-law 2667, as amended, in the H-RM3-X16 *ZONE*, where a Model Home Agreement has been executed by the City and the Owner, a maximum of five (5) single Model Homes and one (1) *FREEHOLD TRIPLEX* Model Home can be constructed.

(NORTH OF DAIMLER PARKWAY, EAST OF PERTH TRAIL)

12.8.29 H-RM3-X17 ZONE (By-law 2005-169, 2007-39, 2007-106 and 2007-170) (HOLDING SYMBOL “H” REMOVED BY BY-LAW 2007-95, 2007-97 AND 2010-172 FOR PLAN 59M-359 (WEBBER ESTATES) AND PLAN 59M-380 (BLUE RIVER ESTATES – PHASE 2) NOTE: HOLDING SYMBOL STILL ON CLARE ESTATES SUBDIVISION

1. That Part of LOT 257, Part of *LOTS* 256 and Broken Front Lot 256, part of the Road Allowance between Lots 256 and Broken Front *LOT* 256, part of *LOT* 258, former Township of Thorold, now in the City of Welland located south of Webber Road, east of Clare Avenue and shown on Schedule “A” attached to By-law 2005-169, By-law 2007-106 and By-law 2007-170 as “Change to H-RM3-X17 *ZONE*” is hereby rezoned H-RM3-X17 *ZONE*.
2. The *USES* permitted in the H-RM3-X17 *ZONE* shall be limited to *TOWNHOUSES*. **(By-law 2007-39)**
3. The *ZONE* provisions for the H-RM3-X17 *ZONE* shall be those provided for in the RM3 *ZONE* save and except as follows:

	REGULATIONS FOR A STREET TOWNHOUSE	REGULATIONS FOR EACH DWELLING UNIT OF A STREET TOWNHOUSE
Minimum <i>LOT FRONTAGE</i> (By-law 2007-39)	27 metres	Interior Unit – 6.0 metres End Corner Unit – 9.0 metres End Interior Unit – 7.5 metres
Minimum <i>LOT AREA</i>	928 square metres	210 square metres

Minimum <i>FRONT YARD</i> (By-law 2007-39)	6.0 metres to attached garage	6.0 metres to attached garage
	4.5 metres to <i>DWELLING UNIT</i>	4.5 metres to <i>DWELLING UNIT</i>
Minimum <i>REAR YARD</i>	7.5 metres	7.5 metres
Minimum <i>SIDE YARD</i> Setback (By-law 2007-39)	End Corner Unit- 3.0 metres	End Corner Unit – 3.0 metres
	End Interior Unit – 1.5 metres	End Interior Unit – 1.5 metres
		Interior Unit – 1.0 metres
		Common Wall – 0 metres
Maximum <i>LOT COVERAGE</i> (By-law 2007-39)	45% per Block	50% per Unit

4. Prior to the removal of the Holding Symbol, the only *USES* permitted shall be crop farming and the current vacant *USE*.
5. Notwithstanding Section 2.80 of By-law 2667, as amended, where the City has passed a By-law lifting Part Lot Control, a Building Permit may be issued on the basis of the proposed *LOT*, and not necessarily the *LOT* that exists at the time of permit issuance. In such instances, the proposed lot shall be conveyed by way of deed or transfer prior to occupancy of the *BUILDING* for which the permit was issued. (By-law 2007-39)
6. 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. (By-law 2007-106)

(WEBBER ESTATES SUBDIVISION, BLUE RIVER SUBDIVISION AND CLARE ESTATES SUBDIVISION)

12.8.30 RM3-X18 ZONE (By-law 2006-46)

1. That Part of *LOT* 257, former Township of Thorold, now in the City of Welland known municipally as 407 Fitch Street and shown on Schedule "A" attached to By-law 2006-46 as "Change to RM3-X18 *ZONE*" is hereby rezoned to RM3-X18 *ZONE*.
2. The *USES* permitted in the RM3-X18 *ZONE* shall be limited to a *SINGLE-DETACHED DWELLING*, a *SEMI-DETACHED DWELLING*, a *DUPLEX*, a *TRIPLEX*, a *FREEHOLD TRIPLEX* and a *BED AND BREAKFAST*.
3. The provisions of the RM3-X18 *ZONE* shall be those provided for in the RM3 *ZONE*.

(407 FITCH STREET)

12.8.31 H-RM3-X19 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-RM3-X19 *ZONE*" is hereby

rezoned H-RM3-X19 ZONE.

2. The *Uses* permitted in the H-RM3-X19 ZONE shall be *STREET TOWNHOUSES* and *BUILDINGS, STRUCTURES* and uses accessory thereto.
3. The provisions for the H-RM3-X19 ZONE shall be as follows:

		REGULATIONS FOR A STREET TOWNHOUSE	REGULATIONS FOR EACH DWELLING UNIT OF A STREET TOWNHOUSE
Minimum <i>FRONTAGE</i>	<i>LOT</i>	30.0 metres	Interior Unit – minimum 6.0 metres End Unit – Minimum 9.0 metres
	Minimum <i>LOT AREA</i>	928.0 square metres	232.0 square metres
Minimum <i>YARD</i>	<i>FRONT</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>	3.0 metres	Interior Unit – Minimum 1.5 metres End Unit – Minimum 3.0 metres
Maximum <i>COVERAGE</i>	<i>LOT</i>	40%	40%

(290 RIVERSIDE DRIVE)

12.8.32 H- RM3-X20 ZONE (By-law 2007-105) (HOLDING SYMBOL ‘H’ REMOVED BY BY-LAW 2011-2)

1. That Part of *LOT* 260, former Township of Thorold, now in the City of Welland and shown on Schedule “A” attached to By-law 2007-105 as “Change to H-RM3-X20 ZONE” is hereby rezoned to H-RM3-X20 ZONE.
2. That the *USES* permitted in the H-RM3-X20 ZONE shall be *TOWNHOUSES*

only.

