

SCHEDULE B: SPECIAL EXCEPTIONS

1. RL2-1

1. The uses permitted in the RL2-1 Zone shall be those permitted in the RL2 Zone.
2. The Zone Provisions for the RL2-1 Zone shall be those provided by the RL2 Zone save and except the following:

Front Yard	Minimum 5.0 metres
Rear Yard	Minimum 6.5 metres

(PART OF SEAWAY HEIGHTS SUBDIVISION)

2. RL2-2

1. The uses permitted and the provisions for the RL2-2 Zone shall be those permitted and provided for in the RL2 Zone save and except as follows:

Minimum Front Yard Setback 5 metres

Maximum Lot Coverage 50%

Minimum Rear Yard Setback 4 metres

(Accessory Structures, including but not limited to: pools, decks, stairs, railings, hot tubs and sheds, subject to Niagara Peninsula Conservation Authority Approval)

To allow for the construction of a fence along the rear and side lot lines.

(6, 16, 24, 32, 40, 48, 56, 64, 74, 82, 90, 98, 106, 114, 130 AND 138 GRETEL PLACE)

3. RL2-3

1. Notwithstanding any other Section of the Zoning By-law, 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)

4. RM-4

1. The USES permitted in the RM-4 Zone shall be a single-detached, semi-detached, a townhouse, an apartment building.
2. 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.”
3. The provisions of the RM-4 Zone shall be those provided in Zoning Provisions Table 1.
4. Notwithstanding Section 5.13 development is permitted on private streets.
5. Notwithstanding Section 5.10 – 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;
6. Notwithstanding Section 6.1.8, 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.

7. 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.
8. 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.
9. The number of dwelling units per block is as follows:

BLOCK NO.	MINIMUM NO. OF UNITS	MAXIMUM NO. OF UNITS
12	82	280
<i>(NORTH VILLAGE SUBDIVISION, BLOCK 12)</i>		

TABLE 1

ZONE	PERMITTED USES	MINIMUM LOT REQUIREMENTS			MINIMUM YARDS (M)			MAXIMUM BUILDING HEIGHT	MAXIMUM LOT COVERAGE		
		FRONTAGE (M)	AREA (M ²)	LANDSCAPED OPEN SPACE	FRONT					SIDE	REAR
					TO GARAGE	TO MAIN BUILDING	TO PORCH				
RM-4	Single-detached dwellings	11.6	320		6.0	4.5	2.5	0.6 and 1.2	7.0	65%	
RM-4	Semi-detached dwellings	18.0	500		6.0	4.5	2.5	1.2	7.0	65%	
RM-4	For each Dwelling unit of a semi-detached dwelling	9	250					Common Wall - 0			
RM-4	Street Townhouse	6.0	180	20%	6.0	4.5	2.5		7.0	12.5	65%
RM-4	For each Dwelling Unit of a Street Townhouse							End unit - 3.0 Interior Units - 1.2 Common Wall - 0			
RM-4	Apartment/Condominium Building	0	0	25%		4.5		4.5	4.5	8 storeys	

5. RM-5

1. The uses permitted in the RM-5 Zone shall be a single-detached dwelling, a semi-detached dwelling, a street townhouse.
2. 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.”
3. The provisions of the RM-5 Zone shall be those provided in Zoning Provision Table 1.
4. Notwithstanding Section 5.13 development is permitted on private streets.
5. Notwithstanding Section 5.10 – 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;
6. Notwithstanding Section 6.1.8, 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.
7. 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.

8. 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.
9. The number of dwelling units per block as shown on the draft approved plan of subdivision 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, BLOCKS 2, 3, 4, 5, 7, 9, 11)

TABLE 1

ZONE	PERMITTED USES	MINIMUM LOT REQUIREMENTS			MINIMUM YARDS (M)			MAXIMUM BUILDING HEIGHT	MAXIMUM LOT COVERAGE		
		FRONTAGE (M)	AREA (M ²)	LANDSCAPED OPEN SPACE	FRONT					SIDE	REAR
					TO GARAGE	TO MAIN BUILDING	TO PORCH				
RM-5	Single-detached dwellings	11.6	320		6.0	4.5	2.5	0.6 and 1.2	7.0	65%	
RM-5	Semi-detached dwellings	18.0	500		6.0	4.5	2.5	1.2	7.0	65%	
RM-5	For each Dwelling unit of a semi-detached dwelling	9	250					Common Wall – 0	7.0	65%	
RM-5	Street Townhouse	6.0	180	20%	6.0	4.5	2.5		7.0	12.5	65%
RM-5	For each Dwelling Unit of a Street Townhouse							End unit - 3.0 Interior Units - 1.2 Common Wall - 0			

6. RM-6

1. The uses permitted in the RM-6 Zone shall be a single-detached dwelling, a semi-detached dwelling, a street townhouse.
2. 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.”
3. The provisions of the RM-6 Zone shall be those provided in Zoning Provisions Table 1.
4. Notwithstanding Section 5.13 development is permitted on private streets.
5. 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.
6. Notwithstanding Section 6.1.8, 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.

