

**SECTION 14 - MULTIPLE DWELLING- FOURTH DENSITY ZONE- RM4**

The following provisions shall apply in all MULTIPLE DWELLING- FOURTH DENSITY ZONES RM4.

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

**14.1 USES PERMITTED**

**14.1.1 Residential:**

*SINGLE-DETACHED DWELLING*

*SEMI-DETACHED DWELLING*

*DUPLEX*

*TRIPLEX (By-law 9621)*

*FREEHOLD TRIPLEX (By-law 2004-12)*

*FOURPLEX (By-law 9621)*

*APARTMENT BUILDING (By-law 9621)*

*TOWNHOUSE (By-law 4067)*

*GROUP HOME (By-law 7670)*

*STREET TOWNHOUSE (By-law 9439)*

*BED & BREAKFAST*

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

**14.2.1 LOT FRONTAGE:**

Minimum - 15 metres

**14.2.2 LOT AREA:**

Minimum - 555 square metres

**14.2.3 YARD Requirements:**

*FRONT YARD* - minimum 6.0 metres

*REAR YARD* - minimum 7.5 metres

*SIDE YARD* - minimum 1.5 metres

**14.2.4 GROUND FLOOR AREA:**

Minimum - 55 square metres

**14.2.5 GROSS FLOOR AREA:**

Minimum - 65 square metres

**14.2.6 LOT COVERAGE:**

Maximum - 35 percent

**14.3 SEMI-DETACHED DWELLING OR DUPLEX**

The requirements for a *SEMI-DETACHED DWELLING* or *DUPLEX* shall conform to the provisions of Section 12.3 of this By-law.

**14.3A FREEHOLD TRIPLEX (By-law 2004-12)**

		<b>Regulations for a <i>FREEHOLD TRIPLEX</i></b>	<b>Regulations for each <i>DWELLING UNIT</i> of a <i>FREEHOLD TRIPLEX</i></b>
<b>14.3A.1</b>	<i>LOT FRONTAGE</i>	Minimum 21.0 metres	Interior Unit - Minimum 6 metres  End Unit - Minimum 9 metres
<b>14.3A.2</b>	<i>LOT AREA</i>	Minimum 665 square metres	Minimum 232 square metres
<b>14.3A.3</b>	<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
<b>14.3A.4</b>	<i>GROUND FLOOR AREA</i>	N/A	Minimum 40 square metres
<b>14.3A.5</b>	<i>GROSS FLOOR AREA</i>	N/A	Minimum 65 square metres
<b>14.3A.6</b>	<i>LOT COVERAGE</i>	Maximum 40%	Maximum 40%

**14.4 TRIPLEX AND FOURPLEX (By-law 9621)**

**14.4.1 LOT FRONTAGE:**

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

**14.4.2 LOT AREA:**

Minimum - 613 square metres

**14.4.3 YARD Requirements:**

<i>FRONT YARD</i>	minimum 6.0 metres
<i>REAR YARD</i>	minimum 7.5 metres
<i>SIDE YARD</i>	minimum one side 1.8 metres minimum other side 2.4 metres

**14.4.4 GROSS FLOOR AREA per DWELLING UNIT:**

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

**14.4.5 LOT COVERAGE:**

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

**14.4A TOWNHOUSE (By-law 2003-137)**

		<b>Regulations for a TOWNHOUSE LOT</b>	<b>Regulations for a TOWNHOUSE BUILDING</b>
<b>14.4A.1</b>	<i>LOT FRONTAGE</i>	Minimum 21.0 metres	N/A
<b>14.4A.2</b>	<i>LOT AREA</i>	Minimum 232 square metres per <i>DWELLING UNIT</i>	Minimum 232 square metres per <i>DWELLING UNIT</i>
<b>14.4A.3</b>	<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
<b>14.4A.4</b>	<i>GROUND FLOOR AREA</i>	N/A	Minimum 40 square metres per <i>DWELLING UNIT</i>
<b>14.4A.5</b>	<i>GROSS FLOOR AREA</i>	N/A	Minimum 65 square metres per <i>DWELLING</i>

		<i>UNIT</i>
14.4A.6	<i>LOT COVERAGE</i> 40%	N/A
14.4B	<b><u>STREET TOWNHOUSE</u></b> (By-law 9196)	
	<b>Regulations for a <u>STREET TOWNHOUSE</u></b>	<b>Regulations for each DWELLING UNIT of a <u>STREET TOWNHOUSE</u></b>
14.4B.1	<b><i>LOT FRONTAGE:</i></b>	
	Minimum 27 metres	Interior Unit - Minimum 6 metres End Unit - Minimum 10.5 metres
14.4B.2	<b><i>LOT AREA:</i></b>	
	Minimum 928 square metres	Minimum 232 square metres
14.4B.3	<b><i>YARD Requirements:</i></b>	
	<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 <b>(By-law 2003-137)</b>  Common wall – 0 metres <b>(By-law 2003-137)</b>
14.4B.4	<b><i>GROUND FLOOR AREA:</i></b>	
	n/a	Minimum 40 square metres
14.4B.5	<b><i>GROSS FLOOR AREA:</i></b>	
	n/a	Minimum 65 square metres
14.4B.6	<b><i>LOT COVERAGE:</i></b>	
	Maximum 40 percent	Maximum 40 percent
14.5	<b><u>APARTMENT BUILDING</u></b> (By-law 4707)	
14.5.1	<b><i>LOT FRONTAGE:</i></b>	

Minimum - 21 metres

**14.5.2 LOT AREA:**

Minimum - 780 square metres

**14.5.3 YARD Requirements:**

*FRONT YARD* - minimum 9.0 metres

*REAR YARD* - minimum - height of *BUILDING* but not less than 9.0 metres

*SIDE YARD* - minimum - half the height of *BUILDING* but not less than 4.5 metres nor 9.0 metres when adjoining a *STREET*

**14.5.4 Floor Area per DWELLING UNIT:**

Bachelor - minimum 37 square metres

One Bedroom - minimum 45 square metres

Two Bedrooms - minimum 55 square metres

More than Two Bedrooms - minimum 65 square metres

**14.5.5 LOT Density:**

Maximum - 125 units per hectare

**14.5.6 LOT COVERAGE:**

Maximum	30 percent of <i>LOT AREA</i> for main <i>BUILDING</i>
	35 percent of <i>LOT AREA</i> for all buildings including main <i>BUILDING</i>

**14.5.7 PARKING LOT:**

Maximum - 35 percent of *LOT AREA*

**14.5.8 LANDSCAPED OPEN SPACE:**

Minimum	30 percent of <i>LOT AREA</i> , and all <i>YARD</i> areas other than driveways, walkways and parking spaces shall be landscaped
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**14.5.9 BUILDING HEIGHT:**

Notwithstanding any other height provisions of this By-law, an *APARTMENT BUILDING* may have a maximum height of 23 metres above *GRADE*.

- 14.5.9 (a)** Notwithstanding the provisions of Section 14.5.9, the lands described in Schedules "B-1" and "B-2" of By-law 6608 shall be exempted from the height provisions of this By-law.

***(100 LANCASTER DRIVE AND VACANT RM4 PARCEL EAST OF IT - ALSO SEE: 5.20.7)***

- 14.5.9 (b)** Deleted by By-law 10358.

- 14.5.9 (c)** Notwithstanding the provisions of Section 14.5.9, the lands described in Schedule "B" of By-law 8297 shall be exempted from the height provisions of this By-law from 5 storeys to 8 storeys.

***(210 DENISTOUN STREET - ALSO SEE: 5.20.13)***

- 14.5.9 (d)** Notwithstanding the provisions of Section 14.5.9, the lands described in Schedule "B" of By-law 8298 shall be exempted from the height provisions of this By-law from 5 storeys to 8 storeys.

***(200 DENISTOUN STREET - ALSO SEE: 5.20.14, 14.15)***

- 14.5.9 (e)** Notwithstanding the provisions of Section 14.5.9, the lands described in Schedule "B" of By-law 8299 shall be exempted from the height provisions of this By-law from 5 storeys to 8 storeys.