3. That the provisions of the H-RM3-X20 ZONE shall be those provided for in the RM3 ZONE save and except as follows:

	Regulations for a TOWNHOUSE LOT	a Regulations for a TOWNHOUSE BUILDING
<i>LOT AREA</i>	1.5 hectares	N/A
Minimum <i>FRONT YARD</i>	N/A	4.5 metres to <i>DWELLING</i> from <i>LOT LINE</i> or internal drive 6.0 metres to attached garage from <i>LOT LINE</i> or internal drive
Minimum <i>SIDE YARD</i>	3.0 metres from <i>BUILDING</i> unit to closest <i>LOT LINE</i> and to another group of <i>DWELLINGS</i>	3.0 metres from <i>BUILDING</i> unit to closest <i>LOT LINE</i> and to another group of <i>DWELLINGS</i>
Maximum <i>LOT COVERAGE</i>	50%	N/A

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.

(COYLE CREEK SUBDIVISION)

12.8.33 H-RM3-X21 ZONE (By-law 2006-162)

1. That Part of *LOTS* 20 and 21 inclusive, part of road allowance between *LOTS* 20 and 21, Concession 5, in former Township of Humberstone, now the City of Welland, being part of Parts 1 to 3 inclusive, Plan 59R-12698 and shown on Schedule "A" attached to By-law 2006-162 hereto as "Change to H-RM3-X21 ZONE" is hereby rezoned H-RM3-X21 ZONE.
2. That the *USES* permitted in the H-RM3-X21 ZONE shall be as follows: *SINGLE-DETACHED DWELLING, SEMI-DETACHED DWELLING, STREET TOWNHOUSES* as set out in the Zoning Provisions Table forming part of this By-law.
3. The provisions of the H-RM3-X21 ZONE shall be those provided in the attached Zoning Provisions Table:

ZONING PROVISIONS TABLE

ZONE	PERMITTED USES	MINIMUM LOT REQUIREMENTS			LANDSCAPED OPEN SPACE	MINIMUM YARDS (M)				MINIMUM DWELLING FLOOR AREA (PER UNIT)	MAXIMUM BUILDING HEIGHT	
		FRONTAGE (M)	AREA (M ²)	TO GARAGE		FRONT		SIDE				REAR
						TO UNIT	INTERIOR	EXTERIOR				
H-RM3-X21	Single-detached dwellings with attached garage in front	11.25	337	6.0	4.5	1.2	3.0	7.5	104.5	12.5		
H-RM3-X21	Single-detached dwellings with attached garage in rear	11.25	337	n/a	3.0	0.6	3.0 to building 6.0 to garage	7.5 0.6 to attached garage on corner lot	104.5	12.5		
H-RM3-X21	Single-detached dwellings with attached garage accessed via laneway	7.95	238	n/a	3.0	0.6	2.4 to laneway 3.0 to street	1.0 0.6 to attached garage on lane flankage corner lot	104.5	12.5		
H-RM3-X21	Semi-detached dwellings with attached garage accessed via street	20.0 (10.0 per unit)	600 (300 per unit)	6.0	4.5	Common Wall - 0 1.2 (other than common wall)	3.0 to building 6.0 to garage	7.5 0.6 to attached garage on corner lot (exterior unit)	104.5	12.5		
H-RM3-X21	Semi-detached dwellings with attached garage accessed via laneway	14.6 (7.3 per unit)	438 (219 per unit)	n/a	3.0	Common Wall - 0 0.6 (other than common wall)	2.4 adjacent to laneway 3.0 adjacent to street	1.0 to laneway 0.6 to attached garage on corner lot	104.5	12.5		
H-RM3-X21	Townhouse Units with attached garage in front	6.75	202 (per unit)	6.0	4.5	Common Wall - 0 End Unit - 1.2	3.0 to building	7.5	104.5	12.5		
H-RM3-X21	Exterior Townhouse Units with attached garage in rear (corner lot) accessed via street	6.75	202 (per unit)	n/a	3.0	Common Wall - 0	3.0 to building 6.0 to garage	0.6 to attached garage on corner lot (exterior unit)	104.5	12.5		
H-RM3-X21	Townhouse Units with garage accessed via laneway	6.75	202 (per unit)	n/a	3.0	Common Wall - 0 0.75 (other than common wall) End Unit - 1.2	3.0	1.0 to attached garage accessed via laneway	104.5	12.5		
H-RM3-X21	Exterior Townhouse Units (lane flankage) with attached garage in rear (corner lot) accessed via laneway	6.75	202 (per unit)	n/a	3.0	Common Wall - 0	2.4 to building 4.2 to garage	0.6 to attached garage on corner lot (exterior unit)	104.5	12.5		

4. The number of *DWELLING UNITS* per *BLOCK* as shown on Schedule "B" to this By-law shall be as follows:

BLOCK NO.(DRAFT PLAN)	BLOCK NO.(REGSITERED PLAN)	MINIMUM NO. OF UNITS	MAXIMUM NO. OF UNITS
1		20	26
2		19	25
3		5	9
4		9	13
5		15	21
6		12	18
7		11	17
8		7	10
9		8	12
10		7	8
11		7	8
14		7	11
15		18	21
16		20	26
17		13	15
18		14	16
22		6	8
23		6	8
24		4	6
25		5	7
26		3	5
27		18	22
31		6	8
32		6	8
33		5	8
34		6	8
35		3	5
39		6	8
40		6	8
41		6	8
42		6	9
43		6	7
48		6	8
49		6	10
50		8	12
51		6	7

BLOCK NO.(DRAFT PLAN)	BLOCK NO.(REGISTERED PLAN)	MINIMUM NO. OF UNITS	MAXIMUM NO. OF UNITS
57		6	8
58		6	8
59		3	5
60		3	5
61		5	8
62		5	8
63		3	5
64		19	25
70		6	8
71		6	8
72		3	5
73		3	5
74		7	10
75		8	11
76		3	5
82		6	9
83		6	9
84		3	5
85		3	5
86		8	12
87		9	13
88		3	5
91		28	38