7. 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.
8. 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.
9. The number of dwelling units per block is as follows:

BLOCK NO.	MINIMUM NO. OF UNITS	MAXIMUM NO. OF UNITS
10	15	45
<i>(NORTH VILLAGE SUBDIVISION, BLOCK 10)</i>		

TABLE 1

ZONE	PERMITTED USES	MINIMUM LOT REQUIREMENTS			MINIMUM YARDS (M)			MAXIMUM BUILDING HEIGHT	MAXIMUM LOT COVERAGE		
		FRONTAGE (M)	AREA (M ²)	LANDSCAPED OPEN SPACE	FRONT					SIDE	REAR
					TO GARAGE	TO MAIN BUILDING	TO PORCH				
RM-6	Single-detached dwellings	11.6	320		6.0	4.5	2.5	0.6 and 1.2	6.0	65%	
RM-6	Semi-detached dwellings	18.0	500		6.0	4.5	2.5	1.2	6.0	65%	
RM-6	For each Dwelling unit of a semi-detached dwelling	9	250					Common Wall – 0	6.0	65%	
RM-6	Street Townhouse	6.0	180	20%	6.0	4.5	2.5		6.0	12.5	65%
RM-6	For each Dwelling Unit of a Street Townhouse							End unit - 3.0 Interior Units - 1.2 Common Wall - 0			

7. RL1-7

1. The Zone Provisions of the RL1-7 Zone shall be those required in the RL1 Zone, with the westerly lot line designated as the front lot line. Notwithstanding the foregoing, the existing front yard setback of 3.9 metres for the most southerly residential dwelling (**72 Milkweed Trail**) shall be the required front yard setback.
2. That notwithstanding Sections 5.22, residential development will be permitted on private water and sanitary services which are ultimately connected to a municipal system.

(72, 86 AND 100 MILKWEED TRAIL)

8. RL1-8

1. That the provisions of the RL1-8 Zone shall be those provided for in the RL1 Zone with the westerly lot line designated as the front lot line.

(136 AND 188 MILKWEED TRAIL)

9. RL1-9

1. The Zone Provisions for the RL1-9 ZONE shall be those provided by the RL1 ZONE save and except the following:

Front Yard	Minimum 5.0 metres
Rear Yard	Minimum 6.5 metres

(PART OF SEAWAY HEIGHTS SUBDIVISION)

10. RL2-10

1. The Zone Provisions for the RL2-10 Zone shall be those of the RL2 Zone with the exception that the minimum exterior side yard requirements for semi-detached buildings will be 1.5 metres.

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

11. RL2-11

1. The uses permitted and the provisions for the RL2-11 Zone shall be those permitted and provided for in the RL2 Zone save and except as follows:

- (a) Notwithstanding any other Section of the Zoning By-law, 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. RL1-12

- 1. Notwithstanding any other Section of this Zoning By-law, 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)

13. GEC-13

- 1. That the uses permitted in the GEC-13 Zone shall be those in the GEC Zone and a Motor Vehicle Body Shop, Motor Vehicle Dealership, Motor Vehicle Repair Establishment, Motor Vehicle Service Station, Motor Vehicle Washing Establishment.

- 2. That the provisions of the GEC-13 Zone shall be as follows:

Minimum Lot Area	0.9 hectares
Minimum Lot Frontage	50 metres
Minimum Front Yard	10 metres
Minimum Side Yard	10 metres
Minimum Rear Yard	10 metres
Minimum Landscaped Open Space	15 percent
Maximum Lot Coverage	40 percent
Outside Storage	Outside storage shall not exceed 50 percent of the gross floor area of any main building, shall be located only in the rear yard and shall be screened

from public view and from abutting lands.

(NIAGARA CENTRE LAND DEVELOPMENT LIMITED)

14. GEC-14

1. That the uses permitted in the GEC-14 Zone shall be those in the GEC Zone and the following:

Motor Vehicle Washing Establishment only ancillary to a Motor Vehicle Service Station

Motor Vehicle Service Station

Convenience Store with a maximum footprint of 120 square metres, only ancillary to an Motor Vehicle Service Station

2. That the provisions of the GEC-14 Zone shall be as follows:

Minimum Lot Area 1.4 hectares

Minimum Lot Area For Automobile Service Station 0.5 hectares

Minimum Lot Frontage 60 metres

Minimum Front Yard 10 metres

Minimum Side Yard 10 metres

Minimum Rear Yard 10 metres

Minimum Landscaped Open Space 15 percent

Maximum Lot Coverage 40 percent

(652 RIVER ROAD)

15. Reserved

16. Reserved

17. Reserved

18. RM-18

1. The provisions for the RM-18 Zone shall be those provided for in the RM Zone save and except as follows:
 - i. The maximum lot coverage for interior townhouse units shall be 55% and the maximum lot coverage for the whole of a townhouse block shall be 45%;
2. Notwithstanding Section 5.10 - Encroachments of By-law 2667 a privacy screen/wall with foundation may protrude a maximum of 2 metres into the required rear yard.

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

19. RM-19

1. The provisions for the RM-19 Zone shall be those in the RM Zone save and except as follows:

Minimum Rear Yard	7.0 metres
Maximum Lot Coverage	60% for dwelling unit
	Porches/roofed platforms shall be excluded from the calculation of lot coverage
2. Notwithstanding Section 5.13 development is permitted on private streets.
3. Notwithstanding Section 5.10 of the Zoning By-law, 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.
4. Notwithstanding Section 5.10 of the Zoning By-law, 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.