***(220 DENISTOUN STREET - ALSO SEE: 5.20.15)***

- 14.5.9 (f)** Notwithstanding the provisions of Section 14.5.9, the lands described in Schedule "B" of By-law 8300 shall be exempted from the height provisions of this By-law from 5 storeys to 8 storeys.

***(230 DENISTOUN STREET - ALSO SEE: 5.20.16)***

**14.6**      **EXCEPTION**

Section 14.1.2 shall not apply to LOTS 15, 16, 17, 18, and 19 according to Registered Plan 22 for the Township of Crowland now in the City of Welland in the County of Welland and the Province of Ontario. **(By-law 3456)**

***(24 WELLINGTON STREET)***

**14.7**      **EXCEPTION**

NOTWITHSTANDING the provisions of Subsection 14.1.2 of By-law No. 2667, the Other *USES* permitted under this Subsection shall not be permitted, but *USES* permitted under Subsection 12.5 (*TOWNHOUSES*) of By-law No. 2667, as amended, shall apply to 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 more particularly described as follows:

Being composed of part of LOT 250 for the Township of Thorold now in the City of Welland:

COMMENCING at the south east angle of the said Township *LOT*;

THENCE North 0° 10' 30" West, 250.393 metres more or less to a point;

THENCE North 89° 51' 30" West, 161.361 metres more or less to an iron post planted in the ground;

THENCE South 0° 24" East, 213.262 metres to a concrete marker placed in the ground;

THENCE North 89° 54" East, 65.0 metres to a point;

THENCE South 0° 24" East, 37.795 metres to a point on the northerly limit of Fitch Street;

THENCE North 89° 54" East, 31.852 metres;

THENCE North 0° 10' 30" West, 30.48 metres;

THENCE North 89° 54" East, 44.729 metres;

THENCE South 2° 18" West, 30.504 metres;

THENCE North 89° 54" East, 57.577 metres more or less to the south east angle of the said *LOT* which is the place of beginning of the lands *HEREIN* described. **(By-law 3428 and 4707)**

***(85 FIRST AVENUE, 156 AND 158 FITCH STREET)***

**14.8**

**EXCEPTION**

NOTWITHSTANDING anything contained in this by-law, a maximum of 3 *APARTMENT BUILDINGS* may be erected on the following described lands; provided that the Other *USES* allowed under Section 14.1.2 shall not be permitted on the said lands;

ALL AND SINGULAR that certain parcel or tract of land and premises, lying and being in the City of Welland in the County of Welland in the Province of Ontario and being composed of part of *LOT 252* in the Township of Thorold now in the said City and more particularly described as follows, this is to say:

COMMENCING at an iron bar planted in the interior of the said *LOT*, the said iron bar being distant 91.440 metres measured on a course of South 1° 05' East from an iron bar planted in the northern limit of the said *LOT*, being also the southern limit of Thorold Road; the said iron bar being distant 162.986 metres measured on a course of South 88° 59' 30" West along the said northern limit of the said *LOT*, from the north-east angle of the said *LOT*;

THENCE South 88° 59' 30" West and parallel with the said northern limit of the said *LOT*, 41,148 metres to an iron bar planted;

THENCE South 1° 05' East in a straight line 102.910 metres to an iron bar planted;

THENCE North 88° 45' 30" East in a straight line, 202.616 metres, more or less to an iron bar planted in the east limit of the said *LOT*, being also the west limit of Willson

Road;

THENCE North 0° 37' West along the said limit of the said LOT, 8.321 metres to an iron bar planted; the said iron bar being distant 15.240 metres measured on a course of South 0° 37' East along the said limit of the said LOT from an iron bar planted at the intersection of the said limit of the said LOT with the south western limit of the lands of the Niagara, St. Catharines and Toronto Railway;

THENCE South 88° 41' West in a straight line, 4.407 metres to an iron bar planted;

THENCE North 34° 34' West in a straight line and parallel with the said limit of the lands of the said Railway, 79,897 metres to an iron bar planted;

THENCE South 88° 59' 30" West in a straight line and parallel with the said northern limit of the said LOT, 113.005 metres to an iron bar planted;

THENCE North 1° 05' West in a straight line 27.127 metres to the place of commencement. **(By-law 3490 and 4707)**

***(255 AND 265 WILLSON ROAD)***

**14.9 Repealed by By-law 2007-159.**

**14.10 Repealed by By-law 2002-98.**

**14.11 Repealed by By-law 1999-131.**

**14.12 EXCEPTION**

Notwithstanding the provisions of Section 14.5.3, the lands described in By-law 7260 shall be exempted from the *FRONT YARD* requirement and from the *SIDE YARD* requirement.

***(12 RIVERSIDE DRIVE)***

**14.13 Deleted by By-law 10358.**

**14.14 EXCEPTION**

1. Notwithstanding the provisions of Section 14.5.3, subtitled "YARD Requirements", the following lands shall be given an exemption to allow a southerly *SIDE YARD* exemption to a minimum of 3 metres:
2. Notwithstanding the provisions of Section 14.5.7, subtitled "*PARKING LOT*", the following lands shall be given an exemption to allow a maximum *PARKING LOT* exemption to 51.4 percent of the *LOT AREA*:
3. Notwithstanding the provisions of Section 14.5.8, subtitled "*LANDSCAPED OPEN SPACE*", the following lands shall be given an exemption to allow a minimum *LANDSCAPED OPEN SPACE* exemption to 19 percent of the *LOT AREA*:

All of *LOTS* 953, 954, 955 and 956, according to Registered Plan Number 40 for the Township of Crowland, formerly in the County of Welland, now in the City of Welland in the Regional Municipality of Niagara, now known as Plan 960 as described in



Instrument No. 385315. **(By-law 8221)**

**(202 CROWLAND AVENUE)**

**14.15**      **EXCEPTION**

Notwithstanding the provisions of Section 14.5, no *BUILDING, STRUCTURE* or recreational facility on the lands described in Schedule "B" of By-law 8298 shall be placed within 30 metres of the property line of the lands of the Instituto Delle Suore Del Sacro Cuore in Ragusa, said lands being more particularly described in Schedule "C" of By-law 8298.

**(200 DENISTOUN STREET - ALSO SEE: 5.20.14, 14.5.9 (d))**

**14.16**      **EXCEPTION**

1. Notwithstanding the provisions of Section 14.5.3, *LOTS* 815, 816, 817, 818, 996, 997 and 998, according to Plan 40 for the Township of Crowland, now in the City of Welland, now known as Plan 960, shall be given an exemption to allow the *SIDE YARDS* to be 4.57 metres instead of the required 5.52 metres.
2. Notwithstanding the provisions of Section 14.5.3, *LOTS* 815, 816, 817, 818, 996, 997 and 998, according to Plan 40 for the Township of Crowland, now in the City of Welland, now known as Plan 960, shall be given an exemption to allow the *REAR YARD* to be 8.12 metres instead of the required 11.03 metres. **(By-law 9210)**

**(55 MCALPINE AVENUE)**

**14.17**      **Repealed by By-law 2002-98.**

Notwithstanding the provisions of Section 14, the southerly 10.06 metres of *LOT* 19, according to Registered Plan 1297, now known as Plan 556, shall be given an exemption to allow the *USE* of the said lands for the purpose of parking for the lands adjacent to the south for Caisse Populaire. **(By-law 9305)**

**(NORTH OF THE PARKING LOT FOR 59 EMPIRE STREET)**

**14.18**      **EXEMPTION - Lands Zoned RM4(H) (By-law 9837) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2006-17)**

Notwithstanding the provisions of Section 14, Subsections 14.5.3, 14.5.7, 14.5.8 and 14.5.9, the lands described in Schedule "B" of By-law 9837, shall be permitted a westerly *SIDE YARD* of 4.5 metres; an easterly *SIDE YARD* of 6.4 metres; a *PARKING LOT* to cover a maximum of 40 percent of the *LOT AREA*; a *LANDSCAPED OPEN SPACE* to cover a minimum of 25 percent of the *LOT AREA*; and shall permit a 6 storey *APARTMENT BUILDING*.

