

SECTION 9 - SINGLE-DETACHED DWELLING- THIRD DENSITY ZONE - R3

The following provisions shall apply in all *SINGLE-DETACHED DWELLING- THIRD DENSITY ZONES R3*:

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

9.1 USES PERMITTED

9.1.1 Residential:

SINGLE-DETACHED DWELLING

BED & BREAKFAST (By-law 2003-137)

9.2 AREA REQUIREMENTS

9.2.1 LOT FRONTAGE:

Minimum - 12 metres

9.2.2 LOT AREA:

Minimum - 353 square metres

9.2.3 YARD Requirements:

FRONT YARD - minimum 6.0 metres

REAR YARD - minimum 7.5 metres

SIDE YARD - minimum 1.2 metres

9.2.4 GROUND FLOOR AREA:

Minimum - 50 square metres

9.2.5 GROSS FLOOR AREA:

Minimum - 65 square metres

9.2.6 LOT COVERAGE:

Maximum - 40 percent

9.2.7 Lands Zoned R3 (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 H-R3 ZONE" is hereby rezoned H-R3 ZONE.

(PART OF MEADOWS SUBDIVISION)**9.2.8 R3-X1 ZONE (By-law 10160) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 10659)**

1. 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 H-R3-X1 ZONE" is hereby rezoned H-R3-X1 ZONE.
2. The *USES* permitted and the provisions for the H-R3-X1 ZONE shall be those permitted and provided for in the *SINGLE-DETACHED DWELLING- Third Density Zone (R3)* 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 or south 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(PART OF MEADOWS SUBDIVISION)**9.2.9 Repealed by By-law 2006-111****9.2.10 R3-X3 ZONE (By-law 10296)**

1. *LOT 592* and the north 4.5 metres of *LOT 591*, Plan 939 known municipally as 465 Harriet Street and shown on Schedule "A" of By-law 10296 as "Change to R3-X3 ZONE" is hereby rezoned R3-X3 ZONE.
2. The *USES* permitted in the R3-X3 ZONE shall be a total of two (2) residential units in two (2) main *BUILDINGS*.
3. The Zone Provisions for the R3-X3 ZONE shall be those conditions which exist as of February 15, 1994.

(465 HARRIET STREET)**9.2.11 R3-X4 ZONE (By-law 10331 and 10837)**

1. Part of *LOTS 229* and *230*, former Township of Thorold, now in the City of Welland, shown on Schedule "A" of By-law 10331 and By-law 10837 as "Change to R3-X4 ZONE" is hereby rezoned R3-X4 ZONE.
2. The *USES* permitted in the R3-X4 ZONE shall be those permitted in the R3 ZONE.
3. The Zone Provisions for the R3-X4 ZONE shall be those provided by the R3 ZONE save and except the following:

FRONT YARD

Minimum 5.0 metres

REAR YARD

Minimum 6.5 metres

(PART OF SEAWAY HEIGHTS SUBDIVISION - REFER TO SCHEDULE 'A' OF BY-LAWS 10331 AND 10837)**9.2.12 R3 ZONE (By-law 10346) (HOLDING SYMBOL "H" PARTIALLY REMOVED BY BY-LAW 11217 - PHASE 1, 59M-247) AND (By-law 2005-22 – PHASE II, 59M-247)**

1. Part of *LOTS* 11 to 31 inclusive and part of Logan Avenue, Plan 813, former Township of Humberstone as shown on Schedule "A" of By-law 10346 as "Change to H-R3 ZONE" is hereby rezoned H-R3 ZONE.
2. The *USES* permitted in and the Zone Provisions of the H-R3 ZONE shall be those permitted and required in the R3 ZONE.

(REGATTA SUBDIVISION)**9.2.13 R3-X5 ZONE (By-law 10574 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 10574 and 10836 as "Change to R3-X5 ZONE" is hereby rezoned R3-X5 ZONE.
2. The *USES* permitted and the provisions for the R3-X5 ZONE shall be those permitted and provided for in the *SINGLE-DETACHED DWELLING*- Third Density Zone (R3) save and except as follows:

*FRONT YARD*Minimum 5.0 metres (**By-law 10836**)

3. 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 within a setback of 8.0 metres from the rear property line.

