



PORT COLBORNE

City of Port Colborne

Comprehensive Zoning By-law 6575/30/18

April 23, 2018

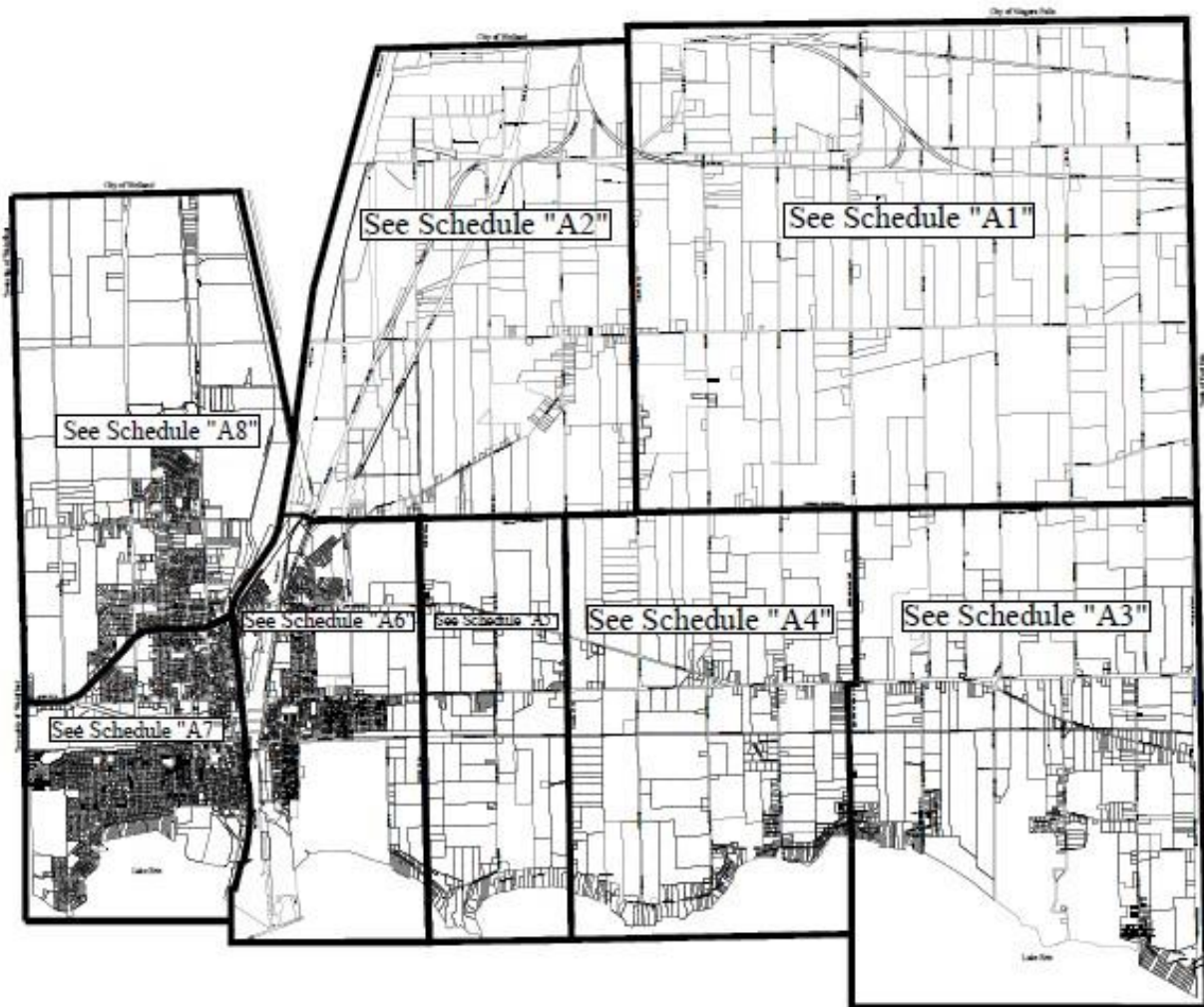


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Preamble

Introduction

This preamble explains the purpose of this Zoning By-law and how it should be used. While this preamble does not form part of the Zoning By-law passed by Council it is intended to make the Zoning By-law more understandable and easier to reference.

Purpose of this Zoning By-law

The purpose of this Zoning By-law is to implement the policies of the City of Port Colborne Official Plan. The Official Plan contains general policies that affect the use of land throughout the municipality. These policies specify where certain land uses are permitted and, in some instances, what regulations should apply to the development of certain lots. This Zoning By-law replaces the City's former Zoning By-law 1150/97/81.

The City of Port Colborne Official Plan is a general document that is not intended to regulate every aspect of the built form on a lot. This is generally the role of the Zoning By-law. Once an Official Plan is in effect, any Zoning By-law passed by Council must conform to it. For example, if the Official Plan stated that lands in the vicinity of a significant natural feature such as a Provincially Significant Wetland are to remain in their natural state, the Zoning By-law would prohibit the construction of buildings or structures on those lands.

The statutory authority to zone land is granted by the *Planning Act* R.S.O. 1990, c.p. 13 as amended (the "*Planning Act*"). The *Planning Act* specifies what a By-law can regulate. A Zoning By-law can:

- Prohibit the use of a lot or buildings for any use that is not specifically permitted by the By-law;
- Prohibit the construction of siting of buildings and structures on a lot except in locations permitted by the By-law;
- Regulate the type of construction and the height, bulk, location, size, floor area, spacing and use of buildings or structures;
- Regulate the minimum frontage and depth of a lot;
- Regulate the proportion of a lot that any building or structure may occupy;
- Regulate the minimum elevation of doors, windows or other openings in buildings or structures;
- Require parking and loading facilities be provided and maintained for a purpose permitted by the By-law; and
- Prohibit the use of lands and the construction of buildings or structures on land that has environmental or archeological constraints.

Description of By-law Components

This By-law contains 39 sections which taken together provide the standards applicable to all lots within the municipality.

The purpose of each of these sections is described below.

Section 1: Administration and Interpretation

This section of the By-law specifies:

- What lots are governed by the By-law;
- That every lot in the area covered by this By-law shall conform and comply with this By-law; and
- What penalties can be levied against a person or corporation if this By-law is contravened.

Section 2: General Provisions

This section contains a number of regulations that apply to certain types of uses, buildings or structures regardless of where in the municipality or in what zone they are located. For example, this section contains provisions dealing with the construction of accessory buildings and provisions that regulate the operation of home based business.

Section 3: Parking Provisions

This section provides regulations dealing with the number of parking spaces required for uses, accessible parking spaces, minimum parking space size, bicycle parking facilities, and the location of parking facilities on a lot.

Section 4: Establishment of Zones

This section sets out the zones and a list of the uses permitted in each zone. If a use is not specifically listed as a permitted use in a zone then it is not permitted. In some zones, certain uses are only permitted under specific circumstances or only together with other uses.

Section 5 to 36: Zone Provisions

These sections list the uses that are permitted in each zone and layer and contain a number of regulations that control the location and character of buildings and structures, and includes, among other things, regulations governing lot size, lot frontage and building height.

Section 37: Special Provisions

This section provides a consolidated list of lots with special zoning provisions that are exceptions to the normal zone requirements of this By-law. Lots subject to special provisions are identified on the map schedules in Section 39.

Section 38: Definitions

Definitions in this section provide clarity and consistency in the implementation of this By-law.

Section 39: Zone Schedules

This section contains maps of the City showing the zoning of each lot and site specific lot information where applicable.

Section 1: Administration and Interpretation

1.1 Title

This By-law may be cited as “the Zoning By-law”.

1.2 Administration

This By-law shall be administered and enforced by the City of Port Colborne (“City”) and applies to all lots within the City.

1.2.1 Conformity and Compliance with By-law

No person shall change the use of any building, structure or lot; erect or use any building or structure; or occupy any building, structure or lot except in accordance with the provisions of this By-law. Where any building, structure or lot is used for more than one purpose, all provisions of this By-law relating to each separate use shall be applied. All applicable provisions of this By-law apply to an individual lot unless stated otherwise.

Any use (primary or accessory) not specifically permitted by this By-law is not permitted. A use defined in Section 38 but not identified as a permitted use in any zone or by special provision is not permitted.

1.2.2 Legal Non-Conforming Uses Continued

Nothing in this By-law shall prevent the use of any lot, building or structure for any purpose permitted by this By-law if such lot, building or structure was lawfully used for such purpose prior to the passing of this By-law provided that:

- a) Such use, building or structure which was lawfully established prior to the date of passing of this By-law and continues to be used for that purpose.

1.2.3 Building Permit Issued

Nothing in this By-law shall prevent the erection or use of any building or structure for a purpose prohibited by this By-law if the plans for such building or structure were approved by the Chief Building Official prior to the date of passing of this By-law provided that:

- a) When the building or structure is erected, it shall be used and shall continue to be used only for the same purpose for which the said building or structure was intended when such building permit was issued.

1.3 Interpretation

Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the City, or any other regulation, requirement or standard of upper tier governments and agencies, including but not limited to the Regional Municipality of Niagara, the Province of Ontario, the Government of Canada, the Canadian National Railway, the Niagara Peninsula Conservation Authority, the Ministry of Transportation, The Ministry of Agriculture, Food and Rural Affairs, the Ministry of the Environment and other Provincial and Federal Ministries, departments and agencies.

Nothing in this By-law shall be construed to exempt any person from complying with the requirements of the Ontario Building Code or Ontario Fire Code.

1.3.1 Definitions

Unless otherwise defined in Section 38, the words and phrases used in this By-law have their common, dictionary meaning.

1.3.2 Singular and Plural Words and Genders

In this By-law, unless the context requires otherwise:

- a) Words used in the singular numbers include the plural;
- b) Words used in the plural include the singular number; and
- c) Words used in the masculine gender include the feminine.

1.3.3 Public Utilities

Nothing in this By-law shall prevent the use of any land for the erection of buildings or structures, or the installation of public works providing public utilities by a regulated company or government agency.

1.3.4 Schedules

The Schedules attached to this By-law form part of the By-law. Schedule A shows the Zones and Zone Boundaries. Schedules A1 through A9 show detailed lot specific information.

1.3.5 Interpretation of Zone Boundaries

When determining the boundary of any zone as shown on the Schedules forming part of this By-law the following shall apply:

- a) A boundary indicated as following a highway, road (improved or unimproved), lane, railway right-of-way or utility corridor shall be construed to be the centreline of such highway, street, lane, railway right-of-way, utility corridor.

- b) A boundary indicated as following a shoreline or a top of bank shall follow such shoreline or top of bank as located through survey or other similar means. In the event of a change in the shoreline or top of bank the boundary shall move with the actual shoreline or top of bank.
- c) A boundary indicated as following lot lines or the municipal boundaries of the City of Port Colborne shall follow such lot lines or municipal boundary.
- d) Where none of the above applies, the zone boundary shall be scaled from the Schedule(s).

1.3.6 More Than One Zone on a Lot

Where a lot has more than one zone applied thereon, all provisions in the pertinent zone shall be satisfied on each such portion of the lot so zoned.

1.3.7 Establishment of Holding Zones

Pursuant to Section 36 of the Planning Act, Holding Zones are hereby established by the use of the symbol “H” as a suffix to the zone symbol. For lands subject to a Holding symbol, only those uses, buildings and structures in existence at the time of the passing of the By-law applying the Holding symbol will be permitted and no building or structure shall be altered or erected until the Holding symbol is removed by amendment to the By-law. The requirements for lifting each Holding symbol are set out in Section 4.4 and Section 37 of this Zoning By-law.

1.4 Enforcement

Any person or corporation that contravenes any provision of this By-law is guilty of an offense and upon conviction is liable to the penalties as provided for in the *Planning Act*.

1.5 Inspection of Premises

The Director of Planning and Development or any official or employee of the Municipality acting under his or her direction, is hereby authorized to enter, at all reasonable hours, upon any property or premises in or about which there is reason to believe that provisions of this By-law are not being complied with, and for the purpose of carrying out his or her duties under this By-law.

1.6 Severability

A decision of a court that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this By-law.

1.7 Effective Date

This By-law shall come into force the day it is passed.

1.8 Technical Changes

Provided that the purpose, effect, intent, meaning and substance of this By-law are in no way affected, and as determined by the Director of Planning and Development, or any official or employee of the Municipality acting under his or her direction, the following technical revisions to this By-law are permitted without a Zoning By-law amendment:

- a) Changes to the numbering, cross-referencing, format and arrangement of the text, tables and maps;
- b) Additions to and revisions of technical information on maps including but not limited to: infrastructure, topographic information, notes, legends, shading and title blocks;
- c) Alterations of punctuation; and
- d) Correction of grammatical, dimensional, boundary, mathematical or typographic errors.

BY-LAW 6575/30/18

A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of Port Colborne.

WHEREAS the City of Port Colborne Official Plan was adopted in September 2012 by City Council and approved in December 2012 by Regional Council and approved by the Ontario Municipal Board in November 2013;

AND WHEREAS it is deemed advisable to pass a By-law pursuant to s. 34 of the Planning Act, R.S.O., 1990, c. P. 13, as amended.

The Council of the Corporation of the City of Port Colborne enacts as follows:

Section 2: General Provisions

2.1 Requirement for a Lot

- a) Except as otherwise provided in this By-law, no building or structure shall be erected, altered, extended or enlarged except upon a lot nor shall any land be used for a permitted use unless it comprises a lot; but this provision shall not prevent the use of any parcel or tract of land for lawfully existing agricultural purposes excluding the erection or enlargement of any building or structure except a fence.
- b) Notwithstanding anything contained in this By-law, a parcel which is situated in any zone, and which lacks either the required lot frontage or lot area, or both the lot frontage and lot area for the lot in the respective zone, is and shall be deemed to be a lot provided that:
 - i) The description of such parcel is the same as in a deed registered on or prior to the date of passing of this By-law;
 - ii) Such parcel could have been conveyed legally on the date of the passing of this By-law by way of deed, transfer, mortgage, charge or agreement of purchase and sale without consent under Section 50 of the Planning Act, being Chapter 349 of the Revised Statutes of Ontario, 1970, as amended from time to time.
 - iii) All relevant regulations made under the Public Health Act and all relevant regulations required of the Regional Municipality of Niagara or any other authority having jurisdiction are complied with including septic requirements;
 - iv) All other requirements of the applicable zone are complied with, and where said parcel qualified under this section as a deemed lot, said deemed lot may be used for the purposes as permitted in the zone in which it is located, notwithstanding that it does not comply with the area and frontage requirements of that zone; and

2.1.1 Reduction of Lot Area

- a) No person shall reduce the lot area or make any changes in the dimensions of a lot as required by this By-law by the conveyance or alienation of any portion thereof or otherwise, except at the discretion of the Committee of Adjustment or except by a conveyance in accordance with Section 2.1.1 (b), so that any building or structure on such lot shall have a lot coverage that exceeds or a front yard depth, side yard depth, rear yard depth, lot frontage, lot area or lot depth that is less than that permitted by this By-law but does not include a registered use.

- b) Where the area of a lot is reduced by means of an acquisition of part of the lot by a public agency for the purpose of providing a public service, and where such acquisition causes the lot as reduced, or any building or structure existing lawfully on the lot on the date of such acquisition to have a lot area, lot frontage, lot depth, lot coverage, front yard depth, side yard depth or rear yard depth that does not conform to the requirements hereof for the zone in which such lot is located, then the lot as reduced shall continue to be used as if no such acquisition had taken place provided that:
 - i) No change is made in the dimensions or area of the lot as reduced, subsequent to the date of such acquisition, that would increase the extent of the said non-conformity; and
 - ii) No building, structure or addition is erected on the lot as reduced, subsequent to the date of such acquisition, except in accordance with all of the provisions hereof for the zone in which such lot is located.

2.2 Uses Permitted in All Zones

- a) Nothing in this By-law shall prevent the use of any land as a public use provided by or on behalf of the City, Regional Municipality of Niagara or Province of Ontario for the erection of buildings or structures, or the installation of other facilities essential to the operation of water works, street lighting, cable and telephone lines, railways and works for the transmission of gas, oil, water or electrical power or energy, or wayside pits and quarries, provided that any such use, building or structure provided that:
 - i) Any buildings or structures shall be in compliance with the relevant provisions of this By-law;
 - ii) Any building, structure or use shall not adversely affect the character or amenity of the neighbourhood in which it is located.
- b) Nothing in this By-law shall prevent the erection of any properly authorized traffic sign or signal, or any sign or notice of any local or other government department of authority.