**(26 MILLSTREET - ALSO SEE: 5.20.22, 27.3.1)**

**14.19**      **Deleted by By-law 10717.**

**14.20**      **EXEMPTION**

NOTWITHSTANDING anything contained in By-law 2667, as amended, The Roman Catholic Episcopal CORPORATION for the Diocese of Toronto in Canada be and the same is hereby allowed a special USE to permit the erection of a PLACE OF WORSHIP and/or associated house on the following described lands that is in the City of Welland, in the County of Welland and being composed of the northerly part of LOT 21, Concession 5, Township of Crowland, now in the City of Welland, commencing at a point in the easterly limit of said LOT distant southerly therein 3.048 metres from the north-east angle of said LOT;

THENCE south 87° 33' west and parallel to the northern limit of said LOT 81.077 metres to a point which is the place of beginning of the lands HEREIN described;

THENCE south 60.96 metres to a point;

THENCE south 89° 33' west 70.104 metres to a point;

THENCE north 60.96 metres more or less to a point perpendicularly distant 3.048 metres from the north limit of said LOT;

THENCE north 89° 33' east parallel to and distant 3.048 metres from the said north limit of said LOT a distance of 70.104 metres to the place of beginning.

The erection of any STRUCTURE permitted by this By-law shall be subject to the area requirements under Section 28 of said By-law 2667. **(By-law 3088)**

**(ST. ANDREWS CATHOLIC CHURCH - CORNER OF EAST MAIN STREET AND ST. ANDREWS AVENUE)**

**14.21 H-RM4-X1 ZONE (By-law 10043 and 10089) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 2002-132)**

1. That Schedule "A" to By-law 2667 be and the same is hereby amended by rezoning LOTS 140 to 157 inclusive, Lots 164 to 235 inclusive, Part of LOTS 158 to 163 inclusive, Part of Roxborough Street and Part of Lawrence Street Registered Plan 22, Township of Crowland, now known as Plan 944, City of Welland, shown on Schedule "A" of By-law 10043 as "Change to H-RM4-X1 ZONE" as H-RM4-X1 ZONE.
2. That the USES permitted in the RM4-X1 ZONE shall be restricted to a nursing home, a senior citizen APARTMENT BUILDING, a CLINIC and a VOCATIONAL TRAINING CENTRE for homemakers and health care workers. The maximum number of senior citizen apartments permitted on the site shall be 165 units.
3. That notwithstanding any provisions of By-law 2667 to the contrary the following provisions shall apply to the RM4-X1 ZONE.

Minimum LOT FRONTAGE	nil
Minimum LOT AREA	2,785 square metres
Minimum FRONT YARD	nil
Minimum REAR YARD	nil

Minimum <i>SIDE YARD</i>	nil
Minimum <i>LANDSCAPED OPEN SPACE</i>	15 percent
Maximum <i>LOT COVERAGE</i>	50 percent
Maximum <i>BUILDING HEIGHT</i>	18 metres (6 storeys)

Notwithstanding the foregoing:

- a. where the RM4-X1 ZONE abuts an R1 through RM3 ZONE the minimum *YARD* which shall be provided in the RM4-X1 ZONE shall be 10.5 metres; and,
- b. where the RM4-X1 ZONE abuts a *STREET* the minimum *YARD* which shall be provided in the RM4-X1 ZONE shall be 10.5 metres.

Notwithstanding Section 5.20.4.1 of By-law 2667, parking may be provided in the *FRONT YARD* in the RM4-X1 ZONE where such Zone abuts Tanguay Avenue.

Notwithstanding Section 5.20.24 - Off-*STREET* Parking Requirements of By-law 2667, the minimum parking requirements for apartments for senior citizens shall be 0.4 spaces per *DWELLING UNIT*.

**(LANDS BETWEEN WELLINGTON STREET, TANGUAY AVENUE AND PROMENADE RICHELIEU)**

**14.22 RM4-X2 ZONE (By-law 10279, 2008-77)**

1. That Part (Niagara South Condominium Plan 63) of *LOT* 256, formerly in the Township of Thorold, now in the City of Welland, known municipally as 117 Willson Road and shown on Schedule "A" attached to By-law 10279 as "Change to RM4-X2 ZONE" is hereby rezoned RM4-X2 ZONE.
2. That the *USES* permitted in the RM4-X2 ZONE shall be a nineteen (19) unit *APARTMENT BUILDING*. **(By-law 2008-77)**
3. That the Zone Provisions for the RM4-X2 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	48.5 metres
Minimum <i>LOT AREA</i>	3,600 square metres
Minimum <i>REAR YARD</i>	20 metres
Minimum <i>INTERIOR SIDE YARD</i>	6 metres
Minimum <i>EXTERIOR SIDE YARD</i>	15 metres
Minimum <i>LANDSCAPED OPEN SPACE</i>	40 percent
Maximum <i>LOT COVERAGE</i>	30 percent

Maximum <i>BUILDING HEIGHT</i>	12 metres
Minimum <i>FRONT YARD</i> (North)	7.5 metres <b>(By-law 2008-77)</b>

Notwithstanding Section 5.20.2 of By-law 2667, as amended, a *PARKING SPACE* width of 2.45 metres and an aisle width of 7.0 metres shall be permitted in the *EXTERIOR SIDE YARD*; **(By-law 2008-77)**

Notwithstanding Section 5.20.2 of By-law 2667, as amended, an aisle width of 7.1 metres shall be permitted in the *REAR YARD*; **(By-law 2008-77)**

Notwithstanding Section 5.20.4.1 of By-law 2667, as amended, required parking may be provided in the *EXTERIOR SIDE YARD*, within 1.2 metres of the *EXTERIOR SIDE LOT LINES*; **(By-law 2008-77)**

Notwithstanding Section 5.20.24 15. of By-law 2667, as amended, the Minimum Number of *PARKING SPACES* shall be 28. **(By-law 2008-77)**

**(117 WILLSON ROAD)**

**14.23 RM4-X3 ZONE (By-law 10352)**

1. Part of *LOT 27*, Concession 4, former Township of Humberstone, more particularly described as Parts 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16 and 17, Plan 59R-8771, known municipally as 5 Forks Road and as shown on Schedule "A" of By-law 10352 as "Change to RM4-X3 ZONE" is hereby rezoned RM4-X3 ZONE.
2. The *USES* permitted in the RM4-X3 ZONE shall be limited to an *APARTMENT BUILDING* containing a maximum of 23 residential units.
3. That notwithstanding the provisions of By-law 2667, the Zone Provisions for the RM4-X3 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	21 metres
Minimum <i>LOT AREA</i>	5,600 square metres
Minimum <i>FRONT YARD</i> (West)	10.8 metres
Minimum <i>REAR YARD</i> (East)	6.3 metres
Minimum <i>SIDE YARD</i> (North)	11.3 metres
Minimum <i>SIDE YARD</i> (South)	4.5 metres
Minimum Floor Area Per <i>DWELLING UNIT</i>	
Bachelor	37 square metres
One Bedroom	45 square metres
Two Bedroom	55 square metres

More Than Two Bedrooms 65 square metres

Maximum *LOT COVERAGE*

Main *BUILDING* 30.5 percent of *LOT AREA*

All *BUILDINGS* 38 percent of *LOT AREA*

Maximum *PARKING LOT* 35 percent of *LOT AREA*

Minimum *LANDSCAPED OPEN SPACE* 30 percent of *LOT AREA*

*BUILDING HEIGHT* 2 storeys to maximum height of 13.4 metres

*ACCESSORY BUILDING* 0.76 metres

Minimum *REAR YARD* (East)

Minimum *SIDE YARD* (South) 0.60 metres

4. Notwithstanding Section 5.20.4.1 of By-law 2667, *PARKING SPACES* shall be permitted in the *FRONT YARD* and in the *SIDE YARD* which adjoins a *STREET*.