5. All other general provisions of By-law 2667, as amended, shall apply save and except the following:

Notwithstanding Sections 2, 5 and 6 of By-law 2667, as amended, references to *STREET* therein shall include laneways assumed for public *USE*;

Notwithstanding Section 5.3(c) and Schedule "E" of By-law 2667, as amended, *ACCESSORY BUILDINGS OR STRUCTURES* shall be located in the *REAR YARD* and shall be at least 0.6 metres from the nearest *LOT LINE*. *ACCESSORY BUILDINGS* greater than 10 square metres in area also shall be located at least 0.6 metres from any main *BUILDING*;

Notwithstanding Section 5.3(d) of By-law 2667, as amended, the total *LOT COVERAGE* of all *ACCESSORY BUILDINGS AND STRUCTURES* on a *LOT* shall not exceed 75% of the *FOOTPRINT* of the main *BUILDING*. This does not apply to *DECKS* or open air swimming pools. In all cases, the minimum percentage of *LANDSCAPED OPEN SPACE* identified on the Zoning Provisions Table forming part of this By-law shall prevail;

Notwithstanding Section 5.7 of By-law 2667, as amended, projections such as eaves, bay windows (without *FLOOR AREA*), sills, gutters, chimneys, or pilasters not projecting more than: (i) 0.3 metres into any *REQUIRED YARD* in relation of the main *BUILDING* provided that such encroachments are permitted by the Ontario Building Code or other such legislation; (ii) 0.3 metres into any *REQUIRED YARD* for eaves, gutters in relation to *ACCESSORY BUILDINGS* and *STRUCTURES* are permitted;

Notwithstanding Section 5.7 of By-law 2667, as amended, roofed porches/platforms, having a maximum height of 4.5 metres and the stairs that are used to provide access to the porch/platform from the ground may encroach:

- a. into the *REQUIRED FRONT YARD* provided that no part of the roofed porch or stairs is located closer than 1.0 metre from the *FRONT LOT LINE* on all *LOTS* except *CORNER LOTS*. In the case of *CORNER LOTS* no part of the roofed porch/platform or stairs is permitted closer than 2.4 metres from the *FRONT LOT LINE* and exterior side *LOT LINE*;
- b. into the required interior *SIDE YARD* a distance of 0.2 metres if the required interior *SIDE YARD* is 0.6 metres; and,
- c. into the required interior *SIDE YARD* a distance equal to one-half (1/2) of the required *INTERIOR SIDE YARD* where the required *SIDE YARD* is greater than 0.6 metres.

Notwithstanding Section 5.7(d) of By-law 2667, as amended, porches/platforms may exceed 75% of the width of the main *BUILDING*;

Notwithstanding Section 5.10 of By-law 2667, as amended, no main *BUILDINGS* shall exceed 12.5 metres in *BUILDING HEIGHT*;

Notwithstanding Section 5.20.1 of By-law 2667, as amended, each required *PARKING SPACE* shall be made accessible for ingress and egress by means of a hard surface driveway being a minimum of 2.7 metres in width to the *STREET* or laneway;

Notwithstanding Schedule "E", "E1" and "E2" and Section 6.3 (a) of By-law 2667, as amended, in the case of a *CORNER LOT*, the *FRONT YARD* setback only shall be measured from the shortest *FRONT LOT LINE* defined upon the establishment of the final *LOT LINES*;

6. Notwithstanding Section 6.3 (b) of By-law 2667, as amended, the minimum widths for exterior side yards set out in the Zoning Provisions Table forming part of this By-law shall prevail.
7. For the purposes of this By-law, the following definitions shall apply:

Privacy Yard – means a *YARD* adjoining an exterior wall of a *DWELLING UNIT*, clear and unobstructed by any public or joint pedestrian access or surface parking area, other than a private driveway for the *DWELLING UNIT*.

(DAIN CITY DEVELOPMENTS)

12.8.34 RM3-X22 ZONE (By-law 2007-143)

1. That *LOTS* 203 and 205, Plan 652 in the City of Welland, municipally known as 530 Thorold Road and shown on Schedule "A" attached to By-law 2007-143 as "Change to *RM3-X22 ZONE*" is hereby rezoned *RM3-X22 ZONE*.
2. The *USES* permitted in the *RM3-X22 ZONE* shall be:

SINGLE-DETACHED DWELLING

SEMI-DETACHED DWELLING

DUPLEX

TRIPLEX

FOURPLEX

GROUP HOME

BED AND BREAKFAST

USES ACCESSORY thereto;

3. The provisions for the *RM3-X22 ZONE* will be those provided for in the *RM3 ZONE* save and except as follows:

TRIPLEX, FOURPLEX

Minimum *LOT FRONTAGE* 18.89 metres

(530 THOROLD ROAD)

12.8.35 H-RM3-X23 ZONE (By-law 2007-34) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2008-109) (By-law 2009-33)

1. That *LOTS* 64 to 83 inclusive, Plan 59M-269, shown on Schedule "A" attached to By-law 2007-34 as "Change to *H-RM3-X23 ZONE*" are hereby rezoned *H-RM3-X23 ZONE*.
2. The uses permitted in the *H-RM3-X23 ZONE* shall be *STREET TOWNHOUSES* only.
3. The maximum number of *STREET TOWNHOUSES* constructed on lands within the *H-RM3-X23 ZONE* shall be 28 units.
4. The provisions for the *H-RM3-X23 ZONE* shall be as follows:

Minimum *FRONT YARD* 4.5 metres to *DWELLING UNIT*

	6.0 metres to attached garage
Minimum <i>REAR YARD</i>	7.0 metres
Minimum <i>SIDE YARD</i>	1.5 metres for end units adjacent to another block of <i>STREET TOWNHOUSES</i>
	1.5 metres for interior units
	0 metres – common wall
	4.5 metres – <i>CORNER LOT</i> (end unit)
	For <i>DECKS</i> in the <i>REAR YARD</i> , the <i>SIDE YARD</i> setback shall be 0.0 metres. A maximum 1.8 metre high <i>SCREENING DEVICE</i> , measured from <i>GRADE</i> , may be located between <i>DECKS</i> in the <i>REAR YARD</i> (By-law 2009-33)
	For <i>PORCHES</i> /roofed platforms in the <i>FRONT YARD</i> , the <i>SIDE YARD</i> setback shall be 0.0 metres (By-law 2009-33)
Maximum <i>LOT COVERAGE</i>	60% for <i>DWELLING UNIT</i>
	Porches/roofed platforms shall be excluded from the calculation of <i>LOT COVERAGE</i>

5. The provisions of Sections 5.2 and 5.20 of By-law 2667, as amended, shall apply save and except references to *STREET* shall be read as private streets.
6. Notwithstanding Section 5.7 of By-law 2667, as amended, porches/roofed platforms are permitted to encroach a maximum of 1.8 metres into the *FRONT YARD* on 50% of the *DWELLING UNITS* only, with no more than two (2) *DWELLING UNITS* in a row being permitted such encroachment. In the case of *CORNER LOTS*, such encroachment of the porch/roofed platform is not permitted.
7. Notwithstanding Section 5.7 of By-law 2667, as amended, covered or uncovered steps/stairs that are used to provide access from the ground to the porch/roofed platform, permitted as an encroachment, shall be located no closer than 1.0 metre from the *FRONT LOT LINE* on all lots except *CORNER LOTS*. In the case of *CORNER LOTS*, no encroachment of covered or uncovered steps/stairs is permitted.
8. Notwithstanding Section 2.80 of By-law 2667, as amended, where the City has passed a By-law lifting Part Lot Control, a Building Permit may be issued on the basis of the proposed *LOT*, and not necessarily the *LOT* that exists at

the time of permit issuance. In such instances, the proposed *LOT* shall be conveyed by way of deed or transfer prior to occupancy of the *BUILDING* for which the permit was issued.

(GALLOWAY TRAIL, EAST OF PERTH TRAIL)

12.8.36 RM3-X24 ZONE (By-law 2008-136)

1. That *LOT* 978, Plan 960, known municipally as 114 Crowland Avenue and shown on Schedule "A" attached to By-law 2008-136 as "Change to RM3-X24 ZONE" is hereby rezoned RM3-X24 ZONE.
2. The *USES* permitted in the RM3-X24 ZONE shall be a *SINGLE-DETACHED DWELLING*, a *SEMI-DETACHED DWELLING* and a *DUPLEX*.
3. The provisions for the RM3-X24 ZONE shall be as follows:

For The *EXISTING BUILDING* (and any subsequent addition):

Minimum <i>LOT FRONTAGE</i>	9.0 metres
Minimum <i>LOT AREA</i>	330 square metres
Minimum <i>FRONT YARD</i> Setback	3.1 metres
Minimum <i>REAR YARD</i> Setback	7.5 metres
Minimum North <i>SIDE YARD</i> Setback	0.6 metres
Minimum South <i>SIDE YARD</i> Setback	0.0 metres
Maximum <i>LOT COVERAGE</i>	51%

For Any New *BUILDING*:

The requirements of the RM3 ZONE save and except as follows:

Minimum <i>LOT FRONTAGE</i>	9.0 metres
Minimum <i>LOT AREA</i>	330 square metres

4. Notwithstanding Section 5.20 of By-law 2667, as amended, there will be no requirement for on-site parking for a *SINGLE-DETACHED DWELLING*, a *SEMI-DETACHED DWELLING* or a *DUPLEX* for the *EXISTING BUILDING*. Should a new *BUILDING* be constructed, Section 5.20 will apply.

(114 CROWLAND AVENUE)

12.8.37 H-RM3-X25 ZONE (By-law 2007-159)

1. That Part of *LOTS* 462 through 465 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-RM3-X25 ZONE"

is hereby rezoned H-RM3-X25 ZONE.

2. That the *USES* permitted in the H-RM3-X25 ZONE shall be a *FREEHOLD TRIPLEX* and *BUILDINGS, STRUCTURES* and *USES ACCESSORY* thereto.
3. That the provisions of the H-RM3-X25 ZONE be those provided for in the RM3 ZONE for *FREEHOLD TRIPLEX* save and except as follows:

	Regular For A FREEHOLD TRIPLEX	Regulation For Each DWELLING UNIT Of A FREEHOLD TRIPLEX
<i>LOT COVERAGE</i>	Maximum 50%	Maximum 50%

4. 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)

12.8.38 RM3-X26 ZONE (By-law 2008-192)

1. That *LOT 55* and Part of *LOT 54*, Plan 579, known municipally as 38 Patterson Avenue and shown on Schedule “A” attached to By-law 2008-192 as “Change to RM3-X26 ZONE” is hereby rezoned RM3-X26 ZONE.
2. The *USES* permitted in the RM3-X26 ZONE shall be a *SINGLE-DETACHED DWELLING*, a *FRATERNAL ORGANIZATION*;
3. The provisions of the RM3-X26 ZONE shall be those provided for in the RM3 ZONE save and except the following:

YARD Requirements

<i>FRONT YARD</i>	Minimum 5.5 metres
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4. Notwithstanding Section 5.20 the minimum ingress or egress for two-way vehicular movement shall be 5.0 metres.