2.3 Uses Prohibited in All Zones

- a) Abattoir;
- b) Mobile Home Park;
- c) Salvage Yard;
- d) Solid Waste Disposal Facility;

- e) Trailer Park;
- f) Sites for the treatment and disposal of liquid waste, hazardous waste, or any other waste which requires special treatment;
- g) Locating or storing on any land for any purpose whatsoever any disused railroad car, sea container or similar shipping container, streetcar body, truck body or trailer without wheels, whether or not the same is situated on a foundation.
 - i) Section 2.3 (h) shall not apply to Industrial Zones and Site Specific Zones that permit industrial type uses and City owned lands Zoned Public and Park located on the City's Island (Mellanby Avenue/Killaly Street West);
 - ii) Nothing in this By-law shall prevent a sea container or similar shipping container from being used to build a building or structure, not including an accessory building or accessory structure, provided that the structure complies with the applicable zoning provisions and
- h) Any use where its nature or the material used therein is considered a noxious use as defined in Section 38.

2.3.1 Source Water Protection

- a) Notwithstanding any other provisions of the By-Law to the contrary, the following uses shall be prohibited within the Intake Protection Zone 1 (IPZ-1) shown as IPZ-1 on Schedules A6 and A7 in Section 39 of this By-law:
 - i) Waste Disposal Site;
 - ii) Pesticide storage greater than 2,500 kg;
 - iii) Open Storage of road salt greater than 5,000 tonnes;
 - iv) Storage of snow greater than 1 hectare;
 - v) Stormwater Management Facility, or the expansion of a Stormwater Management Facility existing prior to August 28, 2017;
 - vi) Combined Sewer;
 - vii) Wastewater Treatment Facility;
 - viii) Industrial Effluent System; and

- ix) Agricultural Use, including the storage or application of agricultural source material.
- b) Notwithstanding any other provisions of the By-Law to the contrary, the following uses shall be prohibited within Intake Protection Zone 2 (IPZ-2) shown as IPZ-2 on Schedules A6 and A7 in Section 39 of this By-law:
 - i) Waste Disposal Site;
 - ii) Stormwater management facility, or the expansion of a storm water management facility existing prior to August 28, 2017; and
 - iii) Agricultural Use, including the storage or application of agricultural source material.
- c) In instances where the Risk Management Official deems a new or expanding Commercial/Industrial development may pose a significant threat to municipal drinking water within the IPZ-1 or IPZ-2, a stormwater management plan that demonstrates and implements best management practices related to managing stormwater runoff shall be required to the satisfaction of the Risk Management Official and the City.

2.4 Temporary Uses

- a) Nothing in this By-law shall prevent the use of any land, or the erection or use of any temporary building or structure for a construction camp, work camp, tool shed, scaffold or other temporary building or structure incidental to an necessary for construction work on the premises for which a building permit has been issued and not expired, but only for so long as such use, building or structure is necessary for such construction work which has not been finished or abandoned.
- b) Nothing in this By-law shall prevent the use of a mobile home, motor home or trailer for the temporary accommodation of the residents of a lot in the case of a complete or partial destruction of a dwelling by fire, lightning, explosion, tempest, flood or Act of God, or where its demolition is by the order of the City of Port Colborne, the Regional Municipality of Niagara or other authority, for safety, health or sanitation requirements in any Zone for a period not to exceed 18 months provided that the property owner has first entered into a Development Agreement with the City in a form authorized generally or specifically by City Council from time to time to allow the temporary use of a mobile home, motor home or trailer.
- c) Nothing in this By-law shall prevent the use of a mobile home, motor home or trailer for the temporary accommodation during renovations or the construction of a new dwelling provided that the property owner has first entered into a Development Agreement with the City in a form authorized generally or specifically by City Council from time to time to allow the temporary use of a mobile home, motor home or trailer during renovations or the construction of a new dwelling.

- d) Nothing in this By-law shall prevent the use of any land, other than a sight triangle, in any zone for a special event held by a charitable organization provided any temporary building or structure incidental to, and necessary for, the event meets the minimum requirements of the applicable zone and remains on the land only during the duration of the special event.
- e) Where this By-law provides that land may be used for a dwelling unit, the permitted accessory use shall include a garage/yard sale provided that:
 - i) No person shall conduct more than 2 garage/yard sales per calendar year at 1 location; and
 - ii) No garage/yard sale shall exceed 2 days in duration.

2.5 Human Habitation

Notwithstanding anything contained in this By-law, no truck, bus, coach, street car body or structure of any kind, whether or not the same is mounted on wheels, a foundation or other form of mounting, shall be used for human habitation other than a dwelling unit, a mobile home, or a trailer or motor home used in accordance with this By-law.

2.6 Multiple Uses on a Lot

Notwithstanding anything contained in this By-law:

- a) Where any land, building or structure is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with;
- b) In no case shall a dwelling be located within 3 metres of any other building on the lot, except a building accessory to such dwelling; and
- c) Where standards or provisions pertaining to 2 or more uses on lot are in conflict, the highest or most restrictive standards or provisions shall prevail.

2.7 Non-Conforming Buildings and Structures

- a) Nothing in this By-law shall prevent the rebuilding, replacement or repair of an existing building or structure even though such building or structure or the lot on which such building or structure is located does not conform to one or more of the provisions of this By-law, provided that the dimensions of the original building or structure are not increased, the use thereof is not altered and the yards appurtenant thereto are not reduced except in accordance with the provisions of this By-law, provided that such repair or restoration does not increase the height, size, volume or extent of non-conformity or non-compliance of the use, building or structure, except as required in order to comply with the requirements of the Ontario Building Code.

- b) Nothing in this By-law shall prevent a vertical or horizontal extension or addition from being made to an existing building or structure on a lot, even though such building, structure or lot does not conform to one or more of the requirements of this By-law, provided that:
 - i) Such extension or addition does not further reduce any existing legal non-conforming yards but in no instance shall any extension or addition be permitted close than 1.0 metres to any lot line;
 - ii) All other provisions of this By-law are satisfied; and
 - iii) No extensions or additions shall be permitted in an Environmental Protection Zone.

2.8 Accessory Buildings

2.8.1 General Provisions

- a) Accessory buildings shall be permitted in any zone in accordance with the applicable zone regulations and with the following:
 - i) No accessory building shall be erected prior to the erection of the permitted dwelling or principal building on the same lot except where it is necessary for the storage of tools and materials for use in connection with the construction of such dwelling or building and no accessory building shall be used prior to the erection of such dwelling or building for any purpose other than such storage for a period not to exceed 18 months provided that the property owner has first entered into a Development Agreement with the City in a form authorized generally or specifically by City Council from time to time to allow the temporary use.
 - ii) No accessory building shall exceed a height of 6 metres, except as otherwise permitted in Section 2.15.2.
 - iii) No accessory building shall be located in a front yard or corner side yard. Notwithstanding the aforementioned restriction, no accessory building shall be located in a required minimum front yard or corner side yard setback on lots that abut the Lake Erie shoreline.
 - iv) no accessory structure shall be located less than 1 metre from an interior side or rear lot line.
 - v) The regulations governing the location of any accessory building in relation to a lot line, shall not apply to prevent the erection or use of a jointly-owned double garage which services two dwellings whose common lot line shall be the dividing line of such garage provided that such garage is not located in a required front yard or closer than 1.0 metre to any other lot line.

- vi) Notwithstanding subsections (i) through (vii) inclusive, where the accessory building is located within an Environmental Protection Zone, the Niagara Peninsula Conservation Authority regulations shall apply.

2.8.2 Lot Coverage

- a) For a lot with municipal sanitary sewers and municipal water services the total accessory lot coverage shall not exceed 10% of the lot area of the said lot, excluding swimming pools.
- b) For a lot with no municipal services the total accessory lot coverage shall not exceed 5% of the lot area of said lot, excluding swimming pools.
- c) For a lot zoned Agriculture (A) or Rural (RU) the total accessory lot coverage shall not exceed 1% of the lot area of said lot, excluding swimming pools.
- d) Where total coverage of all buildings on a lot is specified in a specific zone, the coverage for the accessory building must also conform to the overall coverage requirement.
- e) This section shall not apply to uncovered decks that are attached to a dwelling

2.9 Accessory Uses to a Dwelling

2.9.1 Accessory Dwelling Unit

- a) Notwithstanding any other provisions of this By-law, any single detached, semi-detached and townhouse dwelling units permitted in any zone may be internally converted or by way of an addition to the existing dwelling or creation of a standalone structure or building, provide an accessory dwelling unit, subject to the specific zone requirements and the following:
 - i) Only one accessory dwelling unit is permitted per dwelling unit.
 - ii) Where the parcel proposed for an accessory dwelling unit is not serviced by municipal sewer and/or municipal water services, the minimum lot size shall be 0.4 hectares and all relevant requirements of the Region of Niagara are complied with.
 - iii) The maximum floor area for the accessory dwelling unit shall not exceed 40% of the gross floor area of the dwelling.
 - iv) One additional on-site parking space shall be provided for the accessory dwelling unit, and parking spaces may be stacked.
 - v) All relevant requirements of the Ontario Building Code and Ontario Fire Code are complied with.

2.9.1.1 Dwelling Unit, Interior Accessory

- a) Notwithstanding any other provisions of this By-law, one interior accessory dwelling unit is permitted in any detached dwelling, semi-detached dwelling unit or townhouse dwelling unit provided it complies with Section 2.9.1 i) to (v) and:
 - i) The interior accessory dwelling unit is entirely within the exterior walls of the principal dwelling unit.
 - ii) The external appearance and character of the single detached dwelling, landscaped area and outdoor amenity areas are to be preserved.
 - iii) Additions shall be architecturally similar to the existing dwelling unit and use similar exterior building materials.
 - iv) The entrance to the accessory dwelling unit shall be located only in the interior side or rear yard and no exterior stairway to the second floor of the dwelling or accessory dwelling unit shall be permitted in the front or corner side yard.

2.9.1.2 Dwelling Unit, Detached Accessory

- a) Notwithstanding any other provisions of this By-law, one detached accessory dwelling unit is permitted in any residential zone provided it complies with Section 2.9.1 (i) to (v) and shall not:
 - i) Be located in a required front yard or corner side yard.
 - ii) Be located within any sight triangle.
 - iii) Exceed a building height of 6 metres.
 - iv) Be located less than 1 metres from an interior side or rear lot line.
 - v) Be located closer than 1.5 metres to a main building.

2.9.2 Home Based Business

2.9.2.1 General Provisions

- a) Notwithstanding any other provisions of this By-law, a home based business is permitted within a dwelling unit in any zone subject to the following:
 - i) The home based business shall be clearly secondary to the main residential use and shall not change the residential character of the dwelling.
 - ii) The home occupation may be located within the dwelling unit or private garage, carport or accessory building or structure provided that the accessory building complies

with section 2.8 and the combined floor area of the home based business in both the dwelling unit and accessory building does not exceed the maximum floor area as described in section 2.9.2 (iii).

- iii) The use occupies a maximum floor area of 25% of the total dwelling unit floor area to a maximum of 23 square metres whichever is less.
 - iv) The home based business shall be conducted by a person(s) residing in the dwelling and may include one non-resident employee.
 - v) No manufacturing activity involving the processing of raw or semi-processed materials shall be carried out in conjunction with a home based business except for the fabrication of handmade goods or crafts associated with an artisan studio, home bakery, catering or home sewing establishment. The assembly of fully processed goods shall be permitted and shall only occur within the dwelling unit.
 - vi) There shall be no exterior structural alterations or separate entrances to the dwelling unit for the home based business.
 - vii) There shall be no outside storage associated with the home based business.
 - viii) The home based business shall not create or become a public nuisance in regard to persistent noise, odour, vibration, dust, light or glare, traffic generated or parking, nor shall it cause electrical interference or interference with telephone, television, radio or satellite equipment.
 - ix) Unless otherwise stated, not more than 2 clients or customers of the home based business shall be present at any time on the lot occupied by the dwelling unit.
- b) Repair services shall be limited to the repair of personal effects and small household appliances such as electronic equipment, bicycles, apparel, furniture, toys and sporting goods. The repair of major household appliances, lawn care equipment and other power equipment and vehicles shall not be permitted.
 - c) Retail sales shall be limited to those goods, merchandise, wares, products and articles either produced by the home based business or associated with a personal service conducted on the premises.

2.9.2.2 *Parking Requirements*

- a) Where a home based business is present, and in addition to the parking provision of this By-law, the following special parking regulations are applicable:
 - i) One off-street parking space shall be provided on the lot occupied by the dwelling unit in addition to the minimum parking area required by the dwelling unit.
 - ii) Parking or storage of vehicles for the home based business shall be prohibited in any required yard except on a driveway that has been graded and gravelled or surfaced with concrete, asphalt, crushed stone or other hard surface, dustless material.
 - iii) On-site parking spaces may be stacked.

2.9.2.3 *Signage*

- a) There shall be no exterior indication of the home based business including window display, open storage or display of advertising goods, materials or equipment associated with the home based business other than one legal sign per property which complies with the City of Port Colborne Sign By-law and the following regulations:
 - i) The sign shall not be internally illuminated.
 - ii) The sign shall not exceed 0.37 square metres in area where there is one home occupation in the dwelling unit or 0.74 square metres in area where there are two or more home based businesses in the dwelling unit.
 - iii) The sign shall not be located within a sight triangle.
 - iv) The sign shall not be located closer than 1 metre to any property line.

2.9.2.4 *Bed and Breakfast*

- a) A bed and breakfast is a permitted use within a detached dwelling subject to section 2.9 and the following additional regulations:
 - i) Despite section 2.9.1 (iii), a maximum of 4 guest rooms are permitted;
 - ii) The bed and breakfast establishment shall provide one off-street parking space per guest room in addition to the minimum parking area required for the dwelling unit; and
 - iii) The bed and breakfast shall provide meals to guests of the bed and breakfast only.

- iv) The bed and breakfast establishment shall be licensed in accordance with the City's Licensing By-law.

2.9.2.5 *Home Daycare*

- a) A home daycare is permitted subject to section 2.9 and the following:
 - i) Despite Section 2.9.2.1 (ix), the maximum number of non-resident persons being supervised is five; and
 - ii) Section 2.9.1 a does not apply.

2.10 Replacement of Buildings and Structures

2.10.1 Replacement of Residential Buildings

- a) Any building used exclusively for residential purposes may, in the case of its complete destruction, be replaced with a new building or in the case of its partial destruction, be reconstructed where the complete or partial destruction is caused by fire, lightning, explosion, tempest, flood or Act of God, or where its demolition is by order of the City of Port Colborne, The Regional Municipality of Niagara or other authority for safety, health or sanitation requirements, provided that:
 - i) Such destroyed or demolished building was lawfully used at the date of its partial or complete destruction or demolition;
 - ii) Such building as replaced or reconstructed shall not contain a greater number of dwelling units than lawfully existed in the destroyed or demolished building at the date of its partial or complete destruction or demolition;
 - iii) Where the ground floor area of the destroyed or demolished building was less than the minimum ground floor area permitted in the applicable zone under this By-law, such building as replaced or reconstructed, shall not contain a less floor area than lawfully existed in the destroyed or demolished building at the date of its partial or complete destruction or demolition;
 - iv) Where any yard existing at the date of the partial or complete destruction or demolition of such building does not comply with the minimum yard required in the applicable zone under this By-law, then such yard shall not be less than the yard existing at the date of the partial or complete destruction, or demolition of such building;
 - v) The height of such building as replaced or reconstructed, shall not exceed the maximum height permitted in the applicable zone under this By-law; and

- vi) A building permit is obtained and reconstruction work commences within 24 months of the date upon which the building or structure became unusable or unoccupied.

2.10.2 Replacement of Buildings and Structures Other Than Residential Buildings

- a) Any building other than a building used exclusively for residential purposes may, in the case of its complete destruction, be replaced with a new building where the complete destruction is caused by fire, lightning, explosion, tempest, flood or Act of God, or where its demolition is by order of the City of Port Colborne, The Regional Municipality of Niagara or other authority for safety, health or sanitation requirements, provided that:
 - i) Such destroyed or demolished building was in conformance with this By-law at the date of its complete destruction or its demolition; or
 - ii) For buildings not in conformance with this By-law, the ground floor area and gross floor area of such building as replaced does not exceed that existing at the date of its complete destruction or its demolition; and
 - iii) A building permit is obtained and reconstruction work commences within 24 months of the date upon which the building or structure became unusable or unoccupied.