**(5 FORKS ROAD - FORMER BRIDGEVIEW SCHOOL- BUILDING AND ONLY - LANDS IMMEDIATELY ADJACENT TO IT)**

**14.24 RM4-X4 ZONE (By-law 10358)**

1. Part of *LOT 27*, Concession 6, former Township of Crowland, now in the City of Welland more particularly described as Part 1, Plan 59R-4554, known municipally as 30 Nova Crescent and as shown on Schedule "A" of By-law 10358 as "Change to RM4-X4 ZONE" is hereby rezoned RM4-X4 ZONE.
2. The *USES* permitted in the RM4-X4 ZONE shall be a seventy (70) unit *APARTMENT BUILDING* and a *PERSONAL SERVICE ESTABLISHMENT*, a *CONVENIENCE STORE* and dining facilities all to be located on the ground floor.
3. That notwithstanding any other sections of Zoning By-law 2667, the Zone Provisions for the RM4-X4 ZONE shall be as follows:

Minimum *LOT FRONTAGE* 0 metres

Minimum *LOT AREA* 7,750 square metres

Minimum South *YARD* 40.0 metres

Minimum East *YARD* 15.5 metres

Minimum North *YARD* 32.0 metres

Minimum West <i>YARD</i>	18.5 metres
Minimum <i>LANDSCAPED OPEN SPACE</i>	30 percent
Maximum <i>LOT COVERAGE</i>	30 percent for main <i>BUILDING</i> 35 percent for all <i>BUILDINGS</i>
Maximum <i>BUILDING HEIGHT</i>	6 storeys and a <i>BASEMENT</i>
Minimum <i>PARKING SPACES</i>	1 space per <i>DWELLING UNIT</i>
Minimum Floor Area Per <i>DWELLING UNIT</i>	
Bachelor	37 square metres
One Bedroom	45 square metres
Two Bedrooms	55 square metres
More Than Two Bedrooms	65 square metres

Required Parking May Be Provided In The South, West And North *YARD*

4. That notwithstanding Section 5.2 - *FRONTAGE* On A *STREET* - the subject lands shall be exempted from the provision of having frontage on a *STREET*.

**(30 NOVA CRESCENT)**

**14.25 RM4-X5 ZONE (By-law 10701, 2006-143) (HOLDING SYMBOL "H" REMOVED BY BY-LAW 10797)**

Part of Park Avenue, Part of Park *LOT*, *LOT* 81, 90, 91, Plan 652 and *LOTS* 200 to 210 inclusive, Part of *LOTS* 55, and 82 to 89 inclusive shown in Schedule "A" of By-laws 10701 and 2006-143 as "Change to RM4-X5 ZONE" is hereby rezoned RM4-X5 ZONE.

The *USES* permitted in the RM4-X5 ZONE shall be limited to 91 units/suite retirement complex and *ACCESSORY USES* thereto.

The Zone Provisions for the RM4-X5 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	40 metres
Minimum <i>LOT AREA</i>	14,000 square metres
Minimum North <i>YARD</i> Setback	4.5 metres save where Zone abuts lands on the south side of Brant Avenue then the minimum <i>YARD</i> shall be 10 metres

Minimum South <i>YARD</i> Setback	7.5 metres
East <i>YARD</i> Setback	6 metres
West <i>YARD</i> Setback	Nil save where the Zone abuts lands fronting on the east side of First Avenue then the minimum <i>YARD</i> shall be 7.5 metres
<i>LANDSCAPED OPEN SPACE</i>	30 percent
<i>LOT COVERAGE</i>	40 percent
Maximum <i>BUILDING HEIGHT</i>	7.5 metres where the <i>BUILDING</i> abuts an R2 ZONE and 13.5 metres where the <i>BUILDING</i> abuts the IN-I-X3 ZONE

Parking:

A total of 70 *PARKING SPACES* shall be provided and the sharing of parking between the RM4-X5 ZONE and the abutting IN-1-X3 ZONE shall be permitted. Parking shall be permitted in any *REQUIRED YARD*.

**(242 FIRST AVENUE)**

**14.26**

**RM4-X6 ZONE (By-law 10717)**

1. Part of *LOTS* 29 and 30, Concession 6, former Township of Crowland, now City of Welland more particularly described as Parts 1, 2, 3, 4, 5, 6, 9 and 10, Plan 59R-8473 and as shown on Schedule "A" of By-law 10717 as "Change to RM4-X6 ZONE" is hereby rezoned RM4-X6 ZONE.
2. The *USES* permitted in the RM4-X6 ZONE shall be *SEMI-DETACHED DWELLINGS*, *STREET TOWNHOUSES*, a maximum of thirty-two (32) *TOWNHOUSES* and one (1) three-storey 39-unit *APARTMENT BUILDING*.
3. The provisions for the RM4-X6 ZONE shall be those provided for in the Multiple *DWELLING*- Fourth Density Zone save and except as follows:
  - (a) With respect to a development of a maximum of thirty-two (32) *TOWNHOUSES* together with one (1) three-storey 39-unit *APARTMENT BUILDING*, the *FRONT YARD* setback shall be a minimum of 5.0 metres due to a previous taking for road widening purposes.
  - (b) No construction or fill shall be permitted on any portion of the lands zoned RM4-X6 which are located within any floodline.
  - (c) 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 or *ACCESSORY BUILDINGS* on any portion

of land within 8 metres of the northerly property boundary of *LOTS 1 through 10 inclusive*.

**(3-179 WATERVIEW COURT (ODD))**

**14.27 RM4-X7 ZONE (By-law 11184)**

1. Part of *LOT F.O.*, west side of Niagara Street, Plan 564, known municipally as 2 Riverbank Street and shown on Schedule "A" of By-law 11184 as "Change to RM4-X7 ZONE" is hereby rezoned RM4-X7 ZONE.
2. The *USES* permitted in the RM4-X7 ZONE shall be those permitted in the RM4 ZONE.
3. The provisions for the RM4-X7 ZONE shall be those of the RM4 ZONE save and except for a *SINGLE-DETACHED DWELLING* and *GROUP HOME* which shall be as follows:

Minimum <i>LOT FRONTAGE</i>	20.0 metres
Minimum <i>LOT AREA</i>	1,100 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	1.0 metres
Minimum South <i>SIDE YARD</i> Setback	0.27 metres
Minimum <i>GROUND FLOOR AREA</i>	55 square metres
Minimum <i>GROSS FLOOR AREA</i>	65 square metres
Maximum <i>LOT COVERAGE</i>	35 percent

4. That notwithstanding any other provisions of By-law 2667, the two *EXISTING ACCESSORY BUILDINGS* are permitted to be located within the *FRONT YARD* with the following setbacks:

			<b>CONCRETE BLOCK BUILDING</b>	<b>METAL CLAD BUILDING</b>
Minimum Setback	North	<i>YARD</i>	0.9 metres	
Minimum Setback	East	<i>YARD</i>	0.8 metres	
Minimum Setback	West	<i>YARD</i>		6.3 metres
Minimum Setback	South	<i>YARD</i>		2.7 metres



Maximum Height                      7.32 metres                                      5.2 metres

**(2 RIVERBANK STREET)**

**14.28      RM4-X8 ZONE (By-law 11184)**

1.      Part of *LOT F.O.*, west side of Niagara Street, Plan 564, known municipally as 113 Niagara Street and shown on Schedule "A" of By-law 11184 as "Change to RM4-X8 ZONE" is hereby rezoned RM4-X8 ZONE.

2.      The *USES* permitted in and the provisions for the RM4-X8 ZONE shall be those of the RM4 ZONE save and except for a *SINGLE-DETACHED DWELLING* and *GROUP HOME* which shall be as follows:

Minimum <i>LOT FRONTAGE</i>	0 metres
Minimum <i>LOT AREA</i>	330 square metres
Minimum East <i>YARD</i> Setback	6.0 metres
Minimum West <i>REAR YARD</i> Setback	7.0 metres
Minimum North <i>SIDE YARD</i> Setback	2.7 metres
Minimum South <i>SIDE YARD</i> Setback	1.1 metres
Minimum <i>GROUND FLOOR AREA</i>	43 square metres
Minimum <i>GROSS FLOOR AREA</i>	65 square metres
Maximum <i>LOT COVERAGE</i>	35 percent

3.      That notwithstanding Section 5.2 of By-law 2667, the subject lands are exempt from having frontage on a *STREET*.