(38 PATTERSON AVENUE)

12.8.39 RM3-X27 ZONE (By-law 2009-139)

1. That *LOTS 78* and *79* and Part *LOTS 80* and *81*, Plan 571 and shown on Schedule “A” attached to By-law 2009-139 as “Change to RM3-X27 ZONE” is hereby rezoned RM3-X27 ZONE.
2. That the permitted *USES* in the RM3-X27 ZONE shall be a *SINGLE-DETACHED DWELLING* and a *SEMI-DETACHED DWELLING*.
3. That the provisions of the RM3-X27 ZONE shall be those provided for in the

RM3 ZONE save and except as follows:

SINGLE-DETACHED DWELLING

<i>LOT FRONTAGE</i>	Minimum 24 metres measured along the south <i>LOT LINE</i>
North <i>YARD</i>	Minimum 7.5 metres
South <i>YARD</i>	Minimum 6.0 metres
East <i>YARD</i>	Minimum 3.0 metres
West <i>YARD</i>	Minimum 7.5 metres

SEMI-DETACHED DWELLING WITH MAIN ENTRANCE FACING SOUTH

REGULATIONS FOR A SEMI-DETACHED DWELLING

REGULATIONS FOR EACH DWELLING UNIT OF A SEMI-DETACHED DWELLING

<i>LOT FRONTAGE</i> - Minimum 18 metres measured along the south <i>LOT LINE</i>	Minimum 12 metres measured along the south <i>LOT LINE</i> for westerly <i>UNIT</i>
	Minimum 6 metres measured along the south lot line for easterly unit
North <i>YARD</i>	Minimum 7.5 metres
South <i>YARD</i>	Minimum 6.0 metres
East <i>YARD</i>	Minimum 3.0 metres
West <i>YARD</i>	Minimum 1.5 metres
Common Wall	0 metres

SEMI-DETACHED DWELLING WITH MAIN ENTRANCE FACING EAST

REGULATIONS FOR A SEMI-DETACHED DWELLING

REGULATIONS FOR EACH DWELLING UNIT OF A SEMI-DETACHED DWELLING

<i>LOT FRONTAGE</i> – Minimum 10 metres measured along the south <i>LOT LINE</i>	Minimum 10 metres measured along the south <i>LOT LINE</i> for southerly <i>UNIT</i>
	<i>STREET</i> Frontage – 0 metres for northerly <i>UNIT</i>
North <i>YARD</i>	Minimum 1.5 metres

South <i>YARD</i>	Minimum 5.0 metres
East <i>YARD</i>	Minimum 3.0 metres
West <i>YARD</i>	Minimum 7.5 metres
Common Wall	0 metres

4. Access for the northerly *UNIT* must be through a permanent Easement/Right-of-Way over the southerly *UNIT*.
5. Notwithstanding Section 5.7 Encroachments, a *PORCH* and *BALCONY* may project 1.5 metres in the east *YARD*.

(NORTH SIDE OF MCCORMICK STREET, WEST OF WELLAND RECREATIONAL WATERWAY)

12.8.40 H-RM3-X28 ZONE (By-law 2009-90) (HOLDING SYMBOL “H” REMOVED BY BY-LAW 2010-6)

1. That Part of Lot 28, Concession 6, former Township of Crowland, now in the City of Welland and shown on Schedule “A” attached to By-law 2009-90 as “Change to H-RM3-X28 *ZONE*” is hereby rezoned H-RM3-X28 *ZONE*.
2. That the uses permitted in the H-RM3-X28 *ZONE* shall be *TRIPLEX* and *TOWNHOUSE*.
3. That the provisions of the H-RM3-X28 *ZONE* shall be as follows:

TRIPLEX/TOWNHOUSE LOT

<i>LOT FRONTAGE</i>	155 metres
<i>LOT AREA</i>	1.5 hectares
Maximum <i>LOT COVERAGE</i>	40%

UNIT LOT LINE to TRIPLEX/TOWNHOUSE LOT LINE

East <i>FRONT YARD</i> Setback	2.5 metres
West <i>REAR YARD</i> Setback	2.0 metres
North <i>SIDE YARD</i> Setback	3.0 metres
South <i>SIDE YARD</i> Setback	2.5 metres

Individual TRIPLEX/TOWNHOUSE UNITS/LOTS

<i>LOT FRONTAGE</i>	Minimum 9.8 metres
<i>LOT AREA</i>	Minimum 210 square metres

per *DWELLING UNIT*

Minimum Setback from *DWELLING* to 4.5 metres
Internal Drive

Minimum Setback from Attached Garage to 6.0 metres
Internal Drive

Minimum Distance from Rear of 4.0 metres
DWELLING to Closest *UNIT LOT LINE*

Minimum Separation Distance Between 2.0 metres
BLOCKS of *TRIPLEXES/TOWNHOUSES*

4. Notwithstanding Section 5.6 - *DECKS* may be located on the *UNIT LOT LINE*.
5. Notwithstanding Section 5.6 (b) – *SCREENING DEVICE* a 1.8 metre high *SCREENING DEVICE*, measured from *GRADE* with an overall aggregate area of no larger than ten (10) square metres, may be located on the *UNIT LOT LINE*.
6. Notwithstanding Section 5.2 – Access for the purposes of this By-law a private *STREET* shall be considered a *STREET*.