2.10.3 Reconstruction of Agricultural Buildings and Structures

- a) Nothing in this By-law shall apply to prevent the reconstruction of any legal non-conforming or conforming agricultural building or structure situated in the Agricultural or Rural Zones in the case of partial or complete destruction caused by fire, lightning, explosion, tempest, flood or Act of God, or where its demolition is by order of the City of Port Colborne, The Regional Municipality of Niagara or other authority for safety, health or sanitation requirements, provided that:
 - i) Such building or structure, as replaced or reconstructed shall not have in total a greater livestock housing capacity than lawfully existed in the destroyed or demolished building or structure at the date of its partial or complete destruction or demolition; and
 - ii) Where any yard existing at the date of the partial or complete destruction or demolition of such building or structure does not comply with the minimum yard or minimum setback required in the Agricultural or Rural Zones, such yard shall not be reduced in size by reason of such reconstruction of such building; or
 - iii) If such building is to be replaced or reconstructed so that it provides a greater livestock housing capacity than lawfully existed in the destroyed or demolished building or structure at the date of its

partial or complete destruction or demolition, such building or structure shall not be replaced or reconstructed except in accordance with the provisions of the Agricultural or Rural Zone regulations and the applicable MDS requirements found in Section 2.20; and

- iv) A building permit is obtained and reconstruction work commences within 24 months of the date upon which the building or structure became unusable or unoccupied.

2.11 Group Home

- a) Only the following types of Group Homes, as approved under Provincial Statute shall be permitted in any residential zone:
 - i) Approved group homes;
 - ii) Home for special care;
 - iii) Supportive housing programs;
 - iv) Children's residence;
 - v) Accommodation for adult mental health programs;
 - vi) Accommodation services for individuals with a development disability;
 - vii) Satellite residence for seniors; and
 - viii) Homes for individuals who have physical disabilities when the Provinces license, funds or approved such a group home program.
- b) Except for those group homes under Section 2.11 (a), the following group homes are not permitted in any zone except by a site specific amendment to the Zoning By-law:
 - i) Halfway house for the socially disadvantaged;
 - ii) Halfway house for alcoholics;
 - iii) Halfway house for ex-offenders; and
 - iv) Community resource centre.

2.12 Buildings on One Lot

Except where otherwise permitted, only one principal building of the following uses shall be permitted on one lot:

- a) A detached dwelling;
- b) A semi-detached dwelling;

- c) A duplex dwelling;
- d) A triplex dwelling;
- e) A fourplex dwelling;

2.13 Sight Triangle

- a) Unobstructed sight triangles are required on all corner lots in all zones.
- b) The area within a sight triangle shall be determined by measuring from the point of the intersection of the front and corner side lot lines on a corner lot to a point along each such lot line as set out in Section 2.13.1 (a) and 2.13.1 (b) and joining such points with a straight line.
- c) No sign or landscaping materials including but not limited to: fences, walls, berms, trees, hedges or bushes shall be greater than 0.75 metres in height above the elevation of the ground at the street line.

2.13.1 Sight Triangle Distance

- | | |
|---------------------|------------|
| a) Residential Zone | 6 metres |
| b) All Other Zones | 7.5 metres |

2.13.2 Sight Triangle Exemption

- a) Sight Triangle provisions in Section 2.13 and 2.13.1 shall not apply to any corner lot located within the Downtown Commercial (DC) Zone.

2.14 Lot Frontage on Roads

- a) No person shall construct a building or structure or otherwise use any lot unless the lot fronts on an improved road or lane.
- b) No lot creation shall be permitted on lanes within the urban area boundary as designated in the City's Official Plan.
- c) Section 2.14 (a) does not apply to:
 - i) A utility installation;
 - ii) A cemetery
 - iii) A conservation/natural area
- d) Lot frontage shall be measured:
 - i) 6 metres from the front lot line and parallel to the front lot line; or
 - ii) 6 metres from the chord and parallel to the chord if the front lot line is a curve

2.15 Height

2.15.1 How Height is Measured

- a) From the grade to the highest point of the roof.

2.15.2 Height Exceptions

- a) The height regulations of this By-law shall not apply to antennas, barns, chimneys, communication towers, elevator enclosures, flag poles, roof top mechanical equipment, silos, skylights, solar panels, spires, water tanks, or windmills.

2.16 Operating Apparatus

- a) The following provisions shall apply to all Residential zones and lots abutting a Residential Zone. Operating apparatus shall:
 - i) Be setback a minimum of 0.6 metres from any rear and side lot line; and
 - ii) Be permitted in a front yard, and setback no greater than 0.5 metres from the front building wall.

2.17 Swimming Pools

- a) In addition to the provisions and setbacks contained in the City of Port Colborne "Pool By-law" the following shall apply:
 - i) Any above-ground or in-ground swimming pool shall be located in an interior side yard or rear yard only;
 - ii) The interior wall surface of any above-ground or in-ground swimming pool shall be located no closer than 1 metre to any interior side lot line or rear lot line, or closer to any street than the setback required therefrom;
 - iii) Water circulating or treatment equipment such as pumps or filters shall be located no closer than 3 metres to any interior side lot line or 1 metre to any rear lot line; and
 - iv) A building or structure containing or enclosing an above-ground or in-ground swimming pool shall not be located in any required yard and shall comply with all applicable accessory structure provisions of the zone in which such building or structure is located.

2.18 Outdoor Storage

- a) Except where otherwise noted, outdoor storage and garbage storage areas shall only be permitted in an interior side yard or a rear yard.

2.19 Permitted Encroachments

- a) Except where otherwise permitted in this By-law every part of any required yard for a building or structure shall be open and unobstructed from the ground to the sky except for the exceptions listed in Section 2.19.1 to 2.19.3.
- b) No part of any required yard or required court shall be obstructed by any building or structure or part thereof except one or more of the following functional and ornamental structures including but not limited to:
 - i) Drop awnings;
 - ii) Clothes poles
 - iii) Ornamental fountains, statues, monuments, memorials, planters and garden tresses;
 - iv) Fences;
 - v) Air conditioning units, heat pumps and generators; and
 - vi) Boundary and retaining walls, hedgerows and legal signs

2.19.1 General Structures

Structure Type	Yard Permitted	Required Setback from Lot Line
Eaves and Gutters	All	0.15 metres
Uncovered Stairs or Ramps to First Storey	All	0.5 metres
Fire Escapes and Exterior Staircases	Interior Side Yard Corner Side Yard Rear Yard	1.2 metres
Cantilever – Walls or Windows	All	0.3 metres
	Front Yard Rear Yard	0.6

	Height of Deck or Platform		
	Height above the Ground Floor Level to 0.61 metres	Height above the Ground Floor Level more than 0.61 metres but less than 1.2 metres	Height above the Ground Floor Level 1.2 metres or greater
Minimum Setback from Corner Side Lot Line	3 metres	3 metres	Required corner yard of principal building

Minimum Setback from Interior Side Lot Line	Required interior side yard of principal dwelling		
Minimum Setback from Rear Lot Line	1.6 metres	3 metres	4.5 metres
Minimum Setback from Front Lot Line	3 metres	3 metres	Required corner yard of principal building

2.19.2 Enclosed Structures

- a) Any enclosed platform structure, enclosed steps or enclosed barrier-free ramps are deemed to be part of the building to which they are attached and shall meet all required yards.

2.19.3 Unenclosed Structures

- a) Unenclosed and uncovered barrier-free ramps shall be permitted to encroach into any yard.

2.20 Minimum Distance Separation (M.D.S.) Formulae

- a) Notwithstanding the building setback and minimum yard requirements of any zone, the requirements of the Province's M.D.S. Formula 1 and M.D.S. Formula 2, as updated from time to time, shall prevail.
- b) The minimum acceptable separation distance shall be the distance determined in the application of the Province's M.D.S. Formula 1 or M.D.S. Formula 2.
- c) Any setback distance requirement from farm and non-farm buildings by the Province's M.D.S. Formula 1 or M.D.S. Formula 2 shall also apply from farm and non-farm buildings in adjacent municipalities.

2.21 Railway Right-of-Way

- a) Notwithstanding any other provisions of this By-law, no building or structure for the purpose of human habitation shall be constructed any closer than 15 metres to any functioning railway right-of-way.

2.22 Municipal Drains

- a) Notwithstanding any other provisions of this By-law, no building or structure may be located any closer than 10 metres to any municipal drain, measured from the top of bank.

2.23 Food Vehicles

- a) Every Food Vehicle shall operate in accordance with the City's Business Licensing By-law, the regulations for the zone, in which it is located and the following:
 - i) Within any Commercial, Institutional or Industrial Zone, shall occupy a defined parking space;
 - ii) Within any Commercial, Institutional or Industrial Zone, shall not occupy an accessible parking space; and
 - iii) Within any Commercial, Institutional or Industrial Zone, shall be in accordance with Section 2.13, Sight Triangles.

2.24 Outdoor Commercial Patio

- a) An outdoor commercial patio is permitted if it is operated as part of a take-out restaurant, a full-service restaurant, private club or a brew pub where those uses are listed as permitted uses.
- b) An outdoor commercial patio is prohibited in association with any Adult Oriented Entertainment Establishment.
- c) Where an outdoor commercial patio is not physically separated by a building from another lot in a residential zone, it is prohibited unless it is located at least:
 - i) 30 metres from a lot in a residential zone and is screened and physically separated from that same lot by a structure, screen or wall that is two metres or more in height so as to mitigate both light and noise from the outdoor commercial patio; or
 - ii) 75 metres from a lot in a residential zone.
- d) Outdoor commercial patios must not encroach on or eliminate any required parking or loading space, driveway or aisle.
- e) No additional parking shall be required for an outdoor commercial patio.

2.25 Storage of Refuse

- a) No open storage of refuse shall be permitted anywhere within the zoned area except:
 - i) Where refuse is to be collected within an 18 hour period after such refuse has been placed in an outdoor location;
 - ii) Where the area used for the open storage of refuse or a

refuse container is enclosed by a wall or an opaque fence not less than 1.8 metres in height; or

- iii) In any Residential Zone, where such refuse is contained completely within a structure or in a receptacle specifically intended for such purpose and having walls or sides and door or lid.

2.26 Cannabis Production Facility

- a) Notwithstanding any other provision of this By-law, any Cannabis Production Facility shall be equipped with air treatment control;
- b) Notwithstanding any other provision of this By-law, a building or structure used solely for security purposes for Cannabis Production and Processing may be located in the required front yard and does not have to comply with the required minimum front yard, side yard, and rear yard setbacks;
- c) Cannabis Production Facilities shall only be permitted within the zones explicitly indicated in this Zoning By-law and all development in relation to the establishment of or expansion shall be subject to Site Plan Control;
- d) Cannabis Production Facilities in a greenhouse shall be shielded so that no light escapes between sunset and sunrise when abutting a sensitive land use.

Section 3: Parking Provisions

3.1 Parking Space Requirements

- a) Except as otherwise provided in Section 3, the owner or occupant of any lot, building or structure used or erected for any of the purposes set forth in this By-law, shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said lot, building or structure from time to time, one or more parking spaces in accordance with the requirements of Section 3.1.1 and 3.1.2.

3.1.1 Parking Space Requirements for Residential Uses

Permitted Use	No. of Spaces Required per Unit
Apartment Building	1.25
Apartment Building, Public	1 space per 3 units
Bed and Breakfast	1 space per guest room
Dwelling, Accessory	1
Dwelling, Detached	1
Dwelling, Duplex	1
Dwelling, Fourplex	1
Dwelling, Semi-Detached	1
Dwelling, Townhouse Block	1
Dwelling, Townhouse Street	1
Dwelling, Triplex	1
Dwelling Unit, Accessory	1 (can be tandem)
Long Term Care Facility	0.4 per dwelling unit and per care bed
Supportive Living Facility	0.5

3.1.2 Parking Space Requirements for Non-Residential Uses

Permitted Use	
Adult Oriented Entertainment Establishment	Min 1 space per 20 square metres gfa
Animal Care Establishment	Min 1 space per 20 square metres gfa
Brew Pub	Min 1 space per 20 square metres gfa
Cannabis Production Facility	1 space for every employee on the largest shift
Cultural Facility	Min 1 space per 65 square metres gfa
Contractor's Yard	Min 1 space per 100 square metres gfa
Day Care	Min 1 space per 25 square metres gfa
Golf Course and Driving Range	18 per 9 holes of golf plus 1 per 27 square metres of club house
Heavy Equipment Sales and Service	Min 1 space per 35 square metres gfa

Hospital	Min 1 space per 50 square metres gfa
Hotel	1 per guest room
Industry, Heavy	Min 1 space per 100 square metres gfa
Commercial Plaza	Min 1 space per 25 square metres gfa
Elementary School	Min 1.25 spaces per classroom
Secondary School	Min 2 spaces per classroom
Public Use	Min 1 space per 30 square metres gfa
Industry, Light	Min 1 space per 100 square metres gfa
Marina	0.6 per boat slip
Medical Clinic	Min 1 space per 28 square metres gfa
Motor Vehicle Gas Station	Min 1 space per 20 square metres gfa
Motor Vehicle Repair Garage	Min 1 space per 20 square metres gfa
Motor Vehicle Sales/Rental and Service	Min 1 space per 30 square metres gfa
Office	Min 1 space per 28 square metres gfa
Place of Assembly/Banquet Hall *	Min 1 space per 20 square metres gfa
Place of Worship *	Min 1 space per 20 square metres gfa
Recreation Facility *	Min 1 space per 20 square metres gfa
Restaurant, Fast Food	Min 1 space per 20 square metres gfa
Restaurant, Full-Service*	Min 1 space per 20 square metres gfa
Restaurant, Take-Out	Min 1 space per 20 square metres gfa
Retail Store	Min 1 space per 20 square metres gfa
Service Commercial	Min 1 space per 20 square metres gfa
Transportation Depot	Min 1 space per 100 square metres gfa
All other non-residential uses listed in the	Min 1 space per 20 square metres gfa

* Applies only to portion of building dedicated to the assembly of persons

3.1.3 Calculation of Parking Requirement

- a) The calculation of the minimum number of required parking spaces shall be rounded up to the nearest whole number.

3.2 Parking Space Dimensions

	Min. Width (m)	Min. Depth (m)	Conditions
Standard Parking Space	2.6	5.2	-
Standard Parking Space Obstructed on Two Sides	3.5	5.2	Abutting any wall, column or structure on both sides

Standard Space Obstructed on One Side	3	5.2	Abutting any wall or column, or structure on one side
Accessible Space	3.7	5.2	-
Two (2) Accessible Spaces Side by Side	2.6 ea.	5.2	2.6 m common space between accessible spaces

3.3 Accessible Parking

- a) Accessible parking spaces shall be provided at the following rate:

Number of Required Standard Parking Spaces	Number of Accessible Parking Spaces	Number of Required Standard Parking Spaces	Number of Accessible Parking Spaces
1-25	1	151-200	7
26-50	2	201-300	8
51-75	3	301-400	10
76-100	4	401-500	12
101-150	6	501 and over	2% of the required parking

3.4 Parking Location

- a) Required parking shall be provided on the same lot as the use requiring the parking; or
- b) On any lot that is not a road or lane and is presently zoned to permit parking and is located within 46 metres of the lot occupied by the building or structure or use for which the parking spaces are required.

3.5 Parking Area

- a) Every parking area, loading space and driveway connecting a parking area to a road shall be maintained with a hard surface.
- b) On a residential lot with 4 or fewer dwelling units the following provisions shall apply:
- i) Maximum Parking Area Coverage 50 percent
 - ii) Maximum Width 7.5 metres or 50% of the lot frontage, whichever is less

3.6 Encroachment into Yards

- a) A parking space, bicycle parking space, or parking area is permitted within any yard but is not permitted within a required landscape buffer, a landscape open space area or a sight triangle.