**(113 NIAGARA STREET)**

**14.29      RM4-X9 ZONE (By-law 1999-50)**

1.      That Part of *LOT 254*, former Township of Thorold, now in the City of Welland known municipally as 485 Thorold Road and shown on Schedule "A" of By-law 1999-50 as "Change to RM4-X9 ZONE" is hereby rezoned RM4-X9 ZONE;

2.      The *USES* permitted in the RM4-X9 ZONE shall be those permitted in the RM4 ZONE;

3.      The provisions for the RM4-X9 ZONE shall be those of the RM4 ZONE and the following:

Maximum <i>PARKING LOT COVERAGE</i>	40 percent
Minimum number of <i>PARKING SPACES</i>	80

Minimum *PARKING SPACE* length for 0° 5.4 metres parking along southerly line

Required parking spaces permitted in north *SIDE YARD* which adjoins a *STREET*

Delete the required fence along the southerly property line.

**(485 THOROLD ROAD)**

**14.30 RM4-X10 ZONE (By-law 2002-98, 2004-152, 2014-104)**

1. That Lots 21 and 23 and Part of Lot 19, Plan 566, known municipally as 59 Empire Street and shown on Schedule "A" of By-law 2002-98 as "Change to RM4-X10 ZONE" is hereby rezoned RM4-X10 ZONE;
2. The *USES* permitted in the RM4-X10 ZONE shall be limited to *BUSINESS OFFICES*, a financial institution and associated parking and a maximum of eight (8) apartment units in the existing building; **(By-law 2004-152, 2014-104)**
3. The Zone provisions for the RM4-X10 ZONE shall be as follows:
 

Minimum <i>LOT FRONTAGE</i>	50.0 metres
Minimum <i>LOT AREA</i>	3,800 square metres
Minimum <i>FRONT YARD</i> Setback	6.0 metres for new entrance 10.0 for existing building
Minimum <i>REAR YARD</i> Setback	7.5 metres
Minimum North <i>YARD</i> Setback	14.0 metres
Minimum South <i>YARD</i> Setback	4.8 metres
Minimum <i>LANDSCAPED OPEN SPACE</i>	20%
Maximum <i>LOT COVERAGE</i>	30%
Maximum <i>BUILDING HEIGHT</i>	8.0 metres
4. That notwithstanding Section 5.20 - Parking of By-law 2667, as amended, parking associated with the permitted *USES* will be permitted in the *FRONT YARD*.

**(59 EMPIRE STREET)**

**14.31 RM4-X11 ZONE (By-law 2003-48)**

1. That *LOTS* 13 through 18, all inclusive, Plan 951, known municipally as 35 Southworth Street and shown on Schedule "A" of By-law 2003-48 as "Change

to RM4-X11 ZONE' is hereby rezoned RM4-X11 ZONE;

2. The USES permitted in the RM4-X11 ZONE shall be those permitted in the RM4 ZONE;
3. The provisions for the RM4-X11 ZONE shall be those of the RM4 ZONE save and except for an apartment building which shall be as follows:

Minimum LOT FRONTAGE	21 metres
Minimum LOT AREA	780 square metres
Minimum FRONT YARD Setback	0 metres
Minimum REAR YARD Setback	9.0 metres
Minimum North YARD Setback	16.0 metres
Minimum South YARD Setback (to MAIN BUILDING)	5.0 metres
Minimum South YARD to Garden Wall	2.0 metres
Maximum LOT COVERAGE	33%
Maximum PARKING LOT Coverage	36%
Minimum Landscaped Area	30%
Maximum BUILDING HEIGHT	23 metres above GRADE

4. Notwithstanding Section 5.20.24(15) of By-law 2667, as amended, the minimum number of parking spaces required for the site incorporating 12 studio/bachelor and 8 two bedroom APARTMENTS is 23.

**(35 SOUTHWORTH STREET)**

**14.32 RM4-X12 ZONE (By-law 2003-144, By-law 2005-67 and By-law 2006-20) (HOLDING SYMBOL "H" REMOVED FROM BY-LAW 2006-20 BY BY-LAW 2007-56)**

1. That Block 29, Plan 59M-328 known municipally as 740 Thorold Road and shown on Schedule "A" of By-law 2005-67 as "Change to H-RM4-X12 ZONE" is hereby rezoned H-RM4-X12 ZONE;
2. The uses permitted in the H-RM4-X12 ZONE shall be limited to apartment BUILDINGS, TOWNHOUSES (By-law 2005-67) and STREET TOWNHOUSES (By-law 2006-20);
3. The provisions for the H-RM4-X12 ZONE shall be those of Section 14.4 A, 14.4 B (By-law 2006-20) and 14.5 of By-law 2667, as amended save and except as follows:

**STREET** Regulations For Each DWELLING UNIT Of A

	<b>TOWNHOUSE</b>	<b>STREET TOWNHOUSE</b>
Minimum <i>LOT FRONTAGE</i>	30 metres	End Unit – 9.0 metres
Minimum <i>LOT AREA</i>	840 square metres	210 square metres
Minimum <i>SIDE YARD</i>	3.0 metres	End Units – 3.0 metres
		Interior Units – 1.5 metres
		Common Wall – 0 metres
Maximum <i>LOT COVERAGE</i>	45%	50%

**(By-law 2006-20)**

**(THOROLD ROAD, SPARROW DRIVE)**

**14.33 RM4-X13 ZONE (By-law 2005-194)**

1. That Lots 2, 3, 4 and 5, Plan 59M-311 known municipally as 18, 24, 30, 36, 42, 48, 54 and 60 Bridgewater Court and shown on Schedule “A” attached to By-law 2005-194 as “Change to RM4-X13 ZONE” is hereby rezoned RM4-X13 ZONE;
2. The uses permitted in the RM4-X13 ZONE shall be those permitted in the RM4 ZONE;
3. The provisions for the RM4-X13 ZONE shall be those of the RM4 ZONE save and except as follows:

That notwithstanding Section 5.6 – DECKS of By-law 2667, as amended, the minimum setback for existing DECKS from the common LOT LINE shall be:

Lots 2, 3 and 4	0.5 metres
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(being 18, 24, 30, 36, 42 and 48 Bridgewater Court)

Lot 5	0 metres
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(being 54 and 60 Bridgewater Court)

**(18, 24, 30, 36, 42, 48, 54 AND 60 BRIDGEWATER COURT)**

**14.34 H-RM4-X14 ZONE (By-law 2006-111) (HOLDING SYMBOL “H” REMOVED BY BY-LAW 2007-151)**

1. Part of Lot 27, Concession 6, former Township of Crowland, now in the City of Welland, known municipally as 330 Prince Charles Drive South and shown on Schedule “A” attached to By-law 2006-111 as “Change to H-RM4-X14” is

hereby rezoned H-RM4-X14 ZONE;

2. The uses permitted in the H-RM4-X14 ZONE shall be *APARTMENT BUILDINGS, TRIPLEXES* and *TOWNHOUSES*;

3. The provisions for the H-RM4-X14 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	250.0 metres
Minimum <i>LOT AREA</i>	2.4 hectares
Minimum North <i>YARD</i> Setback	3.0 metres
Minimum East <i>YARD</i> Setback	3.0 metres
Minimum South <i>YARD</i> Setback	3.0 metres
Minimum West <i>YARD</i> Setback	6.0 metres
Minimum <i>FLOOR AREA</i> Per <i>DWELLING UNIT</i>	
Bachelor	37.0 square metres
One Bedroom	45.0 square metres
Two Bedroom	55.0 square metres
More Than Two Bedrooms	65.0 square metres
Maximum <i>LOT</i> Density	125 units/hectare
Maximum Number <i>DWELLING UNITS</i>	302
Maximum <i>LOT COVERAGE</i>	30%
Minimum <i>LANDSCAPED OPEN SPACE</i>	30%
Maximum <i>PARKING LOT</i> Coverage	30%

4. Notwithstanding Section 5.20 of Zoning By-law 2667, as amended, the minimum parking requirements are 1.3 spaces per *DWELLING UNIT* and parking will be permitted in the front *YARD* (west);
5. For Zoning purposes, all parts within the H-RM4-X14 ZONE proposed for phased condominium registration, which are designed and intended to function as an integral component of a comprehensive condominium development, shall be deemed to be one (1) lot for application of the Zoning regulations. Zoning regulations shall be applied from the external property boundaries of the H-RM4-X14 ZONE and not from any internal property lines created for condominium registration purposes.