(GALLOWAY TRAIL, EAST OF PERTH TRAIL)

20. RM-20

1. That the provisions of the RM-20 Zone shall be those in the RM Zone save and except as follows:

Maximum Building Height	12.5 metres	12.5 metres
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Minimum Landscaped Open Space	20%	20%
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Maximum Lot Coverage	60%	60%
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2. Notwithstanding Section 5.10 of the Zoning By-law, 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.
3. Notwithstanding Section 5.10 of the Zoning By-law, 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.
4. Notwithstanding Section 6.1.8, 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.

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

21. RL2-21

1. That the provisions of the RL2-21 Zone shall be those in the RL2 Zone save and accept as follows:

SINGLE DETACHED DWELLING

Rear Yard	Minimum 6.0 metres
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Side Yard	Minimum one side 1.2 metres and minimum 0.6 metres on the other side
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STREET TOWNHOUSE

Height Maximum 12.5 metres

2. Notwithstanding Section 5.10 of the Zoning By-law, 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.
3. Notwithstanding Section 5.10, 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.
4. That the number of dwelling units per block as shown on the Approved Draft Plan of Subdivision 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, BLOCK 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12)

22. RL2-22

1. The provisions for the RL2-22 Zone for single-detached dwellings and triplexes shall be those provided in the RL2 Zone, save and except as follows:
2. Porches shall be excluded from the calculation of lot coverage.
3. Notwithstanding Section 5.13 development is permitted on private streets.
4. Notwithstanding Section 5.10 of the Zoning By-law, 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.
5. Notwithstanding Section 5.10 of the Zoning By-law, 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.

(NORTH OF DAIMLER PARKWAY, EAST OF PERTH TRAIL)

23. RL2-X23

1. Notwithstanding Section 5.13 development is permitted on private streets.

(ST. ANDREWS TERRACE)

24. RL2-24

1. The provisions for the RL2-24 Zone shall be those provided for in the RL2 Zone save and except as follows:

Minimum Lot Frontage	13.4 metres
Minimum Front Yard Setback	3.5 metres
Minimum Rear Yard Setback	7.5 metres
Minimum Side Yard Setback	1.2 metres

(360 NIAGARA STREET)

25. RL1-25

1. The provisions for the RL1-25 Zone for the permitted use shall be as follows:

Minimum Lot Frontage	14 metres
Minimum Lot Area	420 square metres
Minimum Front Yard	4.5 metres to dwelling unit 6.0 metres to attached garage
Minimum Interior Side Yard	1.25 metres
Minimum Rear Yard	7.0 metres
Maximum Lot Coverage	50%
	Porches/roofed platforms shall be excluded from the calculation of lot coverage

2. Notwithstanding Section 5.13 development is permitted on private streets.
3. Notwithstanding Section 5.10 of the Zoning By-law, 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;
4. Notwithstanding Section 5.10 of the Zoning By-law, 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.

(GALLOWAY TRAIL, EAST SIDE OF PERTH TRAIL)

26. NC-26

The uses permitted in the NC-26 Zone shall be the following: golf course, club house, pro shop, restaurant, platform tennis courts and accessory uses.

The provisions for the NC-26 Zone shall be those provided for in the NC Zone.

(289 DAIMLER PARKWAY)

27. CC1-27

1. That the uses permitted in the CC1-27 Zone shall be those in the CC1 Zone and home improvement store; retail sale of home supplies, furniture and accessories; garden centre; small equipment rentals in association with other permitted uses; and outside display areas.
2. That notwithstanding Section 6.4 of the Zoning By-law, as amended, the Minimum required PARKING SPACES for a BUILDING with an area of 3,450 square metres shall be 89.
3. That notwithstanding Section 6.1.8 of the Zoning By-law, as amended, the minimum aisle width for 2.7 metre wide, 90° parking spaces located within the front yard (east) shall be 6.7 metres.

(693 SOUTH PELHAM ROAD)

28. RM-28

1. The provisions for the RM-28 ZONE shall be those in the RM Zone save and accept as follows:

Minimum Lot Frontage	0 metres
Minimum Lot Area	2,840 square metres
Minimum North Yard Setback	7.5 metres
Minimum East Yard Setback	3.0 metres
Minimum South Yard Setback	7.5 metres
Minimum West Yard Setback	3.0 metres
Minimum Landscaped Open Space	40 percent
Maximum Lot Coverage	40 percent
Minimum Gross Floor Area Per Unit	65 square metres

2. That notwithstanding any other Section of the Zoning By-law:
 - (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)

29. RL2-29

1. That the provisions of the RL2-29 Zone shall be those provided for in the RL2 Zone save and except as follows:

SINGLE-DETACHED DWELLING

Lot Frontage	Minimum 24 metres measured along the south lot line
North Yard	Minimum 7.5 metres
South Yard	Minimum 6.0 metres
East Yard	Minimum 3.0 metres
West Yard	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
Lot Frontage - Minimum 18 metres measured along the south lot line	Minimum 12 metres measured along the south lot line for westerly unit Minimum 6 metres measured along the south lot line for easterly unit
North Yard	Minimum 7.5 metres

South Yard	Minimum 6.0 metres
East Yard	Minimum 3.0 metres
West Yard	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
Lot Frontage – Minimum 10 metres measured along the south lot line	Minimum 10 metres measured along the south lot line for southerly unit
	Street Frontage – 0 metres for northerly UNIT
North Yard	Minimum 1.5 metres
South Yard	Minimum 5.0 metres
East Yard	Minimum 3.0 metres
West Yard	Minimum 7.5 metres
Common Wall	0 metres
2.	Access for the northerly unit must be through a permanent Easement/Right-of-Way over the southerly unit.
3.	Notwithstanding Section 5.10 Encroachments, a porch and balcony may project 1.5 metres in the east yard.