3.7 Ingress and Egress Standards

- a) Required parking spaces shall have adequate access, from an improved or unimproved road, to permit ingress and egress of a motor vehicle by means of driveways, aisles, maneuvering areas, or similar area and except in the case of tandem parking in a driveway to a single detached, semi-detached, duplex or triplex dwelling, no part of this access is to be used for the temporary parking or storage of any motor vehicle.
- b) Driveways shall have a minimum unobstructed width of 7.5 metres where two-way traffic is permitted and 3 metres where only one-way direction of traffic flow is permitted, except that the minimum width of a driveway accessory to a detached dwelling shall be 2.6 metres.

3.8 Additions to Existing Buildings with Legal Non-Conforming Parking

- a) In the case of expansion of a building or structure that legally does not meet the parking requirements, the parking standards related to the expansion must be adhered to, but the parking deficiency of the original building or structure does not have to be corrected and can remain legally.

3.9 Parking Prohibitions

- a) No person shall park, permit or cause to be parked a motor vehicle, recreational vehicle, or a utility trailer on a lot other than in a parking area that complies with the provisions of this By-Law.

3.9.1 Large Motor Vehicle

- a) No person shall in any Residential, Institutional, Public or Mixed Use Zone use any lot for parking or storage of any large motor vehicle as defined in Section 38 unless the vehicle is a delivery vehicle temporarily parked in the course of its normal delivery duty.

3.9.2 Recreation Vehicle, Boat, Recreation Trailer, Utility Trailer

- a) No recreation vehicle, boat, or utility trailer shall be located in a front and/or corner side yard parking area in any residential zone, except where no off-street parking space is available or can be provided in the interior side or rear yard, they may be permitted in the front yard and/or corner side yard parking area provided they are set back a minimum of 1.5 metres from the front and/or corner side yard lot line on an in-season

basis from May 15 to October 15 of each year.

- b) No recreation vehicle, boat, or utility trailer shall be located in a required sight triangle on a corner lot.

3.10 Loading Spaces

- a) Loading spaces shall be located entirely on the same lot as the building for which such loading spaces are required, and shall not encroach into any required driveways, parking areas or internal roads. Loading spaces shall be located in an interior side yard or rear yard and no closer any road than the building.
- b) No loading space shall be located within a required yard that abuts a Residential Zone.
- c) Access to loading spaces shall be by means of a driveway at least 3.5 metres in width, contained within the lot on which the loading spaces are located and leading to either an improved or unimproved road or lane not less than 7.5 metres in width.
- d) A loading space shall be a minimum of 3.5 metres by 9 metres with a minimum clearance height of 4 metres.

3.11 Landscape Provisions for Parking Areas

3.11.1 *Landscape Buffer Provisions*

- a) A landscape buffer shall be provided between the edge of any parking area and an abutting lot line(s) in accordance with the following table:

	Parking area with 5 to 20 parking spaces	Parking area with more than 20 parking spaces but fewer than 100	Parking area with 100 or greater parking spaces
Lot Line Abutting a Public Road	3 m	3 m	6 m
Lot Line Not Abutting a Public Road	-	3 m	3 m
Lot Line Abutting a Residential, Institutional or Public and Park Zone	3 m	3 m	4 m

3.11.2 *Minimum Landscaped Open Space within Parking Areas*

- a) A minimum landscaped open space equal to 10% of the

parking area shall be required within all parking areas with 100 or more parking spaces.

3.12 Drive-Thru Facility

- a) A drive-thru facility shall be subject to the following provisions:
 - i) a minimum 3 m wide landscape buffer shall be provided between a drive-thru facility and a public road; and
 - ii) Shall be located no closer than 7.5 m to a Residential, Institutional or Public and Park zone.

3.12.1 Drive-Thru Facility Stacking Lanes

- a) The minimum number of stacking lane parking spaces for drive-thru facilities shall be:

Use	Min. number of stacking lane tandem parking spaces
Restaurant, Fast Food	10 Spaces
All other uses	3 Spaces

3.13 Bicycle Parking Spaces

- a) Bicycle parking spaces must be located on the same lot as the use for which it is provided;
- b) Each bicycle parking space shall be a minimum 1.8 m in length and 0.3 m in width; and
- c) Shall be located at a principle entrance of a building

3.13.1 Required Bicycle Parking

Use	Minimum Number of Bicycle Parking Spaces
Residential Buildings with 10 or more dwelling units	6 Spaces plus 1 for every additional 10 dwelling units above 20
Place of Assembly/Banquet Hall, Recreation Facility, Place of Worship*	1 space per 1000 square metres of gross floor area
Retail and Service Commercial	1 space per 1000 square metres gross floor area
Office	1 space per 1000 square metres gross floor area
Light Industry	1 space per 1000 square metres gross floor area

Heavy Industry	1 space per 1000 square metres gross floor area
Hotel	6 spaces plus 1 space per 10 guest rooms
Restaurant, Fast-Food or Restaurant, Full-Serve	1 space per 170 square metres gross floor area
All other non-residential uses listed in the Zoning By-law but not specified above	1 space per 1000 square metres

* Applies only to the portion of the building dedicated to the assembly of persons.

3.14 Stand Alone Parking Lot

- a) Where permitted by Section 36 Special Provisions, a stand-alone parking lot shall have a minimum lot frontage of 12 m and shall be subject to all other provisions of this By-law.

Section 4: Establishment of Zones

4.1 List of Zone Names and Symbols

<u>Zone Symbol</u>	<u>Zone Name</u>
R1	First Density Residential
R2	Second Density Residential
R3	Third Density Residential
R4	Fourth Density Residential
RT	Residential Townhouse
RR	Rural Residential
LR	Lakeshore Residential
HR	Hamlet Residential
RD	Residential Development
HD	Hamlet Development
R	Rural
AR	Agricultural Residential
A	Agricultural
APO	Agricultural Purposes Only
NC	Neighbourhood Commercial
HMC	Hamlet Commercial
MU	Mixed Use
CP	Commercial Plaza
DC	Downtown Commercial
HC	Highway Commercial
MC	Marine Commercial
LI	Light Industrial
HI	Heavy Industrial
MAO	Mineral Aggregate Operation
GI	Gateway Industrial
ID	Industrial Development
I	Institutional
P	Public and Park
VR	Vacation Residential
EP	Environmental Protection
H	Hazard

4.2 List of Zone Layers

<u>Zone Symbol</u>	<u>Zone Name</u>
EC	Environmental Conservation

4.3 Special Provisions

- a) Where special provisions are established for certain lots, the applicable regulations of the special provisions apply in addition to, or as exception to, the normal zone provisions that apply to the subject lot(s).
- b) Where on Schedule A to this By-law, a zone symbol (e.g. R1) applying to lots contains a suffix at the end of the zone symbol consisting of a dash and number (e.g. R1-1), this indicates that a special provision applies to the subject lot(s). The number after the dash corresponds with the special provision number as set out in Section 37.
- c) Lots with special exceptions are identified in Section 37.

4.4 Holding (H) Provisions

- a) Where a zone symbol contains the suffix “H” with or without a special provision (e.g. R1-H or R1-1-H), the zoning shall not take effect until the prescribed conditions are met and the “H” is removed from the subject lot(s).
- b) When the amending by-law removing the “H” Holding symbol from a zone is enacted, the permitted uses and regulations for that lot shall apply.
- c) Until such time as the prescribed conditions are met, the identified lot shall only be used for the existing permitted use as of the date of this By-law not including the expansion of the existing permitted use, or other uses as set out in the Holding provision(s).
- d) Lots with Holding provisions, including the conditions required to be satisfied prior to the removal of the Holding (H) Zone symbol are identified in Section 37.

4.4.1 Development Holding (DH) Provisions

- a) Where a zone symbol contains the suffix “DH” with or without a special provision (e.g. R1-DH or R1-1-DH), the zoning shall not take effect until the prescribed conditions are met including any special studies as determined by staff which may include, but not be limited to:
 - i) Planning Justification Report
 - ii) Land Use/Market Needs Study
 - iii) Urban Design/Landscape Plans
 - iv) Archaeology and Cultural Heritage Assessment
 - v) Heritage Impact Analysis
 - vi) Environmental Impact Study
 - vii) Air Quality/Noise and Vibration Study
 - viii) Environmental Planning Study or Sub-Watershed Study
 - ix) Tree Preservation Plan

- x) Floodplain and Hazard Lands Report
 - xi) Geotechnical and Slope Stability Report
 - xii) Environmental Site Assessment
 - xiii) Agricultural Impact Assessment
 - xiv) Farm Operation and Ownership
 - xv) Minimum Distance Separation I & II
 - xvi) Municipal Servicing Study
 - xvii) Stormwater Management Plan
 - xviii) Traffic/Parking Impact Analysis
 - xix) Hydrogeological Study and Private Servicing Plans
 - xx) Financial Impact Assessment
 - xxi) Alternative Sites for Non-Agricultural Uses
 - xxiii) Mineral Aggregate Resources
 - xxiv) Site Plan Agreement
 - xxv) Subdivision Agreement
- b) When the amending by-law removing the “DH” Holding symbol from a zone is enacted, the permitted uses and regulations for that lot shall apply.
 - c) Until such time as the prescribed conditions are met, the identified lot shall only be used for the existing permitted use as of the date of this By-law not including the expansion of the existing permitted use, or other uses as set out in the Holding provision(s).

4.4.2 Conversion Holding (CH) Provisions

- a) Where a zone symbol contains the suffix “CH” with or without a special provision (e.g. R1-CH or R1-1-CH), the zoning shall not take effect until the prescribed conditions are met including obtaining a Record of Site Condition from the Ministry of the Environment.
- b) When the amending By-Law removing the “CH” Holding symbol from a zone is enacted, the permitted uses and regulations for that lot shall apply.
- c) Until such time as the prescribed conditions are met, the identified lot shall only be used for the existing permitted use as of the date of this By-law not including the expansion of the existing permitted use, or other uses as set out in the Holding provision(s).

Section 5: First Density Residential Zone (R1)

5.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any First Density Residential (R1) Zone except in accordance with the applicable provisions of Sections 2, 3 and 5.
- b) In addition to Section 5.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

5.2 Permitted Uses

- a) Dwelling, Detached; and
- b) Uses, structures and buildings accessory thereto

5.3 Zone Requirements – Dwelling, Detached

- a) Minimum Lot Frontage 15 metres
- b) Minimum Lot Frontage – Corner Lot 17 metres
- c) Minimum Lot Area 0.05 hectares
- d) Minimum Front Yard 6.5 metres
- e) Minimum Interior Side Yard 1.5 metres
- f) Minimum Corner Side Yard 3.5 metres
- g) Minimum Rear Yard 7 metres except the minimum rear yard which includes the Hazard (H) zone shall be determined by the Niagara Peninsula Conservation Authority in accordance with Ontario Regulation 155/06, as amended
- h) Maximum Lot Coverage 40 percent
- i) Maximum Height 11 metres
- j) Minimum Landscaped Area 25 percent
- k) No accessory building or structure shall be erected in any required minimum front or corner side yard on any lot that abuts the Lake Erie shoreline.

Section 6: Second Density Residential Zone (R2)

6.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Second Density Residential (R2) Zone except in accordance with the applicable provisions of Sections 2, 3 and 6.
- b) In addition to Section 6.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

6.2 Permitted Uses

- a) Dwelling, Detached;
- b) Dwelling, Duplex,
- b) Dwelling, Semi-detached; and
- d) Uses, structures and buildings accessory thereto

6.3 Zone Requirements – Dwelling, Detached

- | | | |
|----|-----------------------------------|---------------|
| a) | Minimum Lot Frontage | 12 metres |
| b) | Minimum Lot Frontage – Corner Lot | 15 metres |
| c) | Minimum Lot Area | 0.04 hectares |
| d) | Minimum Front Yard | 6.5 metres |
| e) | Minimum Interior Side Yard | 1 metre |
| f) | Minimum Corner Side Yard | 3.5 metres |
| g) | Minimum Rear Yard | 6 metres |
| h) | Maximum Lot Coverage | 50 percent |
| i) | Maximum Height | 11 metres |
| j) | Minimum Landscaped Area | 25 percent |

6.4 Zone Requirements - Dwelling, Duplex

- | | | |
|----|----------------------------|---------------|
| a) | Minimum Lot Frontage | 18 metres |
| b) | Minimum Lot Area | 0.05 hectares |
| c) | Minimum Front Yard | 6.5 metres |
| d) | Minimum Interior Side Yard | 1.2 metres |

- e) Minimum Corner Side Yard 3 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Lot Coverage 50 percent
- h) Maximum Height 11 metres
- i) Minimum Landscaped Area 25 percent

6.5 Zone Requirements – Dwelling, Semi-Detached

- a) Minimum Lot Frontage 18 metres
- b) Minimum Lot Area 0.05 hectares
- c) Minimum Front Yard 6.5 metres
- d) Minimum Interior Side Yard 1.2 metres
- e) Minimum Corner Side Yard 3 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Lot Coverage 50 percent
- h) Maximum Height 11 metres
- i) Minimum Landscaped Area 25 percent
- j) Common walls shall be centred on the common lot line
- k) Notwithstanding the provisions of Section 6.5, nothing shall prevent the splitting of any lot on which a semi-detached dwelling is erected into 2 parts divided in part by the centre line of the common or party wall separating the dwelling units in such dwelling provided that each unit shall have a minimum lot area of 0.02 hectares
- l) There is no minimum interior side yard and/or rear yard for common walls.

Section 7: Third Density Residential Zone (R3)

7.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Third Density Residential (R3) Zone except in accordance with the applicable provisions of Sections 2, 3 and 7.
- b) In addition to Section 7.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

7.2 Permitted Uses

- a) Dwelling, Detached;
- b) Dwelling, Semi-detached;
- c) Dwelling, Duplex;
- d) Dwelling, Triplex;
- e) Dwelling, Fourplex;
- f) Townhouse, Block;
- g) Townhouse, Street; and
- h) Uses, structures and buildings accessory thereto

7.3 Zone Requirements – Dwelling, Semi-Detached

- a) Minimum Lot Frontage 18 metres
- b) Minimum Lot Area 0.05 hectares
- c) Minimum Front Yard 6.5 metres
- d) Minimum Interior Side Yard 1.2 metres
- e) Minimum Corner Side Yard 3 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Lot Coverage 50 percent
- h) Maximum Height 11 metres
- i) Minimum Landscaped Area 25 percent
- j) Common walls shall be centred on the common lot line.
- k) There is no minimum interior side yard and/or rear yard for common walls.

- l) Notwithstanding the provisions of Section 7.3, nothing shall prevent the splitting of any lot on which a semi-detached dwelling is erected into 2 parts divided in part by the centre line of the common or party wall separating the dwelling units in such dwelling provided that each unit shall have a minimum lot area of 0.02 hectares

7.4 Zone Requirements – Dwelling, Duplex

a)	Minimum Lot Frontage	18 metres
b)	Minimum Lot Area	0.05 hectares
c)	Minimum Front Yard	6.5 metres
d)	Minimum Interior Side Yard	1.2 metres
e)	Minimum Corner Side Yard	3 metres
f)	Minimum Rear Yard	6 metres
g)	Maximum Lot Coverage	50 percent
h)	Maximum Height	11 metres
i)	Minimum Landscaped Area	25 percent

7.5 Zone Requirements – Dwelling, Triplex

a)	Minimum Lot Frontage	18 metres
b)	Minimum Lot Area per Unit	125 square metres
c)	Minimum Front Yard	9 metres
d)	Minimum Interior Side Yard	1.2 metres
e)	Minimum Corner Side Yard	3 metres
f)	Minimum Rear Yard	6 metres
g)	Maximum Lot Coverage	40 percent
h)	Maximum Height	11 metres
i)	Minimum Landscaped Area	25 percent

7.6 Zone Requirements – Dwelling, Fourplex

a)	Minimum Lot Frontage	18 metres
b)	Minimum Lot Area per Unit	125 square metres
c)	Minimum Front Yard	9 metres

d)	Minimum Interior Side Yard	1.2 metres
e)	Minimum Corner Side Yard	3 metres
f)	Minimum Rear Yard	6 metres
g)	Maximum Lot Coverage	40 percent
h)	Maximum Height	11 metres
i)	Minimum Landscaped Area	25 percent

7.7 Zone Requirements – Townhouse, Block

a)	Minimum Lot Frontage per Unit	6 metres
b)	Minimum Lot Area	0.02 hectares
c)	Minimum Front Yard	7.5 metres
d)	Minimum Interior Side Yard	3 metres
e)	Minimum Corner Side Yard	4.5 metres
f)	Minimum Rear Yard	6 metres
g)	Maximum Height	11 metres
h)	Minimum Landscaped Area	25 percent
i)	A 3 metre landscape buffer shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone.	
j)	Common walls shall be centred on the common lot line.	
k)	There is no minimum interior side yard and/or rear yard for common walls.	