***(330 PRINCE CHARLES DRIVE)***

**14.35      H-RM4-X15 ZONE (By-law 2008-59)**

1. That Lots 82 to 90, inclusive, the Block West of Lots 86 and 87, Part of Lots 76,77, 78, 79 and 81, Part of Park Street and Part of Crowland Street all on Plan 559; Lot 92 and Part of Lots 91, 93, 94, 95 and 96, Plan 565; and Part of Lot 26, Concession 5, Part of Lot 26, Concession 6 and Part of the Road Allowance between Concessions 5 and 6, former Township of Crowland, now in the City of Welland, known municipally as 1 Albert Street and shown on Schedule "A" attached to By-law 2008-59 as "Change to H-C2-X8 ZONE" is hereby rezoned H-C2-X8 ZONE; and, "Change to H-RM4-X15 ZONE" is hereby rezoned H-RM4-X15 ZONE;

2. The *USES* permitted in the H-RM4-X15 ZONE shall be:

*APARTMENT BUILDING,*

*TOWNHOUSE,*

stacked *TOWNHOUSE,*

*TRIPLEX;*

3. For the purposes of this By-law Stacked *TOWNHOUSE* shall be defined as the whole of a *BUILDING* divided into two *DWELLING UNITS*, one above the other, attached to other *DWELLINGS* or *BUILDINGS*. A *BUILDING* containing stacked *TOWNHOUSE UNITS* shall not contain less than three (3) and not more than nine (9) non-communicating *DWELLING UNITS*. Access to second level units shall be from an interior stairway within the stacked *TOWNHOUSE BUILDING*;

4. The provisions for the H-RM4-X15 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	18 metres
Minimum <i>LOT AREA</i>	2.0 hectares
Maximum Number of <i>UNITS</i>	215
Minimum <i>LANDSCAPED OPEN SPACE</i> Area	15%
Minimum No. of Surface <i>PARKING</i> <i>SPACES</i>	20
For the <i>APARTMENT BUILDING</i> :	
Minimum North <i>YARD</i> Setback	5.0 metres
Minimum West <i>YARD</i> Setback	6.0 metres
Minimum East <i>YARD</i> Setback	6.0 metres
Minimum South <i>YARD</i> Setback (from the extension of Albert Street)	6.0 metres

Maximum <i>BUILDING HEIGHT</i>	8 storeys
Minimum Setbacks for Underground Parking	NIL from all <i>LOT LINES</i>
Minimum No. of <i>PARKING SPACES</i>	1.3 spaces per <i>UNIT</i>
For Stacked <i>TOWNHOUSE, TOWNHOUSE</i> and Triplex:	
Minimum East <i>YARD</i> Setback	5.0 metres
Minimum West <i>YARD</i> Setback	5.0 metres
Minimum South <i>YARD</i> Setback	2.0 metres
Minimum No. of <i>PARKING SPACES</i> (Standard <i>TOWNHOUSE</i> )	2.2 per <i>UNIT</i>
Minimum No. of <i>PARKING SPACES</i> (Stacked <i>TOWNHOUSE</i> )	1.2 per <i>UNIT</i>
For each Stacked <i>TOWNHOUSE</i> and <i>TOWNHOUSE UNIT</i> and <i>TRIPLEX</i> :	
With a garage minimum Setback to interior drive	1.0 metres
Without a garage minimum Setback to interior drive	6.0 metres
Minimum <i>REAR YARD</i> Setback	5.0 metres
Minimum Separation Distance Between <i>BLOCKS</i> of <i>TOWNHOUSES/Stacked TOWNHOUSES/TRIPLEXES</i>	1.5 metres

5. For Zoning purposes, all parts within the H-RM4-X15 *ZONE* proposed for phased condominium registration, which are designed and intended to function as an integral component of a comprehensive condominium development, shall be deemed to be one (1) lot for application of the Zoning regulations. Zoning regulations shall be applied from the external property boundaries of the H-RM4-X15 *ZONE* and not from any internal property lines created for condominium registration purposes.

6. For the H-RM4-X15 *ZONE* and C2-X8 *ZONE*, all other General Provisions of By-law 2667, as amended, shall apply save and except as follows:

Notwithstanding Section 5.20 and Schedule 'B':

- the minimum parking stall size shall be 2.7 metres X 5.5 metres;
- the minimum underground parking driveway widths shall be 6.0 metres;

- the minimum interior driveway/roadway width shall be 6.0 metres;

Notwithstanding Section 5.10, the maximum *BUILDING* height for a *TOWNHOUSE*, stacked *TOWNHOUSE* or *TRIPLEX* shall be 13 metres;

Notwithstanding Section 5.7 Encroachments:

- balconies may project 1.8 metres into any required *YARD* provided that the projection is no closer than 3.0 metres to any *LOT LINE*;
- cornice may project 1.0 metre into any required *YARD* in relation to the main *BUILDING* provided that such encroachment is permitted by the Ontario Building Code and other such legislation;

7. While the Holding (H) Provision is in place, the lands may be remediated.

**(1 ALBERT STREET)**

**14.36 H-RM4-X16 ZONE (By-law 2008-95)**

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 2008-95 as "Change to H-RM4-X16 ZONE" is hereby rezoned H-RM4-X16 ZONE;
2. That the *USES* permitted in the H-RM4-X16 ZONE shall be an *APARTMENT BUILDING* and *TOWNHOUSES*;
3. That the provisions of the H-RM4-X16 ZONE for *TOWNHOUSES* shall be as follows:

	<b>Regulations for a TOWNHOUSE UNIT</b>	<b>Regulations for a TOWNHOUSE BUILDING</b>
<i>LOT FRONTAGE</i>	Minimum 50 metres	N/A
<i>LOT AREA</i>	Minimum 350 square metres per <i>DWELLING UNIT</i>	Minimum 350 square metres per <i>DWELLING UNIT</i>
<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 <i>DWELLINGS</i>
<i>GROUND FLOOR AREA</i>	N/A	Minimum 40 square metres per <i>DWELLING UNIT</i>



*GROSS FLOOR AREA* N/A Minimum 65 square metres per *DWELLING UNIT*

*LOT COVERAGE* 40%

*LOT Density* 27.5 metres per net hectare (Maximum 20 *UNITS*)

*LANDSCAPED OPEN SPACE* Minimum 25%

4. That the provisions of the H-RM4-X16 *ZONE* for an *APARTMENT BUILDING* shall be as follows:

<i>LOT FRONTAGE</i>	Minimum 50 metres
<i>LOT AREA</i>	7.270 square metres
<i>YARD Requirements</i>	
<i>FRONT YARD</i>	Minimum 3 metres
<i>REAR YARD</i>	Minimum 7.5 metres
West Side <i>YARD</i>	Minimum 7.5 metres
East Side <i>YARD</i>	Minimum 3 metres
<i>LOT Density</i>	91 <i>UNITS</i> per net hectare (Maximum 66 <i>UNITS</i> )
<i>LOT COVERAGE</i>	Maximum 35%
<i>PARKING LOT</i>	Maximum 35% of <i>LOT AREA</i>
<i>LANDSCAPED OPEN SPACE</i>	Minimum 30% of <i>LOT AREA</i> , and all <i>YARD</i> areas other than driveways, walkways and <i>PARKING SPACES</i> shall be landscaped
<i>BUILDING HEIGHT</i>	Notwithstanding any other height provisions of this By-law, the maximum height of the <i>APARTMENT BUILDING</i> shall be 3 storeys

**(WEST CREEK ESTATES)**

**14.37 RM4-X17 ZONE (By-law 2009-31)**

1. That Part of Lot 26, Concession 5, former Township of Crowland, now in the City of Welland and shown on Schedule "A" attached to By-law 2009-31 as

“Change to RM4-X17 ZONE” is hereby rezoned RM4-X17 ZONE;

2. That the *USES* permitted in the RM4-X17 ZONE shall be *Townhouses* and an *APARTMENT BUILDING*;
3. That the provisions of the RM4-X17 ZONE shall be those of the RM4 ZONE save and except the following:
 

<i>East YARD</i>	Minimum 3.0 metres
<i>North YARD</i>	Minimum 4.5 metres
<i>South YARD</i>	Minimum 4.5 metres
4. That the maximum height of an *APARTMENT BUILDING* shall be 3 *STOREYS*.