(70 ELMWOOD AVENUE)

12.8.41 RM3-X29 ZONE By-law 2010-144)

1. That Part of Lots 42 and 43, Plan 555 and shown on Schedule “A” attached to By-law 2010-144 as “Change to RM3-X29 ZONE” is hereby rezoned RM3-X29 ZONE.
2. That the *USES* permitted in the RM3-X29 ZONE shall be those permitted in the RM3 ZONE and a 5 unit residential *BUILDING*.
3. That the ZONE provisions for the RM3-X29 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	15 metres
Minimum <i>LOT AREA</i>	700 square metres
Maximum <i>LOT COVERAGE</i>	42%
Minimum <i>FRONT YARD</i> Setback	3.7 metres
Minimum <i>REAR YARD</i> Setback	To Main <i>BUILDING</i> 22.0 metres
	To <i>ACCESSORY BUILDING</i> 2.9 metres
Minimum East <i>YARD</i> Setback	To Main <i>BUILDING</i> 3.4 metres

	To <i>ACCESSORY BUILDING</i>	7.8 metres
Minimum West <i>SIDE YARD</i> Setback	To Main <i>BUILDING</i>	1.0 metre
	To <i>ACCESSORY BUILDING</i>	0.37 metres
<i>YARD</i> Encroachment	Concrete Porch and Steps to <i>FRONT LOT LINE</i>	
Minimum No. of <i>PARKING SPACES</i>	3	

(33-35 *PARK STREET*)

12.8.42 H-RM3-X30 ZONE (By-law 2010-145)

1. That Part of Lots 18 and 19, Concession 2, former Township of Crowland, now in the City of Welland and shown on Schedule "A" attached to By-law 2010-145 as "Change to H-RM3-X30 ZONE" is hereby rezoned H-RM3-X30 ZONE.
2. That the *USES* permitted in the H-RM3-X30 ZONE shall be *STREET TOWNHOUSES* only.
3. That the provisions of the H-RM3-X30 ZONE shall be as follows:

	REGULATIONS FOR A <i>STREET</i> TOWNHOUSE	REGULATIONS FOR EACH <i>DWELLING</i> UNIT OF A <i>STREET</i> TOWNHOUSE
Minimum <i>LOT FRONTAGE</i>	6.0 metres	Interior Unit – Minimum 6.0 metres End Unit – Minimum 9.0 metres
Minimum <i>LOT AREA</i>	1,700 square metres	180 square metres
Minimum <i>FRONT YARD</i>	4.5 metres to <i>DWELLING UNIT</i>	4.5 metres to <i>DWELLING UNIT</i>
	6.0 metres to Attached Garage	6.0 metres to Attached Garage
Minimum <i>REAR YARD</i>	6.0 metres	6.0 metres
Minimum <i>SIDE YARD</i>	3.0 metres	End Units – 3.0 metres Interior Units – 1.2 metres

Common Wall – 0 metres

For *DECKS* in the *REAR YARD* the *SIDE YARD* setback shall be 0 metres. A maximum 1.8 metre high *SCREENING DEVICE*, measured from *GRADE*, may be located between *DECKS* in the *REAR YARD*

For *PORCHES*/roofed platforms in the *FRONT YARD*, the *SIDE YARD* setback shall be 0 metres except for *CORNER LOTS*

Maximum <i>HEIGHT</i>	<i>BUILDING</i>	12.5 metres	12.5 metres
Minimum <i>OPEN SPACE</i>	<i>LANDSCAPED</i>	20%	20%
Maximum <i>COVERAGE</i>	<i>LOT</i>	60%	60%

4. Notwithstanding Section 5.7 (d) of By-law 2667, as amended, *PORCHES*/roofed platforms may exceed 75% of the width of the main *BUILDING*.
5. Notwithstanding Section 5.7 of By-law 2667, as amended, *PORCHES*/roofed platforms are permitted to encroach a maximum 2.0 metres into the *FRONT YARD*. In the case of *CORNER LOTS*, such encroachment of *PORCH*/roofed platform is not permitted.
6. Notwithstanding Section 5.7 of By-law 2667, as amended, covered or uncovered steps/stairs that are used to provide access from the ground to the *PORCH*/roofed platform, permitted as an encroachment, shall be located no closer than 1.0 metre from the *FRONT LOT LINE* on all *LOTS* except *CORNER LOTS*. In the case of *CORNER LOTS*, no encroachment of covered or uncovered steps/stairs is permitted.
7. Notwithstanding Section 5.20.1 of By-law 2667, as amended, each required *PARKING SPACE* shall be made accessible for ingress and egress by means of a hard surface driveway being a minimum of 2.7 metres in width to the *STREET*.
8. Notwithstanding Section 2.49 (k), for the purposes of this By-law only, a *TOWNHOUSE* is defined as a *BUILDING* divided vertically into not less than

four (4) and not more than nine (9) attached, non-communicating *DWELLING UNITS*.

(CENTRAL VILLAGE SUBDIVISION - WEST OF WELLAND BY-PASS CANAL, EAST OF LOCHNESS GOLF COURSE)

12.8.43 H-RM3-X31 ZONE (By-law 2010-145)

1. That Part of Lots 18 and 19, Concession 2, former Township of Crowland, now in the City of Welland and shown on Schedule "A" attached TO By-law 2010-145 as "Change to H-RM3-X31 ZONE" is hereby rezoned H-RM3-X31 ZONE.
2. That the *USES* permitted in the H-RM3-X31 ZONE shall be *SINGLE-DETACHED DWELLINGS* and *STREET TOWNHOUSES*.
3. That the provisions of the H-RM3-X31 ZONE shall be as follows:

SINGLE-DETACHED DWELLING

<i>LOT FRONTAGE</i>	Minimum 10.9 metres
<i>LOT AREA</i>	Minimum 320 square metres
<i>YARD Requirements</i>	
<i>FRONT YARD</i>	Minimum 4.5 metres to <i>DWELLING UNIT</i>
	Minimum 6.0 metres to Attached Garage
<i>REAR YARD</i>	Minimum 6.0 metres
<i>SIDE YARD</i>	Minimum one side 1.2 metres
	Minimum other side – 0.6 metres
Maximum <i>LOT COVERAGE</i>	50%

	REGULATIONS FOR A STREET TOWNHOUSE	REGULATIONS FOR EACH DWELLING UNIT OF A STREET TOWNHOUSE
Minimum <i>LOT FRONTAGE</i>	6.0 metres	Interior Unit – Minimum 6.0 metres End Unit – Minimum 9.0 metres
Minimum <i>LOT AREA</i>	1,700 square metres	180 square metres
Minimum <i>FRONT YARD</i>	4.5 metres to	4.5 metres to