7.8 Zone Requirements – Townhouse, Street

a)	Minimum Lot Frontage per Unit	6 metres
b)	Minimum Lot Area	0.02 hectares
c)	Minimum Front Yard	7.5 metres
d)	Minimum Interior Side Yard	3 metres
e)	Minimum Corner Side Yard	4.5 metres
f)	Minimum Rear Yard	6 metres
g)	Maximum Height	11 metres

- h) Minimum Landscaped Area 25 percent
- i) A 3 metre landscape buffer shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone
- j) Common walls shall be centred on the common lot line.
- k) There is no minimum interior side yard and/or rear yard for common walls.

7.9 Zone Requirements – Dwelling, Detached

The zone requirements of the Second Density Residential (R2) zone shall apply.

Section 8: Fourth Density Residential Zone (R4)

8.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Fourth Density Residential (R4) Zone except in accordance with the applicable provisions of Sections 2, 3 and 8.
- b) In addition to Section 8.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

8.2 Permitted Uses

- a) Dwelling, Detached
- b) Dwelling, Semi-Detached
- c) Dwelling, Duplex
- c) Dwelling, Triplex;
- d) Dwelling, Fourplex;
- e) Dwelling, Townhouse Block;
- f) Dwelling, Townhouse Street;
- g) Apartment Buildings;
- h) Apartment Buildings, Public;
- i) Boarding or Lodging House; and
- j) Uses, structures and buildings accessory thereto

8.3 Zone Requirements – Dwelling, Triplex

- | | |
|-------------------------------|-------------------|
| a) Minimum Lot Frontage | 18 metres |
| b) Minimum Lot Area per Unit | 125 square metres |
| c) Minimum Front Yard | 9 metres |
| d) Minimum Interior Side Yard | 1.2 metres |
| e) Minimum Corner Side Yard | 3 metres |
| f) Minimum Rear Yard | 6 metres |
| g) Maximum Lot Coverage | 40 percent |
| h) Maximum Height | 11 metres |

- i) Minimum Landscaped Area 25 percent

8.4 Zone Requirements – Dwelling, Fourplex

- a) Minimum Lot Frontage 18 metres
- b) Minimum Lot Area per Unit 125 square metres
- c) Minimum Front Yard 9 metres
- d) Minimum Interior Side Yard 1.2 metres
- e) Minimum Corner Side Yard 3 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Lot Coverage 40 percent
- h) Maximum Height 11 metres
- i) Minimum Landscaped Area 25 percent

8.5 Zone Requirements – Dwelling, Townhouse Block

- a) Minimum Lot Frontage per Unit 6 metres
- b) Minimum Lot Area 0.02 hectares
- c) Minimum Front Yard 7.5 metres
- d) Minimum Interior Side Yard 3 metres
- e) Minimum Corner Side Yard 4.5 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Height 11 metres
- h) Minimum Landscaped Area 25 percent
- i) A 3 metre landscape buffer shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone.
- j) Common walls shall be centred on the common lot line.
- k) There is no minimum interior side yard and/or rear yard for common walls.

8.6 Zone Requirements – Dwelling, Townhouse Street

- a) Minimum Lot Frontage per Unit 6 metres
- b) Minimum Lot Area 0.02 hectares

- | | | |
|----|--|------------|
| c) | Minimum Front Yard | 7.5 metres |
| d) | Minimum Interior Side Yard | 3 metres |
| e) | Minimum Corner Side Yard | 4.5 metres |
| f) | Minimum Rear Yard | 6 metres |
| g) | Maximum Height | 11 metres |
| h) | Minimum Landscaped Area | 25 percent |
| i) | A 3 metre landscape buffer shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone. | |
| j) | Common walls shall be centred on the common lot line. | |
| k) | There is no minimum interior side yard and/or rear yard for common walls. | |

8.7 Zone Requirements – Apartment Buildings; Apartment Buildings, Public; Boarding and Lodging House

- | | | |
|----|-------------------------------|-------------------|
| a) | Minimum Lot Frontage | 18 metres |
| b) | Minimum Lot Area per Unit | 125 square metres |
| c) | Minimum Front Yard | 9 metres |
| d) | Minimum Interior Side Yard | 3 metres |
| e) | Minimum Corner Side Yard | 7.5 metres |
| f) | Minimum Rear Yard | 6 metres |
| g) | Maximum Lot Coverage | 40 percent |
| h) | Maximum Height | 20 metres |
| i) | Minimum Landscaped Area | 25 percent |
| j) | Minimum Floor Area for a Unit | 50 square metres |

8.8 Zone Requirements – Detached Dwelling

The zone requirements of the Second Density Residential (R2) zone shall apply.

8.9 Zone Requirements – Semi-Detached Dwelling

The zone requirements of the Third Density Residential (R3) zone shall apply.

8.10 Zone Requirements – Duplex Dwelling

The zone requirements of the Third Density Residential (R3) zone shall apply.

Section 9: Residential Townhouse Zone (RT)

9.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Residential Townhouse (RT) Zone except in accordance with the applicable provisions of Sections 2, 3 and 9.
- b) In addition to Section 9.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

9.2 Permitted Uses

- a) Dwelling, Townhouse Block;
- b) Dwelling, Townhouse Street; and
- c) Uses, structures and buildings accessory thereto

9.3 Zone Requirements – Dwelling, Townhouse Block

- a) Minimum Lot Frontage per Unit 6 metres
- b) Minimum Lot Area 0.02 hectares
- c) Minimum Front Yard 7.5 metres
- d) Minimum Interior Side Yard 3 metres
- e) Minimum Corner Side Yard 4.5 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Height 11 metres
- h) Minimum Landscaped Area 25 percent
- i) A 3 metre planting strip shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone.
- j) Common walls shall be centred on the common lot line.
- k) There is no minimum interior side yard and/or rear yard for common walls.

9.4 Zone Requirements – Dwelling, Townhouse Street

- a) Minimum Lot Frontage per Unit 6 metres
- b) Minimum Lot Area 0.02 hectares
- c) Minimum Front Yard 7.5 metres

- d) Minimum Interior Side Yard 3 metres
- e) Minimum Corner Side Yard 4.5 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Height 11 metres
- h) Minimum Landscaped Area 25 percent
- i) A 3 metre landscape buffer shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone.
- j) Common walls shall be centred on the common lot line.
- k) There is no minimum interior side yard and/or rear yard for common walls.

Section 10: Rural Residential Zone (RR)

10.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Rural Residential (RR) Zone except in accordance with the applicable provisions of Sections 2, 3 and 10.
- b) In addition to Section 10.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

10.2 Permitted Uses

- a) Dwelling, Detached;
- b) Uses, structures and buildings accessory thereto

10.3 Zone Requirements – Dwelling Detached

- a) Minimum Lot Frontage 45 metres
- b) Minimum Lot Area 0.4 hectares or as existing
- c) Minimum Front Yard 10 metres
- d) Minimum Interior Side Yard 4 metres
- e) Minimum Corner Side Yard 7.5 metres
- f) Minimum Rear Yard 9 metres
- g) Maximum Lot Coverage 15 percent
- h) Maximum Height 11 metres

Section 11: Lakeshore Residential Zone (LR)

11.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Lakeshore Residential (LR) Zone except in accordance with the applicable provisions of Sections 2, 3 and 11.
- b) In addition to Section 11.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

11.2 Permitted Uses

- a) Dwelling, Detached;
- b) Uses, structures and buildings accessory thereto

11.3 Zone Requirements – Dwelling Detached or Dwelling, Seasonal

- a) Minimum Lot Frontage 30 metres
- b) Minimum Lot Area 0.4 hectares or as existing
- c) Minimum Front Yard 10 metres
- d) Minimum Interior Side Yard 3 metres
- e) Minimum Corner Side Yard 4.5 metres
- f) Minimum Rear Yard 7 metres except the minimum rear yard which includes the Hazard (H) zone shall be determined by the Niagara Peninsula Conservation Authority in accordance with Ontario Regulation 155/06, as amended.
- g) Maximum Lot Coverage 15 percent
- h) Maximum Height 11 metres

11.4 Additional Zone Requirements – Accessory Structures

- a) A boat house shall be permitted with no rear yard.
- b) No accessory building or structure shall be erected in any required minimum front or corner side yard.

Section 12: Hamlet Residential Zone (HR)

12.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Hamlet Residential (HR) Zone except in accordance with the applicable provisions of Sections 2, 3 and 12.
- b) In addition to Section 12.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

12.2 Permitted Uses

- a) Dwelling, Detached;
- b) Uses, structures and buildings accessory thereto

12.3 Zone Requirements – Dwelling Detached

- | | | |
|----|----------------------------|-----------------------------|
| a) | Minimum Lot Frontage | 45 metres |
| b) | Minimum Lot Area | 0.4 hectares or as existing |
| c) | Minimum Front Yard | 10 metres |
| d) | Minimum Interior Side Yard | 4 metres |
| e) | Minimum Corner Side Yard | 7.5 metres |
| f) | Minimum Rear Yard | 9 metres |
| g) | Maximum Lot Coverage | 15 percent |
| h) | Maximum Height | 11 metres |

Section 13: Residential Development Zone (RD)

13.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Residential Development (RD) Zone except in accordance with the applicable provisions of Sections 2, 3 and 13.
- b) In addition to Section 13.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

13.2 Permitted Uses

- a) Dwelling, Detached
- b) Uses, structures and buildings accessory thereto

13.3 Zone Requirements – Dwelling Detached

- a) Minimum Lot Frontage 30m
- b) Minimum Lot Area as existing
- c) Minimum Front Yard 8m
- d) Minimum Interior Side Yard 5m
- e) Minimum Corner Side Yard 8m
- f) Minimum Rear Yard 8m
- g) Maximum Lot Coverage 10 percent
- h) Maximum Height 11m

Section 14: Hamlet Development Zone (HD)

14.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Hamlet Development (HD) Zone except in accordance with the applicable provisions of Sections 2, 3 and 14.
- b) In addition to Section 14.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

14.2 Permitted Uses

- a) Existing uses only;
- b) Uses, structures and buildings accessory thereto

14.3 Zone Requirements – Dwelling Detached

- a) Minimum Lot Frontage 30m or as existing
- b) Minimum Lot Area as existing
- c) Minimum Front Yard 8m
- d) Minimum Interior Side Yard 5m
- e) Minimum Corner Side Yard 8m
- f) Minimum Rear Yard 8m
- g) Maximum Lot Coverage 10 percent
- h) Maximum Height 11m

Section 15: Rural (RU)

15.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Rural (RU) Zone except in accordance with the applicable provisions of Sections 2, 3 and 15.
- b) In addition to Section 15.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

15.2 Permitted Uses

- a) Accessory Agricultural Activities;
- b) Agriculture Use;
- c) Agri-tourism and Value Added Uses;
- d) Cannabis Production Facility;
- e) Conservation Uses;
- f) Dwelling, detached existing at the date of the passing of this By-law as a principal use on a new lot;
- g) Dwelling, detached as a principal use on an existing lot of record;
- h) Kennel;and
- i) Uses, structures and buildings accessory thereto

15.3 Zone Requirements

a) Minimum Lot Frontage	30 metres or as existing
b) Minimum Lot Area	0.4 hectares or as existing
c) Minimum Front Yard	8 metres
d) Minimum Interior Side Yard	5 metres
e) Minimum Corner Side Yard	8 metres
f) Minimum Rear Yard	8 metres
g) Maximum Lot Coverage	10 percent
h) Maximum Height	11 metres

15.4 Zone Requirements – Agriculture Uses

a)	Minimum Lot Frontage	30 metres or as existing
b)	Minimum Lot Area	as existing
c)	Minimum Front Yard	8 metres
d)	Minimum Interior Side Yard	5 metres
e)	Minimum Corner Side Yard	8 metres
f)	Minimum Rear Yard	8 metres
g)	Maximum Lot Coverage	10 percent
h)	Maximum Height	11 metres

15.5 Zone Requirements – Dwelling Detached

a)	Minimum Lot Frontage	30 metres or as existing
b)	Minimum Lot Area	as existing
c)	Minimum Front Yard	8 metres
d)	Minimum Interior Side Yard	5 metres
e)	Minimum Corner Side Yard	8 metres
f)	Minimum Rear Yard	8 metres
g)	Maximum Lot Coverage	10 percent
h)	Maximum Height	11 metres

15.6 Zone Requirements – Accessory Structures to Dwellings

a)	Maximum Lot Coverage	1 percent, provided the lot coverage or all buildings and structures on the lot does not exceed 10 percent
b)	Minimum Side Yard	3 metres except the minimum side yard abutting a street shall be 7.5 metres
c)	Minimum Rear Yard	3 metres except the minimum side yard abutting a street shall be 7.5 metres

d) Minimum Distance from a Dwelling 3 metres

15.7 Zone Requirements – Kennels

- a) Minimum Lot Area 1.6 hectares
- b) Minimum Lot Frontage 75 metres
- c) Minimum Front Yard 50 metres or behind the front building line of the main building on the lot, whichever is greater
- d) Minimum Side Yard 25 metres
- e) Minimum Rear Yard 30 metres
- f) Minimum Distance to Adjacent Dwellings 160 metres
- g) Maximum Lot Coverage 20 percent
- h) Kennels shall be permitted in an accessory structure and may include an enclosed outdoor exercise area or pen.

15.8 Zone Requirements – Cannabis Production Facility

- a) Minimum Lot Frontage 75 metres
- b) Minimum Lot Area Permitted only on an existing lot having a minimum size of 3 hectares
- c) Maximum Lot Coverage
- i) Lots less than 5 hectares 30 percent
 - ii) Lots 5 hectares to 10 hectares 10 percent
 - iii) Lots greater than 10 hectares 5 percent
- d) Minimum Front Yard 30 metres
- e) Minimum Interior Side Yard 16 metres
- f) Minimum Corner Side Yard 30 metres
- g) Minimum Rear Yard 30 metres
- h) Minimum Separation to Sensitive Land Use 150 metres

- i) Where a lot line of a lot containing a Cannabis Production Facility abuts a sensitive land use, then that part of said lot directly adjoining such lot line shall be used for no purpose other than a landscape buffer having a minimum width of 1.5 metres, measured perpendicularly to said lot line.
- j) Outside storage of goods, materials or other supplies is not permitted.
- k) Where a building or structure consists of more than 40% glass and where artificial lighting is required an opaque fence shall be provided and maintained adjacent to every portion of any lot line that abuts a sensitive land use.
- l) 1 parking space shall be provided for every employee on the largest shift.
- m) Servicing for the facility shall be designed by a Qualified Professional, identifying the source of irrigation water, water quantities required and the effects of same on the groundwater table and nearby wells.