**(240 DENISTOUN STREET)**

**14.38     H-RM4-X18 ZONE (By-law 2009-45)**

1. That Lots 44, 45 and Part of Lots 42 and 43, Plan 556, Lot 22 and Part of Lots 19, 20 and 21 and the Raceway Reserve, Plan 569, Lot J.L. and Part Block H.A.R., Plan 564 and shown on Schedule “A” attached to By-law 2009-45 as “Change to H-RM4-X18 ZONE” is hereby rezoned H-RM4-X18 ZONE;
2. That the *USES* permitted in the H-RM4-X18 ZONE shall be *SEMI-DETACHED DWELLINGS, TOWNHOUSES, APARTMENT BUILDINGS, accessory service type commercial and accessory recreational USES*;
3. The provisions of the H-RM4-X18 ZONE shall be those of the RM4 ZONE save and except as follows:
 

<i>FRONT YARD</i> Setback	Minimum 5.0 metres
<i>SIDE YARD</i> Setback	Minimum 5.0 metres
<i>BUILDING HEIGHT</i>	Maximum 30.0 metres
Maximum Number <i>DWELLING UNITS</i>	225

**(200 WEST MAIN STREET)**

**14.39     H-RM4-X19 ZONE (By-law 2010-51)**

1. That Part of Block F, Plan 574 located on the east side of King Street, south of Third Street and shown on Schedule “A” attached to By-law 2010-51 as “Change to H-RM4-X19 ZONE” is hereby rezoned H-RM4-X19 ZONE;
2. That the *USES* permitted in the H-RM4-X19 ZONE shall be a three (3) *STOREY APARTMENT BUILDING*;
3. That the provisions of the H-RM4-X19 ZONE shall be as follows:

Minimum <i>LOT FRONTAGE</i>	60 metres
Minimum <i>LOT AREA</i>	3,600 square metres
Minimum <i>FRONT YARD</i> Setback	6.0 metres
Minimum <i>REAR YARD</i> Setback	20.0 metres
Minimum North <i>YARD</i> Setback	20.0 metres
Minimum South <i>YARD</i> Setback	4.0 metres
Minimum Floor Area Per <i>DWELLING UNIT</i>	51 square metres
Maximum Number of <i>UNITS</i>	36
Maximum <i>LOT COVERAGE</i>	28%
<i>PARKING LOT</i> Maximum	41% of <i>LOT AREA</i>
Minimum <i>LANDSCAPED OPEN SPACE</i>	30% of <i>LOT AREA</i>
Maximum <i>BUILDING HEIGHT</i>	14 metres

**(574 KING STREET)**

**14.40 Deleted by By-law 2013-131**

**14.41 H-RM4-X21 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-RM4-X21 ZONE" is hereby rezoned H-RM4-X21 ZONE.
2. The *USES* permitted in the H-RM4-X21 ZONE shall be a *SINGLE-DETACHED*, *SEMI-DETACHED*, a *TOWNHOUSE*, an *APARTMENT BUILDING*.
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-RM4-X21 ZONE shall be those provided in Zoning Provisions Table 3.

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:

<b>BLOCK NO.</b>	<b>MINIMUM NO. OF UNITS</b>	<b>MAXIMUM NO. OF UNITS</b>
12	82	280

**(NORTH VILLAGE SUBDIVISION)**

**TABLE 3**

ZONE	PERMITTED USES	MINIMUM LOT REQUIREMENTS			MINIMUM YARDS (M)			MAXIMUM BUILDING HEIGHT	MAXIMUM LOT COVERAGE		
		FRONTAGE (M)	AREA (M <sup>2</sup> )	LANDSCAPED OPEN SPACE	FRONT					SIDE	REAR
					TO GARAGE	TO MAIN BUILDING	TO PORCH				
H-RM4-X21	Single-detached dwellings	11.6	320		6.0	4.5	2.5	0.6 and 1.2	7.0		65%
H-RM4-X21	Semi-detached dwellings	18.0	500		6.0	4.5	2.5	1.2	7.0		65%
H-RM4-X21	For each Dwelling unit of a semi-detached dwelling	9	250					Common Wall - 0			
H-RM4-X21	Street Townhouse	6.0	180	20%	6.0	4.5	2.5		7.0	12.5	65%
H-RM4-X21	For each Dwelling Unit of a Street Townhouse							End unit - 3.0 Interior Units - 1.2 Common Wall - 0			
H-RM4-X21	Apartment/Condominium Building	0	0	25%		4.5		4.5	4.5	8 storeys	

**14.42 RM4-X22 ZONE (By-law 2012-63)**

1. That Part of Lot 1, Concession 12, former Township of Pelham, now in the City of Welland, being Part 1, Plan 59R-10414 and Block 29, Plan 59M-385, and shown on Schedule "A" attached to By-law 2012-63 as "Change to RM4-X22 ZONE" is hereby rezoned "RM4-X22 ZONE";
2. That the *USE* permitted in the RM4-X22 ZONE shall be a three (3) *STOREY*, 35 unit apartment *BUILDING*;
3. That the provisions of the RM4-X22 ZONE shall be those provided for in the RM4 ZONE save and except the following:
 

<i>FRONT YARD</i>	Minimum 6.0 metres
<i>REAR YARD</i>	Minimum 7.5 metres
North <i>SIDE YARD</i>	Minimum 3.0 metres
<i>LOT</i> Density	Maximum 73 units per net hectare (maximum 35 units)
4. Notwithstanding any other height provisions of this By-law, the maximum height of the apartment *BUILDING* shall be 11.0 metres, measured from *GRADE* to top of the 3rd *STOREY* roof slab.
5. Notwithstanding the parking requirements of Section 5.20.24, on-site parking shall be provided at 1.25 spaces per unit. Minimum number of *PARKING SPACES* provided shall be 44.

**(529 SOUTH PELHAM ROAD)**

**14.43 H-RM4-X23 ZONE (By-law 2013-1)**

1. That Part of Lot 248, former Township of Thorold, Part of Block M. Beatty & Sons, Mrs. Beatty Block, Part of Block F.M.H., Plan 564, Part of Block O.H.R., Plan 564, Part of Lots 35 and 37, Plans 549 and 550 designated as part of Parts 1, 2 and 3, Plan 59R-13141 and Part of Seeley Street road allowance lying south of Merritt Street, City of Welland and shown on Schedule "A" attached to By-law 2013-1 as "Change to H-RM4-X23 ZONE" is hereby rezoned H-RM4-X23 ZONE.
2. That the *USE* permitted in the H-RM4-X23 ZONE shall be a ten (10) storey, 105 unit tiered apartment *BUILDING*.
3. That the provisions of the H-RM4-X23 ZONE shall be those provided for in the RM4 ZONE save and except as follows:
 

<i>West YARD</i>	Minimum 6.0 metres
<i>East YARD</i>	Minimum 20.0 metres
<i>North YARD</i>	Minimum 16.0 metres

South Yard	Minimum 13.0 metres
<i>LOT</i> Density	Maximum 141 units per net hectare