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

30. RM-30

1. The provisions for the RM-30 Zone shall be those provided for in the RM Zone save and except as follows:

APARTMENT

Minimum Lot Frontage	17 metres
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Minimum Lot Area	530 square metres
Minimum Front Yard Setback	6.0 metres
Minimum Rear Yard Setback	7.5 metres
Minimum North Side Yard Setback	2.4 metres
Minimum South Side Yard Setback	0.8 metres
Maximum Lot Coverage	40%

2. Notwithstanding Section 5.3.2 of the Zoning By-law, the minimum south side yard setback for the existing accessory building (garage) shall be 0.8 metres.
3. Notwithstanding Section 6.4 of the Zoning By-law, the existing fourplex shall have a minimum of 4 required parking spaces.

(284 NIAGARA STREET)

31. RL2-31

1. The provision for the RL2-31 Zone shall be those of the RL2 Zone and the following:

Triplex

Minimum Lot Frontage	21 metres
Minimum Lot Area	665 square metres
Minimum Front Yard Setback	6 metres
Minimum North Side Yard	1.69 metres
Minimum South Side Yard	2.4 metres
Minimum Rear Yard	6.96 metres

2. Notwithstanding Section 5.3.2 of the Zoning By-law, as amended, the following provisions shall apply:

	3 CAR GARAGE (ACCESSORY BUILDING)	SHED (ACCESSORY BUILDING)
Minimum East Yard	0.0 metres	0.81 metres

Setback

Minimum South Yard Setback 0.01 metres

(262 NIAGARA STREET)

32. CC2-32

1. Notwithstanding the lot frontage requirement of Section 5.13 of the zoning by-law, as amended, the lot has no frontage on a public road.

(144A THOROLD ROAD)

33. RL2-33

1. That the uses permitted in the RL2-33 Zone shall be those in the RL2 Zone and a parking lot.

(207 ROSS STREET)

34. RM-34

1. That the provisions of the RM-34 Zone shall be those provided for in the RM Zone save and except the following:

Maximum Lot Coverage 59%

2. Notwithstanding the any provisions of the Zoning By-law, as amended, one parking space is permitted in the front yard.

(WEST SIDE OF SOUTH PELHAM ROAD, SOUTH OF FITCH STREET)

35. RL2-35

1. That the provisions of the RL2-35 Zone shall be those provided for in the RL2 Zone save and except the following:

Minimum Number of Dwelling Units 51
 Across Lots 1-21 and 32-61 Plan
 59M-429

(SPARROW MEADOWS ESTATES LOTS 1-21, 32-61, PLAN 59M-429)

36. RL2-36

1. That the provisions of the RL2-36 Zone shall be those provided for in the RL2 Zone save and except the following:

Minimum Number of Dwelling Units 20

(SPARROW MEADOWS ESTATES BLOCK 82)

37. RM-37

1. That the provision of the RM-37 Zone shall be those provided for in the RM Zone save and except the following:

Minimum Number of Dwelling Units 16

(SPARROW MEADOWS ESTATES LOTS 22-31 AND BLOCK 85)

38. NC-38

1. That the uses permitted in the NC-38 Zone be those permitted in the NC Zone and the NC Zone and a motor vehicle service station.

(SPARROW MEADOWS ESTATES BLOCKS 89 AND 90)

39. RM-39

1. Notwithstanding any Section of the Zoning By-law a deck may be setback 0 metres from the side lot line.
2. Notwithstanding any Section of the Zoning By-law a screening device may be located 0 metres from both side lot lines and shall be no greater than 3.0 metres in height above grade with an overall aggregate area for each screening device of no larger than ten (10) square metres.
3. Notwithstanding any Section of the Zoning By-law where a main building is erected upon a corner lot with its main front entrance facing the flank of such lot, such main building shall be deemed to have one front yard setback, on the street upon which such lot fronts and a 1.2 metre setback on the street upon which said lot flanks.
4. Notwithstanding any Section of the Zoning By-law where a main building is erected upon a corner lot with its main front entrance facing the front of such lot, such main building shall have a front yard as required in this by-law, but the width of the side yard facing the street upon which the lot flanks shall be 1.2 metres.
5. Notwithstanding the maximum lot coverage of 60% of the area of the lot, porches and roofed platforms are excluded from the calculation of lot coverage.