Section 16: Agricultural Residential Zone (AR)

16.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Agricultural Residential (AR) Zone except in accordance with the applicable provisions of Sections 2, 3 and 16.
- b) In addition to Section 16.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

16.2 Permitted Uses

- a) Dwelling, Detached;
- b) Uses, structures and buildings accessory thereto

16.3 Zone Requirements – Dwelling Detached

- a) Minimum Lot Frontage 45 metres
- b) Minimum Lot Area 0.4 hectares unless a larger lot area is required to accommodate private services as determined by a qualified professional.
- c) Minimum Front Yard 10 metres
- d) Minimum Interior Side Yard 4 metres
- e) Minimum Corner Side Yard 7.5 metres
- f) Minimum Rear Yard 9 metres
- g) Maximum Lot Coverage 10 percent
- h) Maximum Height 11 metres

16.4 Zone Requirements – Accessory Structures to Dwellings

- a) Minimum Side Yard 3 metres except the minimum side yard abutting a street shall be 7.5 metres

- b) Minimum Rear Yard 3 metres except the minimum side yard abutting a street shall be 7.5 metres

c) Minimum Distance from Dwelling 3 metres

Section 17: Agricultural Zone (A)

17.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Agricultural (A) Zone except in accordance with the applicable provisions of Sections 2, 3 and 17.
- b) In addition to Section 17.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

17.2 Permitted Uses

- a) Accessory Agricultural Activities;
- b) Agriculture Use;
- c) Agri-tourism and Value Added Uses;
- d) Cannabis Production Facility;
- e) Conservation Uses;
- f) Dwelling, detached existing at the date of the passing of this By-law as a principal use on a new lot;
- g) Dwelling, detached as a principal use on an existing lot of record at the date of the passing of this By-law;
- h) Kennel; and
- i) Uses, structures and buildings accessory thereto

17.3 Zone Requirements

- | | |
|-------------------------------|--------------------------|
| a) Minimum Lot Frontage | 30 metres or as existing |
| b) Minimum Lot Area | as existing |
| c) Minimum Front Yard | 8 metres |
| d) Minimum Interior Side Yard | 5 metres |
| e) Minimum Corner Side Yard | 8 metres |
| f) Minimum Rear Yard | 8 metres |
| g) Maximum Lot Coverage | 10 percent |
| h) Maximum Height | 11 metres |

17.4 Additional Zone Requirements – Accessory Structures to Dwellings

- | | | |
|----|----------------------------------|--|
| a) | Maximum Lot Coverage | 1 percent, provided the lot coverage of all buildings and structures on the lot does not exceed 10 percent |
| b) | Minimum Side Yard | 3 metres except the minimum side yard abutting a street shall be 7.5 metres |
| c) | Minimum Rear Yard | 3 metres except the minimum side yard abutting a street shall be 7.5 metres |
| d) | Minimum Distance from a Dwelling | 3 metres |

17.5 Additional Zone Requirements – Kennels

- | | | |
|----|--|---|
| a) | Minimum Lot Area | 1.6 hectares |
| b) | Minimum Lot Frontage | 75 metres |
| c) | Minimum Front Yard | 50 metres or behind the front building line of the main building on the lot, whichever is greater |
| d) | Minimum Side Yard | 25 metres |
| e) | Minimum Rear Yard | 30 metres |
| f) | Minimum Distance to Adjacent Dwellings | 160 metres |
| g) | Maximum Lot Coverage | 20 percent |
| h) | Kennels shall be permitted in an accessory structure and may include an enclosed outdoor exercise area or pen. | |

17.6 Additional Zone Requirements – Agri-tourism and Value Added Uses

- | | | |
|----|--------------------|------------------|
| a) | Maximum Floor Area | 55 square metres |
|----|--------------------|------------------|

17.7 Additional Zone Requirements – Cannabis Production Facility

- | | | |
|----|---|---|
| a) | Minimum Lot Frontage | 75 metres |
| b) | Minimum Lot Area | Permitted only on an existing lot having a minimum size of 3 hectares |
| c) | Maximum Lot Coverage | |
| | i) Lots less than 5 hectares | 30 percent |
| | ii) Lots 5 hectares to 10 hectares | 10 percent |
| | iii) Lots greater than 10 hectares | 5 percent |
| d) | Minimum Front Yard | 30 metres |
| e) | Minimum Interior Side Yard | 16 metres |
| f) | Minimum Corner Side Yard | 30 metres |
| g) | Minimum Rear Yard | 30 metres |
| h) | Minimum Separation to Sensitive Land Use | 150 metres |
| i) | Where a lot line of a lot containing a Cannabis Production Facility abuts a sensitive land use, then that part of said lot directly adjoining such lot line shall be used for no purpose other than a landscape buffer having a minimum width of 1.5 metres, measured perpendicularly to said lot line. | |
| j) | Outside storage of goods, materials or other supplies is not permitted. | |
| k) | Where a building or structure consists of more than 40% glass and where artificial lighting is required an opaque fence shall be provided and maintained adjacent to every portion of any lot line that abuts a sensitive land use. | |
| l) | 1 parking space shall be provided for every employee on the largest shift. | |
| m) | Servicing for the facility shall be designed by a Qualified Professional, identifying the source of irrigation water, water quantities required and the effects of same on the groundwater table and nearby wells. | |

Section 18: Agricultural Purposes Only Zone (APO)

18.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Agricultural Purposes Only (APO) Zone except in accordance with the applicable provisions of Sections 2, 3 and 18.
- b) In addition to Section 18.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

18.2 Permitted Uses

- a) Agricultural uses;
- b) Conservation uses;
- c) Uses, structures and buildings accessory thereto including greenhouses

18.3 Zone Requirements

- a) Minimum Lot Frontage 30 metres or as existing
- b) Minimum Lot Area as existing
- c) Minimum Front Yard 8 metres
- d) Minimum Interior Side Yard 5 metres
- e) Minimum Corner Side Yard 8 metres
- f) Minimum Rear Yard 8 metres
- g) Maximum Lot Coverage 10 percent
- h) Maximum Height 11 metres

Section 19: Neighbourhood Commercial Zone (NC)

19.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Neighbourhood Commercial (NC) Zone except in accordance with the applicable provisions of Sections 2, 3 and 19.
- b) In addition to Section 19.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

19.2 Permitted Uses

- a) Animal Care Establishment;
- b) Convenience Store;
- c) Day Care;
- d) Dwelling, Accessory
- e) Personal Service Business; and
- f) Restaurant, Take-Out;
- g) Uses, structures and buildings accessory thereto

19.3 Zone Requirements

- | | |
|-------------------------------|--|
| a) Minimum Lot Frontage | 15 metres |
| b) Minimum Lot Area | 0.05 hectares |
| c) Minimum Front Yard | 9 metres |
| d) Minimum Lot Depth | 35 metres |
| e) Minimum Interior Side Yard | no minimum except where an interior side yard abuts a residential zone the setback shall be 2.5 metres |
| f) Minimum Corner Side Yard | 2 metres |
| g) Minimum Rear Yard | 4.5 metres |
| h) Maximum Height | 11 metres |

- i) Maximum Gross Floor Area 230 square metres for each permitted use under Section 19.2 (a) to (g)

19.4 Additional Zone Requirements – Dwelling, Accessory

- a) Max Percent of Total Gross Floor Area 50 percent
- b) Minimum Floor Area 50 Square metres
- c) A maximum of one accessory residential unit is permitted per neighbourhood commercial unit in the same building.
- d) An accessory dwelling unit is only permitted above neighbourhood commercial uses.

Section 20: Hamlet Commercial Zone (HMC)

20.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Hamlet Commercial (HMC) Zone except in accordance with the applicable provisions of Sections 2, 3 and 20.
- b) In addition to Section 20.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

20.2 Permitted Uses

- a) Agriculture Farm Related Commercial or Industrial;
- b) Bulk Water Haulage Operator;
- c) Contractors Yard;
- d) Convenience Store
- e) Day Care;
- f) Dwelling, Accessory
- g) Food Vehicle;
- h) Personal Service Business;
- i) Restaurant, Take-Out;
- j) Veterinary Clinic;
- k) Motor Vehicle Sales/Rental Service Centre;
- l) Uses, structures and buildings accessory thereto

20.3 Zone Requirements

- | | |
|-------------------------------|--|
| a) Minimum Lot Frontage | 15 metres |
| b) Minimum Lot Area | 0.5 hectares |
| c) Minimum Front Yard | 9 metres |
| d) Minimum Lot Depth | 35 metres |
| e) Minimum Interior Side Yard | no minimum except where an interior side yard abuts a residential zone the setback shall be 2.5 metres |

g)	Minimum Corner Side Yard	2 metres
h)	Minimum Rear Yard	4.5 metres
i)	Maximum Height	11 metres
j)	Maximum Gross Floor Area	230 square metres for each permitted use under Section 20.2 (a) to (k)

20.4 Additional Zone Requirements – Dwelling, Accessory

- | | | |
|----|--|------------------|
| a) | Max Percent of Total Gross Floor Area | 50 percent |
| b) | Minimum Floor Area | 50 square metres |
| c) | A maximum of one accessory residential unit is permitted per hamlet commercial use in the same building. | |
| d) | An accessory dwelling unit is only permitted above hamlet commercial uses. | |

Section 21: Mixed Use (MU) Zone

21.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Mixed Use (MU) Zone except in accordance with the applicable provisions of Sections 2, 3 and 21.
- b) In addition to Section 21.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

21.2 Permitted Uses

- a) Animal Care Establishment;
- b) Apartment Building;
- c) Apartment Building, Public;
- d) Convenience Store;
- e) Community Garden;
- f) Day Care;
- g) Dwelling, Accessory;
- h) Dwelling, Duplex;
- i) Dwelling, Fourplex;
- j) Dwelling, Detached;
- k) Dwelling, Semi-detached;
- l) Dwelling, Townhouse Street;
- m) Dwelling, Triplex;
- n) Food Vehicle
- o) Long Term Care Facility;
- p) Office;
- q) Personal Service Business;
- r) Public Uses;
- s) Restaurant, Fast-Food;
- t) Restaurant, Full-Service;

- u) Restaurant, Take-Out;
- v) Service Commercial;
- w) Social Services Facility;
- x) Studio; and
- y) Uses, structures and buildings accessory thereto

21.3 Zone Requirements – Non-Residential Buildings and Mixed Use (Residential and Non-Residential) Buildings

- | | | |
|----|--|--|
| a) | Minimum Lot Frontage | 15 metres |
| b) | Minimum Lot Area | 0.5 hectares |
| c) | Minimum Front Yard | 9 metres |
| d) | Minimum Interior Side Yard | 1.2 |
| e) | Minimum Interior Side Yard abutting | 7.5 metres or half the height of a Residential Zone the building, whichever is greater |
| f) | Minimum Corner Side Yard | 2 metres |
| g) | Minimum Rear Yard | 4.5 metres |
| h) | Maximum Height | 11 metres |
| i) | Minimum Landscape Buffer abutting Residential Zone | 3 metres |

21.4 Additional Zone Requirements – Dwelling, Detached

- | | | |
|----|-----------------------------------|---------------|
| a) | Minimum Lot Frontage | 12 metres |
| b) | Minimum Lot Frontage – Corner Lot | 15 metres |
| c) | Minimum Lot Area | 0.04 hectares |
| d) | Minimum Front Yard | 6.5 metres |
| e) | Minimum Interior Side Yard | 1 metre |
| f) | Minimum Corner Side Yard | 3.5 metres |
| g) | Minimum Rear Yard | 6 metres |

- h) Maximum Lot Coverage 50 percent
- i) Maximum Height 11 metres
- j) Minimum Landscaped Area 25 percent

21.5 Additional Zone Requirements – Dwelling, Semi-Detached

- a) Minimum Lot Frontage 18 metres
- b) Minimum Lot Area 0.05 hectares
- c) Minimum Front Yard 6.5 metres
- d) Minimum Interior Side Yard 1.2 metres
- e) Minimum Corner Side Yard 3 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Lot Coverage 50 percent
- h) Maximum Height 11 metres
- i) Minimum Landscaped Area 25 percent
- j) Common walls shall be centred on the common lot line.
- k) There is no minimum interior side yard and/or rear yard for common walls.
- l) Notwithstanding the provisions of Section 21.5, nothing shall prevent the splitting of any lot on which a semi-detached dwelling is erected into 2 parts divided in part by the centre line of the common or party wall separating the dwelling units in such dwelling provided that each unit shall have a minimum lot area of 0.02 hectares

21.6 Additional Zone Requirements - Dwelling, Duplex

- a) Minimum Lot Frontage 18 metres
- b) Minimum Lot Area 0.05 hectares
- c) Minimum Front Yard 6.5 metres
- d) Minimum Interior Side Yard 1.2 metres
- e) Minimum Corner Side Yard 3 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Lot Coverage 50 percent
- h) Maximum Height 11 metres

- i) Minimum Landscaped Area 25 percent

21.7 Additional Zone Requirements – Dwelling, Triplex

- a) Minimum Lot Frontage 18 metres
- b) Minimum Lot Area per Unit 125 square metres
- c) Minimum Front Yard 9 metres
- d) Minimum Interior Side Yard 1.2 metres
- e) Minimum Corner Side Yard 3 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Lot Coverage 40 percent
- h) Maximum Height 11 metres
- i) Minimum Landscaped Area 25 percent

21.8 Additional Zone Requirements – Dwelling, Fourplex

- a) Minimum Lot Frontage 18 metres
- b) Minimum Lot Area per Unit 125 square metres
- c) Minimum Front Yard 9 metres
- d) Minimum Interior Side Yard 1.2 metres
- e) Minimum Corner Side Yard 3 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Lot Coverage 40 percent
- h) Maximum Height 11 metres
- i) Minimum Landscaped Area 25 percent

21.9 Additional Zone Requirements – Dwelling, Townhouse Street

- a) Minimum Lot Frontage per Unit 6 metres
- b) Minimum Lot Area 0.02 hectares
- c) Minimum Front Yard 7.5 metres
- d) Minimum Interior Side Yard 3 metres

- e) Minimum Corner Side Yard 4.5 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Height 11 metres
- h) Minimum Landscaped Area 25 percent
- i) A 3 metre landscape buffer shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone
- j) Common walls shall be centred on the common lot line.
- k) There is no minimum interior side yard and/or rear yard for common walls.

21.10 Additional Zone Requirements – Apartment Building, Apartment Building, Public

- a) Minimum Lot Frontage 18 metres
- b) Minimum Lot Area per Unit 125 square metres
- c) Minimum Front Yard 9 metres
- d) Minimum Interior Side Yard 3 metres
- e) Minimum Corner Side Yard 7.5 metres
- f) Minimum Rear Yard 6 metres
- g) Maximum Lot Coverage 40 percent
- h) Maximum Height 20 metres
- i) Minimum Landscaped Area 25 percent

21.11 Additional Zone Requirements – Dwelling, Accessory

- a) Max Percent of Total Gross Floor Area 50 percent
- b) Minimum Floor Area 50 Square metres
- c) A maximum of one accessory residential unit is permitted per mixed use zone use in the same building.
- d) An accessory residential unit is only permitted above mixed use zone uses.

21.12 Additional Zone Requirements – Attached Accessory Use

- a) Max Percent of Total Gross Floor Area 50 percent
- b) An attached accessory use to a residential or commercial use is only permitted above, to the rear and/or below mixed use zones.

Section 22: Commercial Plaza Zone (CP)

22.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Commercial Plaza (CP) Zone except in accordance with the applicable provisions of Sections 2, 3 and 22.
- b) In addition to Section 22.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

22.2 Permitted Uses

- a) Animal Care Establishment;
- b) Day Care;
- c) Drive-Thru Facility;
- d) Existing Motor Vehicle Gas Station;
- e) Existing Motor Vehicle Repair Garage;
- f) Medical Clinic;
- g) Office;
- h) Personal Service Business;
- i) Place of Worship;
- j) Public Use;
- k) Recreation Facility;
- l) Restaurant, Fast Food;
- m) Restaurant, Full-Service;
- n) Restaurant, Take-Out;
- o) Retail Store;
- p) Service Commercial;
- q) Studio;
- r) Veterinary Clinic; and
- s) Uses, structures and buildings accessory thereto

22.3 Zone Requirements

a)	Minimum Lot Frontage	no minimum
b)	Minimum Lot Area	no minimum
c)	Minimum Front Yard	23 metres
d)	Minimum Interior Side Yard	15 metres
e)	Minimum Corner Side Yard	23 metres
f)	Minimum Rear Yard	15 metres
g)	Maximum Building Height	8 metres
h)	Maximum Lot Coverage	33 percent
i)	Minimum Landscaped Area	10 percent

Section 23: Downtown Commercial Zone (DC)

23.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Downtown Commercial (DC) Zone except in accordance with the applicable provisions of Sections 2, 3 and 23.
- b) In addition to Section 23.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

23.2 Permitted Uses

- a) Animal Care Establishment;
- b) Apartment Building;
- c) Apartment Building, Public;
- d) Brew Pub;
- e) Day Care;
- f) Drive-Thru Facility;
- g) Dwelling, Accessory
- h) Existing Motor Vehicle Gas Station;
- i) Existing Motor Vehicle Repair Garage;
- j) Food Vehicle;
- k) Hotel;
- l) Medical Clinic;
- m) Office;
- n) Personal Service Business;
- o) Place of Assembly/Banquet Hall;
- p) Place of Worship;
- q) Private Club;
- r) Public Use;
- s) Recreation Facility;
- t) Restaurant, Fast Food;

- u) Restaurant, Full-Service;
- v) Restaurant, Take-Out;
- w) Retail Store;
- x) Service Commercial;
- y) Social Service Facility;
- z) Studio;
- aa) Veterinary Clinic; and
- bb) Uses, structures and buildings accessory thereto

23.3 Zone Requirements

- | | | |
|----|--|----------------------|
| a) | Minimum Lot Frontage | no minimum |
| b) | Minimum Lot Frontage where used for Residential Purposes | 6 metres |
| c) | Minimum Lot Area | no minimum |
| d) | Minimum Front Yard | no minimum |
| e) | Minimum Interior Side Yard | no minimum |
| f) | Minimum Interior Side Yard abutting a Residential Zone | no minimum |
| g) | Minimum Corner Side Yard | no minimum |
| h) | Minimum Rear Yard | no minimum |
| i) | Maximum Height | 26 metres |
| j) | Maximum Gross Floor Area | 100% of the lot area |

23.4 Parking Requirements

- a) With the exception of buildings containing dwelling units, all lands zoned Downtown Commercial shall be exempt from the parking and loading requirements of this By-law.