4. Notwithstanding any other height provisions of By-law 2667, as amended, the maximum height of the apartment *BUILDING* shall be 36.0 metres from the *GRADE*, measured at the north end of the apartment *BUILDING*, to the top of the 10th storey roof *DECK*.
5. Notwithstanding the parking requirements of Section 5.20.24 (15) of By-law 2667, as amended, on-site parking shall be provided at 1.25 spaces per unit.
6. Built Form:
  - (a) An apartment *BUILDING* shall be constructed in a tiered format to the satisfaction of the City
  - (b) Exterior wall materials shall not include vinyl, aluminum or metal siding, concrete blocks, plastic, or mirrored glass. Stucco may only be used for accents and not as a primary wall material.
  - (c) Rooftop vents, mechanical equipment, elevator penthouses, and other rooftop equipment shall be screened from view on all sides using a decorative screen that is integrated with the main *BUILDING* architecture and *USES* similar/complimentary exterior materials. Solar panels may be used for, or mounted onto, the rooftop screen.
7. Community Benefits Pursuant to Section 37 of the Planning Act:
  - (a) The Owner shall pay for all costs associated with the design and construction of a transit stop at the front of the subject property, along Niagara Street, that will include a bus bay along with a shelter and seating on a concrete pad. The location and design of the transit stop and shelter is subject to the approval of the City of Welland.
  - (b) The Owner shall pay for all costs associated with design and construction of a gazebo or sitting area for the City park to the south of the property. The location and design of the gazebo or sitting area is subject to the approval of the City of Welland.
  - (c) The Owner shall pay for all costs associated with the removal and replacement of the fence along the south property line adjacent to the City park in consultation with the City of Welland.
  - (d) The Owner shall pay for all costs associated with the design and construction of a passive recreational trail linking the park to the south of the property with the Welland Canal Recreational Trail to the satisfaction of the City of Welland.
8. The Holding Symbol (H) shall be removed from the H-RM4-X23 *ZONE* by way of an Amending By-law when the following information is submitted to the satisfaction of the City:

- (a) An Agreement between the City and the Owner for the provision of the community benefits to be provided under Section 37 of the Planning Act;
- (b) An executed Site Plan Control Agreement between the City and the Owner;
- (c) Submission of a Geotechnical Study for review and approval by the City of Welland; and,
- (d) Final building plans provide for a tiered *BUILDING* to the satisfaction of the City.

**(130 NIAGARA STREET AND 32 SEELEY STREET AND UNOPENED SEELEY ROAD ALLOWANCE)**

**14.44 RM4-X24 ZONE (By-law 2012-103)**

- 1. That Part of Block F, Plan 574; being Parts 1, 2, 3 and 5, Plan 59R-6346, known municipally known as 183 Plymouth Road, City of Welland and shown on Schedule "A" attached to By-law 2012-103 as "Change to RM4-X24 ZONE" is hereby rezoned RM4-X24 ZONE.
- 2. That the *USES* permitted in the RM4-X24 ZONE shall be those provided for in the RM4 ZONE and a *SUPPORTIVE LIVING RESIDENCE*.
- 3. That the provisions of the RM4-X24 ZONE shall be those provided for in the RM4 ZONE save and except as follows:
 

North YARD to <i>EXISTING BUILDING</i>	Minimum 2.2 metres
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- 4. That should the *BUILDING*, which existed as of the date of the passing of this by-law, be demolished, any future *SUPPORTIVE LIVING RESIDENCE* will be required to be constructed in compliance with the RM4 ZONE requirements for the *DWELLING* type proposed.

**(183 PLYMOUTH ROAD)**

**14.45 H-RM4-X25 ZONE (By-law 2013-119)**

- 1. That Part of Lots 25 and 26, Concession 5, former Township of Crowland, now in the City of Welland, being Part 1, Plan 59R-3183 and shown on Schedule "A" attached to By-law 2013-119 hereto as "Change to H-RM4-X25 ZONE" is hereby rezoned H-RM4-X25 ZONE.
- 2. That the *USES* permitted in the H-RM4-X25 ZONE shall be an *APARTMENT BUILDING*.
- 3. That the provisions of the H-RM4-X25 ZONE shall be those provided for in the RM4 ZONE save and except as follows:
 

Minimum <i>LOT FRONTAGE</i>	43 metres
Minimum <i>LOT AREA</i>	3,700 square metres



Minimum <i>FRONT YARD</i>	20.0 metres
Minimum <i>REAR YARD</i>	19.0 metres
Minimum West <i>SIDE YARD</i>	7.0 metres
Minimum East <i>SIDE YARD</i>	1.5 metres

4. That the maximum permitted density may be increased to 188.5 units per net hectare, the maximum number of *DWELLING UNITS* may be 70 and the maximum permitted height may be increased to 12 *STOREYS* (42 metres) in exchange for the Owner of the subject lands entering into an Agreement(s) with The Corporation of the City of Welland pursuant to Section 37 of the Planning Act, to the satisfaction of the City, to provide facilities or improvements for community benefit comprised of the following:
  - a. The provision of a bus shelter, concrete pad and associate appurtenances on King Street;
  - b. Improvements to the Welland Recreational Waterway path between Regent Street and Merritt Park to include 'street' furniture, lighting and enhanced vegetation;
  - c. To provide a 1,000 square foot building, to be located in Merritt Park, comprised of a storage area and accessible public washrooms.
5. Notwithstanding Section 5.20.4.1 of By-law 2667, as amended, parking may be provided in the *FRONT YARD*.
6. Notwithstanding Section 5.20.24 of By-law 2667, as amended, the minimum parking requirements are 1.42 spaces per *DWELLING UNIT*.

**(1 GRIFFITH STREET)**

**14.46 H-RM4-X26 ZONE (By-law 2013-131)**

1. That Part of Lot 29, Concession 5, former Township of Crowland, now in the City of Welland and shown on Schedule "A" attached to By-law 2013-131 as "Change to H-RM4-X26 ZONE" is hereby rezoned H-RM4-X26 ZONE.
2. That the *USES* permitted in the H-RM4-X26 ZONE shall be a six (6) *STOREY* three (3) wing *APARTMENT BUILDING*.
3. That the provisions of the H-RM4-X26 ZONE shall be those as follows:

<i>LOT FRONTAGE</i>	Minimum 100 metres
<i>LOT AREA</i>	Minimum 1.6 hectares
<i>YARD Requirements</i>	
<i>FRONT YARD</i>	Minimum 7.75 metres to exterior wall of main <i>BUILDING</i>

<i>REAR YARD</i>	Minimum 9 metres from the EP-X8 <i>ZONE</i> to exterior wall of main <i>BUILDING</i>
North <i>SIDE YARD</i>	Minimum 27 metres to exterior wall of main <i>BUILDING</i>
South <i>SIDE YARD</i>	Minimum 8 metres to exterior wall of main <i>BUILDING</i>
<i>Floor Area per DWELLING UNIT</i>	
<i>BACHELOR</i>	Minimum 37 square metres
One Bedroom	Minimum 45 square metres
Two Bedrooms	Minimum 55 square metres
More than Two Bedrooms	Minimum 65 square metres
Lot Density	Maximum 123 units
<i>LOT COVERAGE</i>	
Maximum	30 percent of <i>LOT AREA</i> for main <i>BUILDING</i>
	35 percent of <i>LOT AREA</i> for all <i>BUILDINGS</i> including main <i>BUILDING</i>
<i>PARKING LOT</i>	Maximum 35 percent of <i>LOT AREA</i>
<i>LANDSCAPED OPEN SPACE</i>	
Minimum	50 percent of <i>LOT AREA</i> , and all <i>YARD</i> areas other than driveways, walkways and <i>PARKING SPACES</i> shall be landscaped
<i>BUILDING HEIGHT</i>	Maximum six (6) <i>STOREY</i>

4. Notwithstanding the parking requirements of Section 5.20.24 (15) of By-law 2667, as amended, on-site parking shall be provided at 1.25 spaces per *DWELLING UNIT*.

***(154 RIVERSIDE DRIVE)***

**14.47 RM4-X27 ZONE (By-law 2017-22)**

1. That Part of Township Lot 240, former Township of Thorold, now in the City of Welland and shown on Schedule 'A' attached to By-law 2017-22 as "Change

to RM4-X27 ZONE' is hereby rezoned RM4-X27 ZONE.

2. That the *USES* permitted in the RM4-X27 ZONE shall be those in the RM4 ZONE and a student residence.
3. That the provisions of the RM4-X27 ZONE shall be those provided for the in the RM4 ZONE, save and except as follows:

<i>FRONT YARD</i> Setback	5.1 metres
<i>REAR YARD</i> Setback	3.5 metres
Northerly <i>SIDE YARD</i> Setback	2.5 metres
4. Notwithstanding Section 5.20.24 of By-law 2667, as amended, the minimum parking requirements are one (1) space per *DWELLING UNIT*.

**(699 NIAGARA STREET)**