(PART OF TOWPATH VILLAGE SUBDIVISION - 16-138 (EVEN) GRETEL PLACE, 74-204 (EVEN) COURTNEY CRESCENT)**9.2.14 R3-X6 ZONE (By-law 10574)**

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 10574 as "Change to R3-X6 ZONE" is hereby rezoned R3- X6 ZONE.
2. The *USES* permitted and the provisions for the R3-X6 ZONE shall be those permitted and provided for in the *SINGLE-DETACHED DWELLING*- Third Density Zone (R3) save and except as follows:
3. 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 within a setback of 5.0

metres from the rear property line.

(PART OF TOWPATH VILLAGE SUBDIVISION - 110 BRITANNIA AVENUE)

9.2.15 R3-X7 ZONE (By-law 10574 and By-law 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 10574 and 2001-31 as "Change to R3-X7 ZONE" is hereby rezoned R3-X7 ZONE.
2. The *USES* permitted and the provisions for the R3-X7 ZONE shall be those permitted and provided for in the *SINGLE-DETACHED DWELLING- Third Density Zone* (R3) save and except as follows:
3. 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 the subject property within a setback of 2.0 metres from the southerly *LOT LINE*.

(PART OF TOWPATH VILLAGE SUBDIVISION - 242, PART OF 269 ST. LAWRENCE DRIVE)

9.2.16 H-R3-X8 ZONE (By-law 11232) (HOLDING SYMBOL "H" PARTIALLY REMOVED BY BY-LAW 1999-111)

1. That Part of Parts 1 and 2, Plan 59R-9399 and shown on Schedule "A" of By-law 11232 as "Change to H-R3-X8 ZONE" is hereby rezoned H-R3-X8 ZONE.
2. The *USES* permitted in the H-R3-X8 ZONE shall be those permitted in the R3 ZONE.
3. Notwithstanding Sections 5.2 and 5.20 of By-law 2667, the provisions for the H-R3-X8 ZONE shall be those provided for in the R3 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.

(ST. ANDREWS TERRACE SUBDIVISION)

9.2.17 R3-X9 ZONE (By-law 1999-11 and 2000-126)

1. That Part of Parcel D, Plan 973 being Parts 1, 2, 3, 4, 5 and 6, Plan 59R-10546 known municipally as 37 Wavell Court and shown on Schedule "A" of By-law 1999-11 and By-law 2000-126 as "Change to R3-X9 ZONE" is hereby rezoned R3-X9 ZONE.
2. The *USES* permitted in the R3-X9 ZONE shall be a *SINGLE-DETACHED DWELLING* and *SCHOOL*.
3. The provisions for the R3-X9 ZONE shall be as follows:

| | |
|-----------------------------|-------------|
| Minimum <i>LOT FRONTAGE</i> | 10.0 metres |
|-----------------------------|-------------|

| | |
|-----------------------------------|---------------------|
| Minimum <i>LOT AREA</i> | 1,050 square metres |
| Minimum West <i>YARD Setback</i> | 3.3 metres |
| Minimum East <i>YARD Setback</i> | 7.5 metres |
| Minimum North <i>YARD Setback</i> | 10.0 metres |
| Minimum South <i>YARD Setback</i> | 1.2 metres |
| Minimum <i>GROUND FLOOR AREA</i> | 50.0 square metres |
| Minimum <i>GROSS FLOOR AREA</i> | 65.0 square metres |
| Maximum <i>LOT COVERAGE</i> | 40.0 percent |

(37 WAVELL COURT)**9.2.18 R3-X10 ZONE (By-law-2001-34)**

1. That Part of *LOT* Lettered "O" , Plan 564, known municipally as 96 Lincoln Street and shown on Schedule "A" attached to By-law 2001-34 as "Change to R3-X10 ZONE" is hereby rezoned R3-X10 ZONE;