- b) Buildings containing residential dwelling units will be subject to the residential parking provisions of Section 3 of this By-law.

23.5 Additional Zone Requirements – Apartment Building, Apartment Building, Public

- a) Minimum Lot Frontage 18 metres
- b) Minimum Lot Area per Unit no minimum
- c) Minimum Front Yard no minimum
- d) Minimum Interior Side Yard no minimum
- e) Minimum Corner Side Yard no minimum
- f) Minimum Rear Yard no minimum
- g) Maximum Lot Coverage no minimum
- h) Maximum Height 26 metres
- i) Minimum Landscaped Area 25 percent
- j) Minimum Floor Area for a Unit 50 square metres

23.6 Additional Zone Requirements – Dwelling, Accessory

- a) Max Percent of Total Gross Floor Area 200 percent of the lot area
- b) Minimum Floor Area 50 square metres
- c) There is no maximum amount of accessory residential units in the same building provided required parking can be provided under Section 3 for each dwelling unit.
- d) An accessory residential unit is only permitted above downtown commercial uses.

23.7 Additional Zone Requirements – Attached Accessory Use

- a) Max Percent of Total Gross Floor Area 50 percent

Section 24: Highway Commercial Zone (HC)

24.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Highway Commercial (HC) Zone except in accordance with the applicable provisions of Sections 2, 3 and 24.
- b) In addition to Section 24.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

24.2 Permitted Uses

- a) Animal Care Establishment;
- b) Brew Pub;
- c) Car Wash;
- d) Convenience Store;
- e) Day Care;
- f) Drive-Thru Facility;
- g) Dwelling, Accessory
- h) Food Vehicle;
- i) Hotel;
- j) Motor Vehicle Repair Garage;
- k) Motor Vehicle Sales/Rental Service Centre;
- l) Motor Vehicle Gas Station;
- m) Office;
- n) Personal Service Business;
- o) Place of Assembly/Banquet Hall;
- p) Place of Worship;
- q) Public Use;
- r) Recreation Facility;
- s) Restaurant, Fast Food;
- t) Restaurant, Full Service;

- u) Restaurant, Take-Out;
- v) Retail Building Construction and Supply;
- w) Service Commercial; and
- x) Uses, structures and buildings accessory thereto

24.3 Zone Requirements

- | | | |
|----|----------------------------|---------------|
| a) | Minimum Lot Frontage | 27 metres |
| b) | Minimum Lot Area | 0.14 hectares |
| c) | Minimum Front Yard | 9 metres |
| d) | Minimum Interior Side Yard | 5 metres |
| f) | Minimum Corner Side Yard | 7.5 metres |
| g) | Minimum Rear Yard | 5 metres |
| i) | Maximum Building Height | 22 metres |
| j) | Maximum Lot Coverage | 85 percent |

24.4 Additional Zone Requirements – Dwelling, Accessory

- | | | |
|----|---|------------------|
| a) | Max Percent of Total Gross Floor Area | 50 percent |
| b) | Minimum Floor Area | 50 square metres |
| c) | A maximum of one accessory residential unit is permitted per highway commercial use in the same building. | |
| d) | An accessory dwelling unit is only permitted above highway commercial zone uses. | |

24.5 Additional Zone Requirements – Attached Accessory Use

- | | | |
|----|---------------------------------------|------------|
| a) | Max Percent of Total Gross Floor Area | 50 percent |
|----|---------------------------------------|------------|

Section 25: Marine Commercial Zone (MC)

25.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Marine Commercial (MC) Zone except in accordance with the applicable provisions of Sections 2, 3 and 25.
- b) In addition to Section 25.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

25.2 Permitted Uses

- a) Marina;
- b) Dock;
- c) Marine Sales and Service;
- d) Parking Lots;
- e) Public Use;
- f) Recreation Facility;
- g) Restaurant, Full-Service;
- h) Restaurant, Take-Out; and
- i) Uses, structures and buildings accessory thereto

25.3 Zone Requirements

- | | |
|---|-------------|
| a) Minimum Lot Frontage | as existing |
| b) Minimum Lot Area | as existing |
| c) Minimum Front Yard | 6 metres |
| d) Minimum Interior Side Yard | no minimum |
| e) Minimum Interior Side Yard abutting a Residential Zone | 3.5 metres |
| f) Minimum Corner Side Yard | 3.5 metres |
| g) Minimum Rear Yard | 5 metres |
| h) Minimum Rear Yard abutting a Residential Zone | 3.5 metres |

- | | | |
|----|-------------------------|------------|
| i) | Maximum Building Height | 8 metres |
| j) | Maximum Lot Coverage | 50 percent |

Section 26: Light Industrial Zone (LI)

26.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Light Industrial (LI) Zone except in accordance with the applicable provisions of Sections 2, 3 and 26.
- b) In addition to Section 26.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

26.2 Permitted Uses - Principal

- a) Adult Oriented Entertainment Establishment;
- b) Cannabis Production Facility;
- c) Car wash;
- d) Contractor's Yard;
- e) Crematorium;
- f) Education Facility;
- g) Industry, Light;
- h) Motor Vehicle Repair Garage;
- i) Public Use;
- j) Research Facility;
- k) Transportation Depot; and
- l) Uses, structures and buildings accessory thereto and does not include obnoxious, dangerous or offensive trades

26.3 Permitted Uses – Accessory

- a) Food Vehicle;
- b) Office;
- c) Retail Store;
- d) Restaurant, Fast-Food;
- e) Restaurant, Full-Service; and
- f) Restaurant, Take-Out

26.4 Zone Requirements

- a) Minimum Lot Frontage 30 metres
- b) Minimum Front Yard 7.5 metres
- c) Minimum Front Yard abutting a Residential or Agricultural Zone 15 metres
- d) Minimum Side Yard 10 percent of lot frontage or 3 metres, whichever is less
- e) Minimum Interior Side Yard abutting a Residential or Agricultural Zone 15 metres
- f) Minimum Interior Side Yard abutting a Railroad or Hydro Right-of-Way 1.5 metres
- g) Minimum Rear Yard 8 metres
- h) Maximum Building Height 15 metres
- i) Maximum Building Height abutting a Residential Zone 8 metres
- j) Outside Storage is permitted only in the rear yard and interior side yard to a maximum of 10 percent of the total gross floor area on the lot.
- k) The gross floor area of the permitted accessory use(s) shall not exceed 30% of the total gross floor area of the principal use(s) on the lot.
- l) Corner walls facing a public road shall not be constructed of concrete blocks unless the blocks are decorative masonry units; or used in a decorative pattern or surfaced with stucco; or with a permanent coloured finish which does not include paint.
- m) In addition to the general parking provisions of Section 3 of this By-law all parking areas in the front yard and/or corner side yard shall be:
 - i) Paved with concrete or asphalt;
 - ii) Defined by poured concrete curbing; and
 - iii) Clearly marked with pavement markings for each parking space
- n) Vehicle wash bays other than those located entirely within an enclosed building are not permitted in a yard abutting a Residential use.

- o) Outdoor storage is subject to the provisions outlined in Section 2.18 and the following:
 - i) Outdoor storage is not permitted in any yard that abuts a highway or an arterial collector road;
 - ii) No outdoor scrap yard, recycling storage yard or outdoor processing shall be located closer than 150 metres to any Residential use.

26.5 Additional Zone Requirements – Cannabis Production Facility

- a) Minimum Lot Frontage 30 metres
- b) Maximum Lot Coverage
 - i) Lots less than 5 hectares 30 percent
 - ii) Lots 5 hectares to 10 hectares 10 percent
 - iii) Lots greater than 10 hectares 5 percent
- c) Minimum Front Yard 30 metres
- d) Minimum Interior Side Yard 16 metres
- e) Minimum Corner Side Yard 30 metres
- f) Minimum Rear Yard 30 metres
- g) Minimum Separation to Sensitive Land Use 150 metres
- h) Where a lot line of a lot containing a Cannabis Production Facility abuts a sensitive land use, then that part of said lot directly adjoining such lot line shall be used for no purpose other than a planting strip having a minimum width of 1.5 metres, measured perpendicularly to said lot line.
- i) Outside storage of goods, materials or other supplies is not permitted.
- j) Where a building or structure consists of more than 40% glass and where artificial lighting is required an opaque fence shall be provided and maintained adjacent to every portion of any lot line that abuts a sensitive land use.
- k) 1 parking space shall be provided for every employee on the largest shift.

- l) Servicing for the facility shall be designed by a Qualified Professional, identifying the source of irrigation water, water quantities required and the effects of same on the groundwater table and nearby wells.

- m) All operations related to the production, storage and processing of cannabis shall occur within a completely enclosed building but not a greenhouse.

Section 27: Heavy Industrial Zone (HI)

27.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Heavy Industrial (HI) Zone except in accordance with the applicable provisions of Sections 2, 3 and 27.
- b) In addition to Section 27.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

27.2 Permitted Uses - Principal

- a) Adult Entertainment Establishment;
- b) Bulk Fuel Depot;
- c) Cannabis Production Facility;
- d) Car Wash;
- e) Contractor's Yard;
- f) Crematorium;
- g) Education Facility;
- h) Heavy Equipment Sales and Service;
- i) Industry, Heavy;
- j) Industry, Light;
- k) Motor Vehicle Repair Garage;
- l) Public Uses;
- m) Research Facility;
- n) Transportation Depot; and
- o) Uses, structures and buildings accessory thereto and does not include obnoxious, dangerous or offensive trades

27.3 Permitted Uses – Accessory

- a) Food Vehicle;
- b) Office;
- c) Retail Store;

- d) Restaurant, Fast-Food;
- e) Restaurant, Full-Service; and
- f) Restaurant, Take-Out

27.4 Zone Requirements

- | | | |
|----|--|---|
| a) | Minimum Lot Frontage | 30 metres |
| b) | Minimum Front Yard | 7.5 metres |
| c) | Minimum Front Yard abutting
a Residential or Agricultural Zone | 15 metres |
| d) | Minimum Side Yard | 10 percent of lot frontage
or 3 metres, whichever is
less |
| e) | Minimum Interior Side Yard abutting
a Residential or Agricultural Zone | 15 metres |
| f) | Minimum Interior Side Yard abutting
a Railroad or Hydro Right-of-Way | 1.5 metres |
| g) | Minimum Rear Yard | 8 metres |
| h) | Maximum Building Height | 15 metres |
| i) | Maximum Building Height abutting
a Residential Zone | 8 metres |
| j) | Outside Storage is permitted only in the rear yard and interior side yard. | |
| k) | The gross floor area of the permitted accessory use(s) shall not exceed 15% of the total gross floor area of the principal use(s) on the lot. | |
| l) | Corner walls facing a public road shall not be constructed of concrete blocks unless the blocks are decorative masonry units; or used in a decorative pattern or surfaced with stucco; or with a permanent coloured finish which does not include paint. | |
| m) | In addition to the general parking provisions of Section 3 of this By-law all parking areas in the front yard and/or corner side yard shall be: | |
| | i) | Paved with concrete or asphalt; |
| | ii) | Defined by poured concrete curbing; and |

- iii) Clearly marked with pavement markings for each parking space
- n) Vehicle wash bays other than those located entirely within an enclosed building are not permitted in a yard abutting a Residential use.
- o) Outdoor storage and outdoor processing is subject to the provisions outlined in Section 2.18 and the following:
 - i) Outdoor storage and outdoor processing is not permitted in any yard that abuts a highway or an arterial collector road;
 - ii) No outdoor scrap yard, recycling storage yard or outdoor processing shall be located closer than 150 metres to any Residential use;

27.5 Additional Zone Requirements – Cannabis Production Facility

- a) Minimum Lot Frontage 30 metres
- b) Maximum Lot Coverage
 - i) Lots less than 5 hectares 30 percent
 - ii) Lots 5 hectares to 10 hectares 10 percent
 - iii) Lots greater than 10 hectares 5 percent
- c) Minimum Front Yard 30 metres
- d) Minimum Interior Side Yard 16 metres
- e) Minimum Corner Side Yard 30 metres
- f) Minimum Rear Yard 30 metres
- g) Minimum Separation to Sensitive Land Use 150 metres
- h) Where a lot line of a lot containing a Cannabis Production Facility abuts a sensitive land use, then that part of said lot directly adjoining such lot line shall be used for no purpose other than a landscape buffer having a minimum width of 1.5 metres, measured perpendicularly to said lot line.
- i) Outside storage of goods, materials or other supplies is not permitted.
- j) Where a building or structure consists of more than 40% glass and where artificial lighting is required an opaque fence shall be provided and

maintained adjacent to every portion of any lot line that abuts a sensitive land use.

- k) 1 parking space shall be provided for every employee on the largest shift.
- l) Servicing for the facility shall be designed by a Qualified Professional, identifying the source of irrigation water, water quantities required and the effects of same on the groundwater table and nearby wells.
- m) All operations related to the production, storage and processing of cannabis shall occur within a completely enclosed building but not a greenhouse.

Section 28: Mineral Aggregate Operation Zone (MAO)

28.1 General

- a) No person shall make or establish any pit or quarry, or use any lot or erect, alter or use any building or structure in any Mineral Aggregate Operation (MAO) Zone except in accordance with the applicable provisions of Sections 2, 3 and 28.
- b) In addition to Section 28.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

28.2 Permitted Uses

- a) Mineral Aggregate Operations;
- b) Making or establishment of pits and quarries for the purpose of extracting natural materials from the earth including soil, clay, sand, gravel, stone, rock, shale and minerals;
- c) Processing of natural materials including screening, sorting, washing, crushing, storing and other similar operations related to an extractive industrial operation;
- d) Agricultural uses;
- e) Uses, structures and buildings accessory thereto excepting any building or structure used for human habitation.

28.3 Zone Requirements

- a) No building or structure other than a fence shall be located within 30 metres of any lot line or within 90 metres of any occupied dwelling or Residential Zone.
- b) No pit, quarry or excavation shall be made or established within 15 metres of any lot line which does not abut a public street or 90 metres of any lot line which abuts a Provincial Highway or 30 metres of any lot line which abuts any other public street.