(VANIER ESTATES SUBDIVISION)

40. RL2-40

1. Notwithstanding Section 5.12.2 of the Zoning By-law, a screening device may be located 0 metres from both side lot lines and shall be no greater than 3.0 metres in height above grade with an overall aggregate area for each screening device of no larger than ten (10) square metres.
2. Notwithstanding Section 5.10 of the Zoning By-law, a porch may encroach into any rear yard setback by a maximum of 3.0 metres.
3. Notwithstanding Section 6.9 of the Zoning, a driveway or parking area within the front yard or exterior side yard shall not exceed 60% of the width and/or area of such front yard or exterior side yard.
4. Notwithstanding any provision of the Zoning By-law, where a main BUILDING is erected upon a corner lot with its main front entrance facing the flank of such lot, such main building shall be deemed to have one front yard setback, on the street upon which such lot fronts and a 1.2 metre setback on the street upon which said lot flanks.
5. Notwithstanding the maximum lot coverage of 60% of the area of the lot, porches and roofed platforms are excluded from the calculation of lot coverage.

(VANIER ESTATES SUBDIVISION)**41. RH-41**

1. That the uses permitted in the RH-41 Zone shall be those in the RH Zone and an accessory dwelling unit, two-unit dwelling, street townhouse and block townhouse.

(200 WEST MAIN STREET)**42. RM-42**

1. The provisions for the RM-42 Zone shall be those provided for in the RM Zone save and except as follows:

Minimum Front Yard Setback	1.6 metres
Minimum East Side Yard Setback	2.4 metres
Minimum West Side Yard Setback	0.4 metres
2. Notwithstanding Section 5.3.2 of the Zoning By-law, the minimum south SIDE yard setback for the existing accessory building shall be 0.3 metres.

3. Notwithstanding Section 6.40 of the Zoning By-law, the existing triplex shall have a minimum of 2 required parking spaces.

(35 ELGIN STREET)

43. RH-43

1. That the uses permitted in the RH-43 Zone shall be those in the RH Zone and a ten (10) storey, 105 unit tiered apartment building.
2. That the provisions of the RH-43 Zone shall be those provided for in the RH Zone save and except as follows for a ten (10) storey, 105 unit tiered apartment building:

West Yard	Minimum 6.0 metres
East Yard	Minimum 20.0 metres
North Yard	Minimum 16.0 metres
South Yard	Minimum 13.0 metres
Lot Density	Maximum 141 units per net hectare

3. Notwithstanding any other height provisions of the Zoning By-law, 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.
4. Notwithstanding the parking requirements of Section 6.40 of Zoning By-law, as amended, on-site parking shall be provided at 1.25 spaces per unit.
 - (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.
5. 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.

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

44. DMC-44

1. The Zone Provisions for the DMC-44 Zone shall be the Zone Provisions for the DMC Zone save and except the required rear yard shall be 0 metres.

(17-19 EAST MAIN STREET)

45. DMC-45

1. The Zone Provisions for the DMC-45 Zone shall be the Zone Provisions for the DMC Zone save and except the required rear yard shall be 1.395 metres.

(76 DIVISION STREET)

46. DMC-46

1. The Zone Provisions for the DMC-46 Zone shall be the Zone Provisions for the DMC Zone save and except that the required rear yard shall be 0 metres.
2. That notwithstanding any other provision of the Zoning By-law, the subject lands shall be exempt from the provisions of having frontage on a street.

East Front Yard Setback	2.5 metres
West Rear Yard Setback	2.0 metres
North Side Yard Setback	3.0 metres
South Side Yard Setback	2.5 metres

INDIVIDUAL TRIPLEX/TOWNHOUSE UNITS/LOTS

Lot Frontage	Minimum 9.8 metres
Lot Area	Minimum 210 square metres per dwelling unit
minimum setback from dwelling to internal drive	4.5 metres
minimum setback from attached garage to internal drive	6.0 metres
minimum distance from rear of dwelling to closest unit lot line	4.0 metres
minimum separation distance between blocks of triplexes/townhouses	2.0 metres

2. Notwithstanding any other Section of the Zoning By-law, access for the purposes of this By-law a private street shall be considered a street.

(70 ELMWOOD AVENUE)

50. RH-50

1. Notwithstanding any other Section of the Zoning By-law, access for the purposes of this By-law a private street shall be considered a street.

(30 NOVA CRESCENT)

51. RH-51

1. The provisions for the RH-51 Zone shall be those in the RH Zone save and except as follows:

Minimum North Yard Setback	3.0 metres
Minimum East Yard Setback	3.0 metres

Minimum South Yard Setback	3.0 metres
Minimum West Yard Setback	6.0 metres
Minimum Floor Area per Dwelling Unit	
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 Number Dwelling Units	302

- The minimum parking requirements are 1.3 spaces per dwelling unit and parking will be permitted in the front yard (west);
- For zoning purposes, all parts within the RH-51 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 RH-51 Zone and not from any internal property lines created for condominium registration purposes.

(330 PRINCE CHARLES DRIVE)

52. RM-52

- That the provision of the RM-52 Zone shall be those of the RM Zone save and except the following:

East Yard	Minimum 3.0 metres
North Yard	Minimum 4.5 metres
South Yard	Minimum 4.5 metres

(240 DENISTOUN STREET)

53. L1-53

- The uses permitted in the L1-53 Zone are those in the L1 Zone and pet store and indoor kennel.

(97 VICTORIA STREET)

54. RL1-54

1. Notwithstanding the provisions of Section 5.22, the following described lands, in a RL1 Zone, shall be given an exemption to allow the use of the said lands for the purposes of the construction of a single detached dwelling without municipal water supply and municipal sanitary sewer being available.