	<i>DWELLING UNIT</i>	<i>DWELLING UNIT</i>
	6.0 metres to Attached Garage	6.0 metres to Attached Garage
Minimum <i>REAR YARD</i>	6.0 metres	6.0 metres
Minimum <i>SIDE YARD</i>	3.0 metres	End Units – 3.0 metres Interior Units – 1.2 metres Common Wall – 0 metres For <i>DECKS</i> in the <i>REAR YARD</i> the <i>SIDE YARD</i> setback shall be 0 metres. A maximum 1.8 metre high <i>SCREENING DEVICE</i> , measured from <i>GRADE</i> , may be located between <i>DECKS</i> in the <i>REAR YARD</i> For <i>PORCHES</i> /roofed platforms in the <i>FRONT YARD</i> , the <i>SIDE YARD</i> setback shall be 0 metres except for <i>CORNER LOTS</i>
Maximum <i>BUILDING HEIGHT</i>	12.5 metres	12.5 metres
Minimum <i>LANDSCAPED OPEN SPACE</i>	20%	20%
Maximum <i>LOT COVERAGE</i>	60%	60%
4.	Notwithstanding Section 5.7 (d) of By-law 2667, as amended, <i>PORCHES</i> /roofed platforms may exceed 75% of the width of the main <i>BUILDING</i> .	
5.	Notwithstanding Section 5.7 of By-law 2667, as amended, <i>PORCHES</i> /roofed platforms are permitted to encroach a maximum 2.0 metres into the <i>FRONT YARD</i> . In the case of <i>CORNER LOTS</i> , such encroachment of <i>PORCH</i> /roofed platform is not permitted.	
6.	Notwithstanding Section 5.7 of By-law 2667, as amended, covered or uncovered steps/stairs that are used to provide access from the ground to the	

PORCH/roofed platform, permitted as an encroachment, shall be located no closer than 1.0 metre from the *FRONT LOT LINE* on all *LOTS* except *CORNER LOTS*. In the case of *CORNER LOTS*, no encroachment of covered or uncovered steps/stairs is permitted.

7. Notwithstanding Section 5.20.1 of By-law 2667, as amended, each required *PARKING SPACE* shall be made accessible for ingress and egress by means of a hard surface driveway being a minimum of 2.7 metres in width to the *STREET*.
8. Notwithstanding Section 2.49 (k), for the purposes of this By-law only, a *TOWNHOUSE* is defined as a *BUILDING* divided vertically into not less than four (4) and not more than nine (9) attached, non-communicating *DWELLING UNITS*.
9. That the number of *DWELLING UNITS* per *BLOCK* as shown on Schedule "B" attached to By-law 2010-145 shall be as follows:

BLOCK NO. (DRAFT PLAN)	MINIMUM NO. OF DWELLING UNITS	MAXIMUM NO. OF UNITS
1	9	20
2	8	11
3	8	11
4	20	25
5	8	11
6	8	11
7	14	23
8	9	9
9	9	9
10	9	9
11	9	9
12	7	15

(CENTRAL VILLAGE SUBDIVISION - WEST OF WELLAND BY-PASS CANAL, EAST OF LOCHNESS GOLF COURSE)

12.8.44 RM3-X32 ZONE (By-law 2011-49)

1. That Lots 118, 119, 120, 121, 153, Part of Lots 122, 154, 155, 156 and 157, Part of Goodwin Street, Plan 953, being Part 1, Plan 59R-14421 and shown on Schedule "A" attached to By-law 2011-49 hereto as "Change to RM3-X32 ZONE" is hereby rezoned RM3-X32 ZONE.

2. That the *USES* permitted in the RM3-X32 *ZONE* shall be those permitted in the RM3 *ZONE*.
3. That the provisions of the RM3-X32 *ZONE* shall be those provided for in the RM3 *ZONE* save and except as follows:

Minimum <i>LOT FRONTAGE</i>	40 metres
Minimum <i>LOT AREA</i>	2,300 square metres

(675 TANGUAY AVENUE)

12.8.45 H-RM3-X33 ZONE (By-law 2011-59)

1. That Part of Lots 18 and 19, Concession 1, former Township of Crowland, now in the City of Welland and shown on Schedule "A" attached to By-law 2011-59 as "Change to H-RM3-X33 *ZONE*" is hereby rezoned H-RM3-X33 *ZONE*.
2. The *USES* permitted in the H-RM3-X33 *ZONE* shall be a *SINGLE-DETACHED DWELLING*, a *SEMI-DETACHED DWELLING*, a *STREET TOWNHOUSE*.
3. For the purposes of this *ZONE*, the following definition shall apply:

"Upper Level Platform – A raised, unenclosed platform greater than 1.5 metres in height and less than 2.4 metres in height above *GRADE*, excluding guardrails and handrails projecting horizontally from the face of the wall of the main *BUILDING* supported by columns or brackets on the ground."
4. The provisions of the H-RM3-X33 *ZONE* shall be those provided in Zoning Provision Table 1.
5. The provisions of Section 5.2 and 5.20 of By-law 2667, as amended, shall apply save and except references to *STREET* may be read as private *STREETS*.
6. Notwithstanding Section 5.7 – Encroachments the following shall apply:
 - (a) The walking surface of upper level platforms shall be permitted to encroach a maximum of 3.0 metres into the *REQUIRED REAR YARD*;
 - (b) *PORCHES*/roofed platforms may exceed 75% of the width of the main *BUILDING*;
 - (c) *PORCHES*/roofed platforms are permitted to encroach a maximum of 2.0 metres into the *FRONT YARD*. In the case of *CORNER LOTS*, such encroachment of *PORCH*/roofed platform is not permitted;
 - (d) Covered or uncovered steps/stairs that are used to provide access from the ground to the *PORCH*/roofed platform, permitted as an encroachment, shall be no closer than 1.0 metre from the *FRONT LOT LINE*. In the case of *CORNER LOTS*, no encroachment of covered or uncovered steps/stairs is permitted;
7. Notwithstanding Section 5.20.1 of By-law 2667, as amended, each required *PARKING SPACE* shall be made accessible for ingress and egress by means

of a hard surface driveway, being a minimum of 2.7 metres in width, to the *STREET*.