2. The *USES* permitted in the R3-X10 ZONE shall be a *SINGLE-DETACHED DWELLING*, a *DUPLEX* and a *TRIPLEX*;

3. The provisions for the R3-X10 ZONE for all permitted uses shall be as follows:

| | |
|---------------------------------------|-------------------|
| Minimum <i>LOT FRONTAGE</i> | 12 metres |
| Minimum <i>LOT AREA</i> | 580 square metres |
| Minimum <i>FRONT YARD Setback</i> | 6.0 metres |
| Minimum West <i>SIDE YARD Setback</i> | 4.9 metres |
| Minimum East <i>SIDE YARD Setback</i> | 0.2 metres |
| Minimum <i>REAR YARD Setback</i> | 7.5 metres |
| Maximum <i>LOT COVERAGE</i> | 40% |

4. Notwithstanding 5.20.1 of Zoning By-law 2667 (Parking Requirements), a two-way access drive to the required *PARKING SPACES* shall have a minimum width of 4.9 metres.

(96 LINCOLN STREET)**9.2.19 H-R3 ZONE (By-law 2001-37)**

1. That *LOT* 100 and Part of *LOTS* 99 and 101, Plan 59M-230 and shown on Schedule "A" attached to By-law 2001-37 as "Change to H-R3 ZONE" is hereby rezoned H-R3 ZONE;

2. Prior to the removal of the Holding Symbol, the only *USES* permitted will be the current vacant *USE*.

(PART OF TOWPATH VILLAGE EXTENSION SUBDIVISION)

9.2.20 R3-X11 ZONE (By-law 2002-31)

1. That Part of *LOT 22*, Concession 7, former Township of Crowland, now in the City of Welland, known municipally as 611 Southworth Street and shown on Schedule "A" attached to By-law 2002-31 as "Change to R3-X11 ZONE" is hereby rezoned R3-X11 ZONE;
2. The *USES* permitted in the R3-X11 ZONE shall be those permitted in the R3 ZONE;
3. The provisions for the R3-X11 ZONE shall be those of the R3 ZONE save and except as follows:

| | |
|-----------------------------------|-------------|
| Minimum <i>FRONT YARD</i> Setback | 0.97 metres |
|-----------------------------------|-------------|

(611 SOUTHWORTH STREET)

9.2.21 R3-X12 ZONE (By-law 2002-31)

1. That Part of *LOT 22*, Concession 7, former Township of Crowland, now in the City of Welland, known municipally as 611 Southworth Street and shown on Schedule "A" attached to By-law 2002-31 as "Change to R3-X12 ZONE" is hereby rezoned R3-X12 ZONE;
2. The *USES* permitted in the R3-X12 ZONE shall be those permitted in the R3 ZONE;
3. The provisions for the R3-X12 ZONE shall be those of the R3 ZONE save and except as follows:

| | |
|-------------------------|-------------|
| Minimum <i>FRONTAGE</i> | 11.7 metres |
|-------------------------|-------------|

(611 SOUTHWORTH STREET)

9.2.22 H-R3 ZONE (By-law 2005-169) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2007-97)

1. That Part of Lot 257, 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 as "Change to H-R3 ZONE" is hereby rezoned H-R3 ZONE;
2. The uses permitted in the H-R3 ZONE shall be those permitted in the R3 ZONE;
3. The Zone provisions for the H-R3 ZONE shall be those provided by the R3 ZONE;

(WEBBER ESTATES SUBDIVISION)

9.2.23 H-R3 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-R3 ZONE" is hereby rezoned H-R3 ZONE.

(290 RIVERSIDE DRIVE)

9.2.24 H-R3-X13 ZONE (By-law 2006-151) (HOLDING SYMBOL "H" PARTIALLY REMOVED BY BY-LAW 2007-55 – LOTS 1 – 21)

1. That Part of Lot 1, Concession 11, former Township of Pelham, now in the City of Welland shown on Schedule "A" attached to By-law 2006-151 as "Change to H-R3-X13 ZONE" is hereby rezoned to H-R3-X13 ZONE;
2. The uses permitted in the H-R3-X13 ZONE are those permitted in the R3 ZONE;
3. The provisions for the H-R3-X13 ZONE shall be provided for in the R3 ZONE save and except as follows:

| | |
|-----------------------------|-----|
| Maximum <i>LOT COVERAGE</i> | 45% |
|-----------------------------|-----|