(700 RIVERSIDE DRIVE)

55. RE-55

1. That the uses permitted in the RE-55 Zone shall be those permitted in the RE Zone, and a Motor Vehicle Repair Establishment.
2. The gross floor area of a Motor Vehicle Repair Establishment be limited to the size of the existing building (2,060 square metres).

(566 RIDGE ROAD)

56. RE-56

1. The uses permitted in the RE-56 Zone will be those in the RE Zone, a saw mill, kiln, light manufacturing of finished lumber products, yard storage, one (1) single detached residential dwelling.
2. The provisions for the RE-56 Zone will be those in RE Zone save and except as follows:

Minimum Lot Area	1.2 Hectares
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(416 NETHERBY ROAD)

57. O2-57

1. The uses permitted in the O2-57 Zone will be those in the O2 Zone and a raceway.

(603 NETHERBY ROAD)

58. RL2-58

1. The number of dwelling units per block as shown on the approved Draft Plan of Subdivision shall be as follows:

BLOCK NO.(DRAFT	BLOCK NO.(REGISTERED	MINIMUM NO. OF UNITS	MAXIMUM NO. OF UNITS
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PLAN)	PLAN)	
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
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

(DAIN CITY SUBDIVISION)

59. CC2-59

1. That the uses permitted in the CC2-59 Zone shall be those in the CC2 Zone and business offices, day care facility, respite care, and dwellings over permitted commercial uses.
2. That the provisions of the CC2-59 Zone shall be those provided for in the CC2 Zone save and except as follows:

Minimum Front Yard	2.8 metres
Minimum North Side Yard	1.7 metres
Planting Strip	1.7 metres along the north lot line 2.8 metres along the front lot line
Minimum East Yard	2.0 metres
Minimum South Yard for the Roofed Garbage Enclosure	2.0 metres

Maximum Number of Respite Care Beds 40

(152 AND 170 HELLEMS AVENUE AND 131 YOUNG STREET)

60. RE-60

1. The uses permitted in the RE-60 Zone shall be the uses permitted in the RE Zone, a courier service, cartage operation, warehouse and a trucking operation and single detached dwelling.

(933 FORKS ROAD)

61. A1-61

2. The uses permitted in the A1-61 Zone are those in the A1-61 Zone and a radio broadcasting station and transmission towers.

(870 FORKS ROAD)

62. RM-62

1. The uses permitted in the RM-62 Zone shall be single detached dwellings.
2. 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.”
3. The provisions of the RM-62 Zone shall be those in the RM, save an except as follows:

Lot Frontage	Minimum 11.6 metres
Lot Area	Minimum 320 square metres
Front Yard	Minimum 4.5 metres to dwelling unit Minimum 6.0 metres to Attached Garage
Rear Yard	Minimum 7.0 metres
Side Yard	Minimum one side – 1.2 metres Minimum other side – 0.6 metres

the main building supported by columns or brackets on the ground.”

3. The provisions of the RM-63 Zone shall be those in the RM, save an except as follows:

Lot Frontage	Minimum 11.6 metres
Lot Area	Minimum 320 square metres
Front Yard	Minimum 4.5 metres to dwelling unit
	Minimum 6.0 metres to Attached Garage
Rear Yard	Minimum 7.0 metres
Side Yard	Minimum one side – 1.2 metres
	Minimum other side – 0.6 metres
Lot Coverage	Maximum 65%
	The walking surface of Upper Level Platforms shall be included in the lot coverage calculation

4. The provisions of Section 5.13, as amended, shall apply save and except references to street may be read as private streets.
5. Notwithstanding Section 5.10 – 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;
6. Notwithstanding Section 6.1.8, 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.

- The number of dwelling units per block as shown on the Approved Draft Plan of Subdivision is as follows:

BLOCK NO.	MINIMUM NO. OF UNITS	MAXIMUM NO. OF UNITS
1	14	24
8	5	9

(NORTH VILLAGE, BLOCKS 1 AND 8)

64. RH-64

- That the provisions of the RH-64 Zone shall be those provided for in the RH Zone save and except as follows:
 - Minimum East Side Yard 1.5 metres
- 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:
- The provision of a bus shelter, concrete pad and associate appurtenances on King Street;
- Improvements to the Welland Recreational Waterway path between Regent Street and Merritt Park to include 'street' furniture, lighting and enhanced vegetation;
- To provide a 1,000 square foot building, to be located in Merritt Park, comprised of a storage area and accessible public washrooms.
- Notwithstanding Section 6.1.3, as amended, parking may be provided in the front yard.

(1 GRIFFITH STREET)

65. INSH-65

- That the provisions of the INSH-65 Zone shall be those provided for in the INSH Zone save and except as follows:

Minimum Bachelor Dwelling Unit Size 33 square metres

Minimum One Bedroom Dwelling Unit Size 27 square metres

2. That notwithstanding the parking requirements contained in Section 6 of the By-law a minimum of 4 stacked parking spaces shall be required for 9 dwelling units.