8. For *STREET TOWNHOUSE UNITS* with *DECKS* in the *REAR YARD*, the *SIDE YARD* setback shall be a minimum 0 metres. A maximum 1.8 metre high *SCREENING DEVICE*, measured from *GRADE*, may be located between *DECKS* in the *REAR YARD*.
9. For *STREET TOWNHOUSE UNITS* with *PORCHES*/roofed platforms in the *FRONT YARD*, the *SIDE YARD* setback shall be a minimum 0 metres except for *CORNER LOTS*.
10. Notwithstanding Section 2.49 (k), for purposes of this *ZONE* only, a *TOWNHOUSE* is defined as a *BUILDING* divided vertically into not less than four (4) and not more than nine (9) attached, non-communicating *DWELLING UNITS*.
11. The number of *DWELLING UNITS* per *BLOCK* as shown on Schedule "B" attached to By-law 2011-59 is as follows:

BLOCK NO.	MINIMUM NO. OF UNITS	MAXIMUM NO. OF UNITS
2	9	27
3	18	54
4	18	54
5	18	54
7	15	50
9	9	28
11	16	47

(NORTH VILLAGE SUBDIVISION)

12.8.46 H-RM3-X34 ZONE (By-law 2011-59)

1. That Part of Lots 18 and 19, Concession 1, former Township of Crowland, now in the City of Welland and shown on Schedule "A" attached to By-law 2011-59 as "Change to H-RM3-X34 ZONE" is hereby rezoned H-RM3-X34 ZONE.
2. The *USES* permitted in the H-RM3-X34 ZONE shall be a *SINGLE-DETACHED DWELLING*, a *SEMI-DETACHED DWELLING*, a *STREET TOWNHOUSE*.
3. For the purposes of this ZONE, the following definition shall apply:
 - i. "Upper Level Platform – A raised, unenclosed platform greater than 1.5 metres in height and less than 2.4 metres in height above *GRADE*, excluding guardrails and handrails projecting horizontally from the face of the wall of the main *BUILDING* supported by columns or brackets on the ground."
4. The provisions of the H-RM3-X34 ZONE shall be those provided in Zoning Provisions Table 2.
5. The provisions of Section 5.2 and 5.20 of By-law 2667, as amended, shall apply save and except references to *STREET* may be read as private *STREETS*.
6. Notwithstanding Section 5.7 – Encroachments the following shall apply:
 - (a) The walking surface of upper level platforms shall be permitted to encroach a maximum of 3.0 metres into the *REQUIRED REAR YARD*;
 - (b) *PORCHES*/roofed platforms may exceed 75% of the width of the main *BUILDING*;
 - (c) *PORCHES*/roofed platforms are permitted to encroach a maximum of 2.0 metres into the *FRONT YARD*. In the case of *CORNER LOTS*, such encroachment of porch/roofed platform is not permitted;
 - (d) Covered or uncovered steps/stairs that are used to provide access from the ground to the *PORCH*/roofed platform, permitted as an encroachment, shall be no closer than 1.0 metre from the *FRONT LOT LINE*. In the case of *CORNER LOTS*, no encroachment of covered or uncovered steps/stairs is permitted;
7. Notwithstanding Section 5.20.1 of By-law 2667, as amended, each required *PARKING SPACE* shall be made accessible for ingress and egress by means of a hard surface driveway, being a minimum of 2.7 metres in width, to the *STREET*.
8. For *STREET TOWNHOUSE UNITS* with *DECKS* in the *REAR YARD*, the *SIDE YARD* setback shall be a minimum 0 metres. A maximum 1.8 metre high *SCREENING DEVICE*, measured from *GRADE*, may be located between *DECKS* in the *REAR YARD*.
9. For *STREET TOWNHOUSE UNITS* with *PORCHES*/roofed platforms in the *FRONT YARD*, the *SIDE YARD* setback shall be a minimum 0 metres except for *CORNER LOTS*.

10. Notwithstanding Section 2.49 (k), for purposes of this *ZONE* only, a *TOWNHOUSE* is defined as a *BUILDING* divided vertically into not less than four (4) and not more than nine (9) attached, non-communicating *DWELLING UNITS*.
11. The number of *DWELLING UNITS* per *BLOCK* as shown on Schedule "B" attached to By-law 2011-59 is as follows:

BLOCK NO.	MINIMUM NO. OF UNITS	MAXIMUM NO. OF UNITS
10	15	45

(NORTH VILLAGE SUBDIVISION)

TABLE 2

ZONE	PERMITTED USES	MINIMUM LOT REQUIREMENTS			MINIMUM YARDS (M)			MAXIMUM BUILDING HEIGHT	MAXIMUM LOT COVERAGE	
		FRONTAGE (M)	AREA (M ²)	LANDSCAPED OPEN SPACE	TO GARAGE	TO MAIN BUILDING	TO PORCH			SIDE
H-RM3-X34	Single-detached dwellings	11.6	320		6.0	4.5	2.5	0.6 and 1.2	6.0	65%
H-RM3-X34	Semi-detached dwellings	18.0	500		6.0	4.5	2.5	1.2	6.0	65%
H-RM3-X34	For each Dwelling unit of a semi-detached dwelling	9	250					Common Wall - 0	6.0	65%
H-RM3-X34	Street Townhouse	6.0	180	20%	6.0	4.5	2.5		6.0	65%
H-RM3-X34	For each Dwelling Unit of a Street Townhouse							End unit - 3.0 Interior Units - 1.2 Common Wall - 0		