(BROOKHAVEN ESTATES SUBDIVISION)

9.2.25 H-R3-X14 ZONE (By-law 2007-34) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2008-109)

1. That Lots 54 to 63 inclusive, Lots 84 to 93 inclusive, Lots 134 to 141 inclusive, Block 147 and Part Block 148, Plan 59M-269, shown on Schedule "A" attached to By-law 2007-34 as "Change to H-R3-X14 ZONE" are hereby rezoned H-R3-X14 ZONE;
2. The use permitted in the H-R3-X14 ZONE shall be a SINGLE DETACHED DWELLING only;
3. The maximum number of SINGLE DETACHED DWELLINGS constructed on lands Zoned H-R3-X14 shall be 31 units;
4. The provisions for the H-R3-X14 ZONE for the permitted USE shall be as follows:

| | |
|-----------------------------------|---|
| Minimum <i>LOT FRONTAGE</i> | 14 metres |
| Minimum <i>LOT AREA</i> | 420 square metres |
| Minimum <i>FRONT YARD</i> | 4.5 metres to <i>DWELLING UNIT</i> 6.0 metres to attached garage |
| Minimum <i>INTERIOR SIDE YARD</i> | 1.25 metres |
| Minimum <i>REAR YARD</i> | 7.0 metres |

Maximum *LOT COVERAGE* 50%

Porches/roofed platforms 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;
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 SIDE OF PERTH TRAIL)

9.2.26 H-R3-X15 ZONE (By-law 2007-105, 2007-106) (HOLDING SYMBOL “H” REMOVED BY BY-LAW 2008-81 – LOTS 1–10, PLAN 59M-369 AND BY BY-LAW 2010-172 - LOTS 1–43, PLAN 59M-380 (BLUE RIVER ESTATES); AND HOLDING SYMBOL “H” PARTIALLY REMOVED BY BY-LAW 2008-174 – LOTS 1–38, PLAN 59M-374 AND BY BY-LAW 2011-2 - LOTS 39–43 AND 60–69, PLAN 59M-374 (COYLE CREEK ESTATES))

1. That Part of Lots 256, 257, 259, 260; and Broken Front Lot 256; part of the Road Allowance between Lots 259 and 260; part of the Road Allowance between Lots 256 and Broken Front Lot 256; and part of the Road Allowance between Lots 257 and 259, former Township of Thorold, now in the City of Welland and shown on Schedule “A” attached to By-law 2007-105 and By-law 2007-106 as “Change to H-R3-X15 ZONE” is hereby rezoned to H-R3-X15 ZONE;
2. That the *USES* permitted in the H-R3-X15 ZONE shall be *SINGLE-DETACHED DWELLINGS* only;
3. That the provisions of the H-R3-X15 ZONE shall be those provided for in the R3 ZONE save and except as follows:

Maximum *LOT COVERAGE* 45%

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 AND BLUE RIVER SUBDIVISION)

9.2.27 H-R3-X16 ZONE (By-law 2007-132) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2008-71)

1. That Lots 422 to 440 inclusive and Lots 571 to 585 inclusive, Plan 960, and shown on Schedule "A" attached to By-law 2007-132 as "Change to H-R3-X16 ZONE" are hereby rezoned H-R3-X16 ZONE;
2. The *USES* permitted in the H-R3-X16 ZONE shall be those permitted in the R3 ZONE;
3. The provisions for the H-R3-X16 ZONE shall be those of the R3 ZONE save and except as follows:

Minimum *LOT FRONTAGE* 10 .0 metres

Minimum *LOT AREA* 306.0 square metres

(160 WALLACE AVENUE)

9.2.28 H-R3 ZONE (By-law 2007-106) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2010-172)

1. That Part of Lots 256 and Broken Front Lot 256, part of the Road Allowance between Lots 256 and Broken Front Lot 256, Part of Lots 257 and 259 and part of the Road Allowance between Lots 257 and 259, former Township of Thorold, now in the City of Welland and shown on Schedule "A" attached to By-law 2007-106 as "Change to H-R3 ZONE" is hereby rezoned H-R3 ZONE;
2. 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.