(73 ONTARIO ROAD)

66. NC-66

1. The uses permitted in the NC-66 Zone shall be those in the NC Zone and a clinic and business office and associated parking on the westerly 51 metres and only parking associated with permitted uses on the easterly 25.6 metres;
2. The Zone provisions for the NC-66 Zone shall be those in the NC Zone save and except as follows:

Minimum Lot Frontage 77.0 metres

Minimum Lot Area 4,000 square metres

Minimum Front Yard Setback 17.5 metres

Minimum Rear Yard Setback 13.5 metres

Minimum West Yard Setback 20.0 metres

Minimum East Yard Setback 25.6 metres

Minimum Landscaped Buffer Along West, North and East Property Lines 3.0 metres

Minimum South Yard Setback for Parking on Easterly 25.6 metres 17.5 metres

(180 THOROLD ROAD)

67. CC1-67

1. That in addition to the uses permitted in the CC1 Zone a commercial greenhouses and accessory uses thereto and a single-detached dwelling are also permitted.

2. The Zone Provisions for the CC1-67 Zone shall be as follows:

Minimum Lot Frontage	100 metres
Minimum Lot Area	17,750 square metres
Minimum Front Yard	13.5 metres
Minimum Rear Yard	4.5 metres
Minimum North Side Yard	4.5 metres
Minimum South Side Yard	7.5 metres
Minimum West Side Yard Abutting 698 South Pelham Road	15 metres
Minimum Landscaped Open Space	15 percent
Maximum Lot Coverage	60 percent
Maximum Building Height	9 metres

Any accessory building shall be permitted outside of the rear yard so long as it conforms to all setback regulations for main buildings.

(684 SOUTH PELHAM ROAD)

68. RH-68

1. That the uses permitted in the RH-68 Zone shall be those in the RH Zone and a student residence.
2. That the provisions of the RH-68 Zone shall be those provided for the in the RH Zone, save and except as follows:

Rear Yard Setback	3.5 metres
Northerly Side Yard Setback	2.5 metres

3. Notwithstanding Section 6.4 of the Zoning By-law, as amended, the minimum parking requirements are one (1) space per dwelling unit.

(699 NIAGARA STREET)

69. RL1-69

1. That the provisions of the RL1-69 Zone shall be those provided for in the RL1 Zone, save and except as follows:

Maximum Lot Coverage 46%

(EAST SIDE HOME STREET, LOTS 108 AND 109, PLAN 618, BEING PART OF PART 1 ON PLAN 59R-9842)

70. INS1-70

1. Notwithstanding Section 6.1.3, the required parking may be provided both on-site and shared jointly on the adjacent lands to the east.

(SOUTH SIDE OF QUAKER ROAD, WEST OF W.C.R.C.S.S. BOARD OFFICES)

71. RM-71

1. Notwithstanding any provision of the Zoning By-law, 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.
2. Notwithstanding any provision of the Zoning By-law, as amended, an aisle width of 7.1 metres shall be permitted in the rear yard.
3. Notwithstanding any provision of the Zoning By-law, as amended, required parking may be provided in the exterior side yard, within 1.2 metres of the exterior side lot lines.

(117 WILLSON ROAD)

72. GEC-72

Definition

1. In this Order,

“accessory” means a use, building or structure that is normally incidental or subordinate to a principal use, building or structure located on the same lot, including but not limited to,

- (a) indoor and outdoor storage and distribution of products, parts, equipment, engines, machinery, goods, materials, substances and containers,
- (b) servicing, hiring, loading and unloading of trailers, trucks, buses and other fleet vehicles,

- (c) a business office, conference facility and data centre used in conjunction with the other uses on the site,
- (d) a showroom and area for sales and display including the outdoor display of equipment and machinery,
- (e) products, engines, equipment and machinery servicing areas, repair shops and workshops,
- (f) a test yard for testing products, engines, equipment and machinery,
- (g) a cafeteria or similar type of food establishment for use by employees, used in conjunction with the other uses on the site,
- (h) facilities for training employees and vendors,
- (i) facilities for employee recreation, health and fitness, health care and child care,
- (j) a generating plant used in conjunction with the other uses on the site,
- (k) satellite dishes, antennas, chimney stacks, scrubbers and other similar equipment,
- (l) sleeping facilities for occasional use in conjunction with other uses on the site, and
- (m) parking.

Application

- 2. (1) This Order applies to lands in the City of Welland in the Regional Municipality of Niagara, in the Province of Ontario, being part of Lot 17 in Concession V, Crowland and identified as Property Identifier Number 64411-0223 (LT), 64411-0224 (LT), 64411-0225 (LT) and 6441-0221 (LT).
- (2) For the purpose of this Order, the lands described in subsection (1) shall be considered to be a single lot.

Use of Land

- 3. (1) Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection 2 (1), except,
 - (a) the manufacturing, processing, fabrication, assembly, disassembly, treatment and packaging of products, parts,

- equipment, engines, machinery, goods, materials, including raw materials and substances;
- (b) the remanufacturing, maintenance, painting, testing, repair, servicing and distribution of products, parts, equipment, tools, engines, machinery, goods, materials and substances;
 - (c) the bulk storage of petroleum, petroleum products, chemicals, gases or similar substances used in conjunction with the other uses on the site;
 - (d) a laboratory including research, design, tests or investigations, data collection and manipulation, and development of information, products and devices;
 - (e) a facility for the demonstration of the types of manufacturing uses being conducted on the site, for the purposes of education and training;
 - (f) accessory uses, buildings and structures; and
 - (g) uses, buildings and structures lawfully in existence on the date this Order comes into force.
- (2) The zoning requirements for the lands described in subsection 2 (1) are the following:
- 1. There is no minimum lot area.
 - 2. There is no minimum lot frontage.
 - 3. The minimum front yard setback is 6 metres.
 - 4. The minimum side yard setback is,
 - i. 4.5 metres on the west side,
 - ii. 14 metres on the east side, and
 - iii. 8.7 metres on the north-west side.
 - 5. The minimum rear yard setback is 4.5 metres.
 - 6. There is no maximum lot coverage.
 - 7. The maximum height of all buildings and structures is 30 metres.

8. There is no maximum total floor area for any building or structure.
9. The minimum number of parking spaces is 1 space for each 180 square metres of gross floor area of all buildings.
10. There is no limit on the number of buildings and structures.

Effect of Order

4. (1) Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.
- (2) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.
- (3) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

(200, 242, 246 AND 250 BUCHNER ROAD)

73. RS-73

1. The permitted uses in the RS-73 Zone are those in the RS Zone and the following:

Accessory uses, buildings and structures in accordance with General Provision 5.3.1.

Call Centre

Contractor's Establishment

Custom Workshop

Flea Market

Health Related Retail

Home Furnishing Retail Establishment

Light Equipment/Machinery Rental and Service Establishment

Office, Major

Place of Assembly

- Place of Entertainment
- Place of Worship
- Repair Shop
- Sample or Showroom
- School, Commercial
- Seasonal Outdoor Storage
- Shopping Centre
- Social Services Establishment
- Survey, Engineering, Planning or Design Business

2. The provisions for the RS-73 Zone will be as follows:

Minimum Lot Area	2.0 Ha
Minimum Lot Frontage	0 m
Minimum Front Yard	3.0 m
Minimum Interior Side Yard	0 m
Minimum Exterior Side Yard	3.0 m
Minimum Rear Yard	7.5 m
Maximum Building Height	24.0 m
Maximum Gross Floor Area	N/A
Minimum Landscaped Area	10%
Maximum Lot Coverage	40%
Parking Requirements	3.75 spaces per 93 square metres of gross floor area of shopping centre uses

(800 NIAGARA STREET)

74. RH-74

1. That the uses permitted in the RH-74 Zone shall be a three (3) storey, 35 unit apartment building;
2. That the provisions of the RH-74 Zone shall be those provided for in the RM4 zone save and except the following:

Front yard	Minimum 6.0 metres
Rear yard	Minimum 7.5 metres
North side yard	Minimum 3.0 metres
Lot density	Maximum 73 units per net hectare (maximum 35 units)
3. 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.
4. Notwithstanding the parking requirements of Section 6.4, 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)

75. A1-75

1. That the provisions of the R1-75 Zone shall be those provided for in the A1 Zone, save and except as follows:

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

(335 BIGGAR ROAD)

76. RL2-76

1. That the provisions of the RL2-76 Zone shall be those provided for in the RL2 Zone, save and except as follows:

That a covered, unenclosed deck be permitted to encroach 2.5 metres into the required front yard.

That a covered, unenclosed rear deck be permitted to encroach 3.5 metres into the required rear yard.

(40 McCabe Avenue)

77. A1-77

1. That the uses permitted in the A1-77 Zone shall be Agricultural uses but no dwelling unit is permitted.

(LANDS TO THE SOUTH OF 971 FORKS ROAD)

78. A1-78

1. That the uses permitted in the A-X5 Zone shall be a single-detached residential dwelling and custom farming operation.
2. That the provisions of the A-X5 Zone shall be those provided for in the A Zone, save and except as follows:

Minimum Lot Area 1.8 hectares

Minimum Setback to neighbouring livestock barn and manure storage 320 metres

That the house existing on the property at the date of the passing of this By-law be permitted as a temporary structure while a new dwelling is constructed.

(971 FORKS ROAD)

79. RL2-79

1. That the provisions of the RL2-79 Zone shall be those provided for in the RL2 Zone, save and except as follows:

Front Yard Setback	4 metres
Side Yard Setback between Townhouse Blocks and to Lot Lines (including corner lots)	3 metres
Rear Yard Setback	5 metres

(485 PRINCE CHARLES DRIVE)

80. RL2-80

- That the provisions of the RL2-80 Zone shall be those provided for in the RL2 Zone, save and except as follows:

Side Yard Setback	0.9 metres
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(148 & 152 LOUISE STREET)

81. INSH-81

- That the uses permitted in the INSH-81 Zone shall be those in the INSH Zone and one residential unit on the ground floor in front of the permitted commercial use, and a food processing warehouse.
- That the provisions of the INSH-81 Zone shall be those provided for in the INSH Zone, save and except as follows:

Rear Yard	1.2 metres
Maximum Unit Size for a Commercial Use	193 square metres
Minimum Amenity Area for a Residential Use	0 square metres

- No fence is required to be maintained between the parking lot and abutting lands

(16 STEEL STREET)

82. CC1-82

- That the provisions of the CC1-82 Zone shall be those provided for in the CC1 Zone, save and except as follows:

Building Setback to Aqueduct Street	38 metres
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That access from Aqueduct Street is prohibited

That the Owner construct a solid, 1.8 metre privacy acoustic fence along the property line with Aqueduct Street and along the property line with 379 Aqueduct Street

(383 AQUEDUCT STREET)