(BLUE RIVER SUBDIVISION)

9.2.29 R3-X17 ZONE (By-law 2007-171)

1. That Lot 48 and Part of Lots 46 and 47, Plan 552 known municipally as 102 Maple Avenue and shown on Schedule 'A' attached to By-law 2007-171 as "Change to R3-X17 ZONE" is hereby rezoned R3-X17 ZONE;
2. The provisions of the R3-X17 ZONE shall be those provided in the R3 ZONE save and except the following:

LOT FRONTAGE Minimum 11.5 metres

(102 MAPLE AVENUE)

9.2.30 H-R3-X18 ZONE (By-law 2007-170) (HOLDING SYMBOL "H" PARTIALLY

REMOVED BY BY-LAW 2008-87 – LOTS 1-16, PLAN 59M-371; AND BY BY-LAW 2011-10 – LOTS 1-12, PLAN 59M-_____)

1. That part of Lot 258, former Township of Thorold, now in the City of Welland and shown on Schedule "A" attached to By-law 2007-170 as "Change to H-R3-X18 ZONE" is hereby rezoned H-R3-X18 ZONE;
2. The *USES* permitted in the H-R3-X18 ZONE shall be those permitted in the R3 ZONE;
3. The provisions of the H-R3-X18 ZONE shall be those of the R3 ZONE save and except as follows:

| | |
|-----------------------------|------------------------------------|
| Minimum <i>FRONT YARD</i> | 6.0 metres to attached garage |
| | 4.5 metres to <i>DWELLING UNIT</i> |
| Maximum <i>LOT COVERAGE</i> | 45% |

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.

(CLARE ESTATES SUBDIVISION – SOUTH OF WEBBER ROAD BETWEEN SOUTH PELHAM ROAD AND CLARE AVENUE)

9.2.31 H-R3 ZONE (By-law 2011-58) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2012-1)

1. That Part of Lot 1, Concession 12, former Township of Pelham, now in the City of Welland and shown on Schedule "A" attached to By-law 2011-58 as "Change to H-R3 ZONE" is hereby rezoned H-R3 ZONE.

(PINE CREEK ESTATES – NORTH SIDE OF CHANTLER ROAD, WEST OF SOUTH PELHAM ROAD)

9.2.32 H-R3-X19 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-R3-X19 ZONE" is hereby rezoned H-R3-X19 ZONE.
2. The *USES* permitted in the H-R3-X19 ZONE shall be *SINGLE-DETACHED DWELLINGS*.
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-R3-X19 ZONE shall be as follows:

| | |
|---------------------|---------------------|
| <i>LOT FRONTAGE</i> | Minimum 11.6 metres |
|---------------------|---------------------|

| | |
|---------------------|---|
| <i>LOT AREA</i> | Minimum 320 square metres |
| <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 7.0 metres |
| <i>SIDE YARD</i> | Minimum one side – 1.2 metres |
| | Minimum other side – 0.6 metres |
| <i>LOT COVERAGE</i> | Maximum 65% |
| | The walking surface of Upper Level Platforms shall be included in the <i>LOT COVERAGE</i> calculation |

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. 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 |
|------------------|-----------------------------|-----------------------------|
| 6 | 8 | 14 |

(NORTH VILLAGE SUBDIVISION)

9.2.33 H-R3-X20 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-R3-X20 ZONE” is hereby rezoned H-R3-X20 ZONE.

2. The *USES* permitted in the H-R3-X20 ZONE shall be *SINGLE-DETACHED DWELLINGS*.

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-R3-X20 ZONE shall be as follows:

| | |
|---------------------|---|
| <i>LOT FRONTAGE</i> | Minimum 11.6 metres |
| <i>LOT AREA</i> | Minimum 320 square metres |
| <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 |
| <i>LOT COVERAGE</i> | Maximum 65% |
| | The walking surface of Upper Level Platforms shall be included in the <i>LOT COVERAGE</i> calculation |

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. 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 |
|------------------|-----------------------------|-----------------------------|
| 1 | 14 | 24 |
| 8 | 5 | 9 |

(NORTH VILLAGE SUBDIVISION)