Section 29: Gateway Industrial Zone (GI)

29.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Gateway Industrial (GI) Zone except in accordance with the applicable provisions of Sections 2, 3 and 29.
- b) In addition to Section 29.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

29.2 Permitted Uses

- a) Cannabis Production Facility
- b) Contractor's Yard;
- c) Education Facility;
- d) Industry, Light;
- e) Multi-modal Storage Facility;
- f) Public Use;
- g) Research Facility;
- h) Transportation Depot; and
- i) Uses, structures and buildings accessory thereto and does not include obnoxious, dangerous or offensive trades

29.3 Permitted Uses – Accessory

- a) Employee Convenience Facility;
- b) Retail Store;
- c) Restaurant, Fast-Food;
- d) Restaurant, Full-Service; and
- e) Restaurant, Take-Out

29.4 Zone Requirements

- a) Minimum Lot Frontage 30 metres
- b) Minimum Front Yard 7.5 metres
- c) Minimum Front Yard abutting
a Residential or Agricultural Zone 15 metres

- | | | |
|----|--|---|
| d) | Minimum Side Yard | 10 percent of lot frontage or 3 metres, whichever is less |
| e) | Minimum Interior Side Yard abutting a Residential or Agricultural Zone | 15 metres |
| f) | Minimum Interior Side Yard abutting a Railroad or Hydro Right-of-Way | 1.5 metres |
| g) | Minimum Rear Yard | 8 metres |
| h) | Maximum Building Height | 15 metres |
| i) | Maximum Building Height abutting a Residential Zone | 8 metres |
- j) Outside Storage is permitted only in the rear yard and interior side yard to a maximum of 10 percent of the total gross floor area on the lot.
- k) The gross floor area of the permitted accessory use(s) shall not exceed 30% of the total gross floor area of the principal use(s) on the lot.
- l) Exterior walls facing a public road shall not be constructed of concrete blocks unless the blocks are decorative masonry units; or used in a decorative pattern or surfaced with stucco; or with a permanent coloured finish which does not include paint.
- m) In addition to the general parking provisions of Section 3 of this By-law all parking areas in the front yard and/or corner side yard shall be:
- i) Paved with concrete or asphalt;
 - ii) Defined by poured concrete curbing; and
 - iii) Clearly marked with pavement markings for each parking space
- n) Outdoor storage is subject to the provisions outlined in Section 2.18 and the following:
- i) Outdoor storage is not permitted in any yard that abuts a highway or an arterial collector road;
 - ii) No outdoor scrap yard, recycling storage yard or outdoor processing shall be located closer than 150 metres to any Residential use.

29.5 Additional Zone Requirements – Cannabis Production Facility

- | | | |
|----|---|---|
| a) | Minimum Lot Frontage | 75 metres |
| b) | Minimum Lot Area | Permitted only on an existing lot having a minimum size of 3 hectares |
| c) | Maximum Lot Coverage | |
| | i) Lots less than 5 hectares | 30 percent |
| | ii) Lots 5 hectares to 10 hectares | 10 percent |
| | iii) Lots greater than 10 hectares | 5 percent |
| d) | Minimum Front Yard | 30 metres |
| e) | Minimum Interior Side Yard | 16 metres |
| f) | Minimum Corner Side Yard | 30 metres |
| g) | Minimum Rear Yard | 30 metres |
| h) | Minimum Separation to Sensitive Land Use | 150 metres |
| i) | Where a lot line of a lot containing a Cannabis Production Facility abuts a sensitive land use, then that part of said lot directly adjoining such lot line shall be used for no purpose other than a landscape buffer having a minimum width of 1.5 metres, measured perpendicularly to said lot line. | |
| j) | Outside storage of goods, materials or other supplies is not permitted. | |
| k) | Where a building or structure consists of more than 40% glass and where artificial lighting is required an opaque fence shall be provided and maintained adjacent to every portion of any lot line that abuts a sensitive land use. | |
| l) | 1 parking space shall be provided for every employee on the largest shift. | |
| m) | Servicing for the facility shall be designed by a Qualified Professional, identifying the source of irrigation water, water quantities required and the effects of same on the groundwater table and nearby wells. | |
| n) | All operations related to the production, storage and processing of cannabis shall occur within a completely enclosed building but not a greenhouse. | |

Section 30: Industrial Development Zone (ID)

30.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Industrial Development (ID) Zone except in accordance with the applicable provisions of Sections 2, 3 and 30.
- b) In addition to Section 30.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

30.2 Permitted Uses

- a) Agricultural Farm Related Commercial or Industrial;
- b) Contractor's Yard;
- c) Heavy Equipment Sales and Service;
- d) Multi-modal Storage Facility;
- e) Research Facility;
- f) Transportation Depot;
- g) Warehouse; and
- h) Uses, structures and buildings accessory thereto and does not include obnoxious, dangerous or offensive trades

30.3 Zone Requirements

- | | | |
|----|---|---|
| a) | Minimum Lot Frontage | 30 metres |
| b) | Minimum Lot Area | 0.4 hectares |
| b) | Minimum Front Yard | 7.5 metres |
| c) | Minimum Front Yard abutting
a Residential or Agricultural Zone | 15 metres |
| d) | Minimum Side Yard | 10 percent of lot frontage
or 3 metres, whichever is
less |
| e) | Minimum Interior Side Yard abutting
a Residential or Agricultural Zone | 15 metres |
| f) | Minimum Interior Side Yard abutting
a Railroad or Hydro Right-of-Way | 1.5 metres |

- | | | |
|----|---|------------|
| g) | Minimum Rear Yard | 8 metres |
| h) | Maximum Building Height | 15 metres |
| i) | Maximum Building Height abutting a Residential Zone | 8 metres |
| j) | Minimum Landscaped Open Space | 25 percent |
- k) Outside Storage is permitted only in the rear yard and interior side yard to a maximum of 10 percent of the total gross floor area on the lot.
- l) The gross floor area of the permitted accessory use(s) shall not exceed 30% of the total gross floor area of the principal use(s) on the lot.
- m) Exterior walls facing a public road shall not be constructed of concrete blocks unless the blocks are decorative masonry units; or used in a decorative pattern or surfaced with stucco; or with a permanent coloured finish which does not include paint.
- n) In addition to the general parking provisions of Section 3 of this By-law all parking areas in the front yard and/or corner side yard shall be:
- Paved with concrete or asphalt;
 - Defined by poured concrete curbing; and
 - Clearly marked with pavement markings for each parking space.
- o) Outdoor storage is subject to the provisions outlined in Section 2.18 and is not permitted in any yard that abuts a highway or an arterial collector road;

Section 31: Institutional Zone (I)

31.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Institutional (I) Zone except in accordance with the applicable provisions of Sections 2, 3 and 31.
- b) In addition to Section 31.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

31.2 Permitted Uses

- a) Apartment Building, Public;
- b) Community Garden;
- c) Cultural Facility;
- d) Cemetery;
- e) Day Care;
- f) Dwelling, Accessory;
- g) Food Vehicle;
- h) Long Term Care Facility;
- i) Place of Assembly/Banquet Hall;
- j) Place of Worship;
- k) Public Uses;
- l) Social Service Facility; and
- m) Uses, structures and buildings accessory thereto

31.3 Zone Requirements

- | | |
|-------------------------------|---|
| a) Minimum Lot Frontage | as existing |
| b) Minimum Lot Area | as existing |
| c) Minimum Front Yard | 8 metres |
| d) Minimum Lot Depth | no minimum |
| e) Minimum Interior Side Yard | 4.5 metres or half the height of the building |

		abutting a Residential use, whichever is greater
f)	Minimum Corner Side Yard	7.5 metres
g)	Minimum Rear Yard	7.5 metres
h)	Maximum Lot Coverage	40 percent
i)	Maximum Height	11 metres
j)	Minimum Landscaped Open Space	35 percent

31.4 Additional Zone Requirements – Dwelling, Accessory

a)	Max Percent of Total Gross Floor Area	25 percent
b)	Minimum Floor Area	50 square metres
c)	A maximum of one accessory residential unit is permitted per non-commercial use.	

31.5 Additional Zone Requirements –Apartment Building, Public

a)	Minimum Lot Frontage	18 metres
b)	Minimum Lot Area per Unit	125 square metres
c)	Minimum Front Yard	9 metres
d)	Minimum Interior Side Yard	3 metres
e)	Minimum Corner Side Yard	7.5 metres
f)	Minimum Rear Yard	6 metres
g)	Maximum Lot Coverage	40 percent
h)	Maximum Height	20 metres
i)	Minimum Landscaped Area	25 percent
j)	Minimum Floor Area for a Unit	50 square metres

Section 32: Public and Park (P)

32.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Public and Park (P) Zone except in accordance with the applicable provisions of Sections 2, 3 and 32.
- b) In addition to Section 32.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

32.2 Permitted Uses

- a) Cemetery;
- b) Community Garden;
- c) Conservation Use;
- d) Cultural Facility;
- e) Food Vehicle;
- f) Park;
- g) Public Use;
- h) Recreation Use; and
- i) Uses, structures and buildings accessory thereto

32.3 Zone Requirements

- | | |
|-------------------------------|---|
| a) Minimum Lot Frontage | no minimum |
| b) Minimum Lot Area | no minimum |
| c) Minimum Front Yard | 8 metres |
| d) Minimum Lot Depth | no minimum |
| e) Minimum Interior Side Yard | 4.5 metres or half the height of the building, whichever is greater |
| f) Minimum Corner Side Yard | 7.5 metres |
| g) Minimum Rear Yard | 7.5 metres |
| h) Maximum Lot Coverage | 20 percent |

- | | | |
|----|-------------------------------|------------|
| i) | Maximum Height | no maximum |
| j) | Minimum Landscaped Open Space | 30 percent |

Section 33: Vacation Residential Zone (VR)

33.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Vacation Residential (VR) Zone except in accordance with the applicable provisions of Sections 2, 3 and 33.
- b) In addition to Section 33.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

33.2 Permitted Uses

- a) Campground, Permanent;
- b) Campground, Temporary;
- c) Existing Convenience Store;
- d) Existing Maintenance and Storage Facility;
- e) Existing Office;
- f) Existing Parks;
- g) Existing Personal Service Business;
- h) Existing Place of Worship;
- i) Existing Private Club;
- j) Existing Restaurant, Fast-Food;
- k) Existing Restaurant, Full-Service;
- l) Existing Restaurant, Take-Out;
- m) Existing Retail Store;
- n) Existing Trailer and Golf Cart Sales and Rentals;
- o) Food Vehicle;
- p) Parking Lot;
- q) Private Water Supply and Treatment Facility;
- r) Recreation Facility; and
- s) Uses, structures and buildings accessory thereto

33.3 Zone Requirements

- | | | |
|----|---|--|
| a) | Minimum Lot Frontage | as existing |
| b) | Minimum Lot Area | as existing |
| c) | Minimum Buffer Area
To properties fronting onto Beach Road | 30 metres |
| d) | Minimum Buffer Area
Residential Use | 50 metres |
| e) | Minimum Buffer Area
Eastern limit of Wyldewood Road | 50 metres |
| f) | Minimum Buffer Area
Private Water Supply and Treatment
Facility | 100 metres abutting any
campground, temporary;
campground, permanent;
retail store; restaurant, fast
food; restaurant, full-
service; restaurant, take-
out; and dwelling unit |
| h) | Maximum Building Height | 11 metres |
| i) | The use of all-terrain vehicles and snowmobiles shall not be permitted in this zone, by persons other than the owner of property or the employees of the owner of the property. | |

33.4 Additional Zoning Requirements – Campground, Permanent

- | | | |
|----|--|---|
| a) | All campground, permanent sites shall be serviced by private sanitary and water supply systems, approved by the Regional Municipality of Niagara. | |
| b) | Access to all campground, permanent sites shall be by lane, road or driveway with a minimum unobstructed hard surface width of 6 metres where two-way traffic is permitted and 3 metres where only one way direction of traffic flow is permitted or where the land, road or driveway services five sites or less. | |
| c) | A landscape area having a minimum width of 3 metres shall be provided between campground, permanent sites and any other use. | |
| d) | Minimum Parking | 1 space located within the site or within 46 metres of the site |

Section 34: Environmental Protection Zone (EP)

34.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Environmental Protection (EP) Zone except in accordance with the applicable provisions of Sections 2, 3 and 34.
- b) In addition to Section 34.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

34.2 Permitted Uses

- a) Boat House;
- b) Boat Ramp;
- c) Conservation Uses;
- d) Dock;
- e) Existing Agricultural Uses, excluding buildings and structures;
- f) Flood and Erosion Protection Works;
- g) Forestry Uses;
- h) Passive Recreation Uses; and
- i) Public Use

34.3 Zone Requirements

Notwithstanding the permitted uses in the applicable underlying zones shown on the Maps in Section 39, where a lot is also subject to an Environmental Protection Zone, no uses and no building or structure or an expansion to an existing building or structure shall be permitted until an Environmental Impact Study (EIS), in accordance with the City, Regional Municipality of Niagara or Niagara Peninsula Conservation Authority, as amended from time to time, and other studies that may be required by the City based on approved guidelines or terms of reference are approved. The requirement for an EIS may be scoped or waived in accordance with

the EIS guidelines. The uses permitted in Section 34.2 may be permitted subject to a scoped EIS in accordance with the EIS guidelines.

- | | | |
|----|----------------------|--|
| b) | Minimum Lot Frontage | as existing |
| c) | Minimum Lot Area | as existing |
| d) | Minimum Front Yard | 15 metres |
| e) | Minimum Side Yard | 7 metres |
| f) | Minimum Rear Yard | 7 metres except the minimum rear yard which includes the Hazard (H) zone shall be determined by the Niagara Peninsula Conservation Authority in accordance with Ontario Regulation 155/06, as amended. |

34.4 Additional Zone Requirements – Boat House, Boat Ramp, Dock

- | | | |
|----|-------------------|------------|
| a) | Minimum Rear Yard | No minimum |
|----|-------------------|------------|

Section 35: Hazard Zone (H)

35.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Hazard (H) Zone except in accordance with the applicable provisions of Sections 2, 3 and 35.
- b) In addition to Section 35.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

35.2 Permitted Uses

- a) Boat House;
- b) Boat Ramp;
- c) Conservation Uses;
- d) Dock;
- e) Existing Agricultural Uses, excluding buildings and structures;
- f) Flood and Erosion Protection Works;
- g) Forestry Uses;
- h) Passive Recreation Use; and
- i) Public Use

35.3 Zone Requirements

- a) Where a Hazard Zone is shown on the Maps in Section 39, it includes hazards associated with the Lake Erie Shoreline, such as flooding, erosion or dynamic beach hazards as per the Niagara Peninsula Conservation Authority's Regulation of Development, Interference with Wetlands and Alteration to Shorelines and Watercourses O. Reg 1-55/05.
- a) Notwithstanding the permitted uses, where a lot is subject to a Hazard Zone, no uses and no buildings or structures or an expansion to an existing building or structure shall be permitted until a permit for development or site alteration is issued by the Niagara Peninsula Conservation Authority.
- b) Minimum Lot Frontage as existing
- c) Minimum Lot Area as existing
- d) Minimum Front Yard 15 metres

- | | | |
|----|-------------------|--|
| e) | Minimum Side Yard | 7 metres |
| f) | Minimum Rear Yard | 7 metres except the minimum rear yard which includes the Hazard (H) zone shall be determined by the Niagara Peninsula Conservation Authority in accordance with Ontario Regulation 155/06, as amended. |

35.4 Additional Zone Requirements – Boat House, Boat Ramp, Dock

- | | | |
|----|-------------------|------------|
| a) | Minimum Rear Yard | No minimum |
|----|-------------------|------------|

Section 36: Environmental Conservation Layer

36.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Environmental Conservation Layer except in accordance with the applicable provisions of Sections 2, 3 and 36.
- b) In addition to Section 36.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

36.2 Permitted Uses

- a) Boat House;
- b) Boat Ramp;
- c) Conservation Uses;
- d) Dock;
- e) Existing Agricultural Uses, excluding buildings and structures;
- f) Existing Dwelling and any enlargement thereof and existing uses, buildings and structures accessory thereto;
- f) Flood and Erosion Protection Works;
- g) Forestry Uses;
- h) Park;
- i) Passive Recreation Uses; and
- j) Public Use

36.3 Overlay Requirements

- a) Notwithstanding the permitted uses in the applicable underlying zones shown on the Maps in Section 39, where a lot is also subject to an Environmental Conservation Layer, no uses and no building or structure or an expansion to an existing building or structure shall be permitted until an Environmental Impact Study (EIS), in accordance with the City, Regional Municipality of Niagara or Niagara Peninsula Conservation Authority, as amended from time to time, and other studies that may be required by the City based on approved guidelines or terms of reference are approved. The requirement for an EIS may be scoped or waived in accordance with the EIS guidelines. The uses permitted in Section 36.2 may be permitted subject to a scoped EIS in accordance with the EIS guidelines.

- b) The Environmental Impact Study (EIS) required by section 36.3 shall confirm the boundaries of any natural heritage feature or area within the Environmental Conservation Layer and shall determine the uses in the underlying zones that may be permitted.
- c) Minimum Lot Frontage as existing
- d) Minimum Lot Area as existing
- e) Minimum Front Yard 15 metres
- f) Minimum Side Yard 7 metres
- g) Minimum Rear Yard 7 metres except the minimum rear yard which includes the Hazard (H) zone shall be determined by the Niagara Peninsula Conservation Authority in accordance with Ontario Regulation 155/06, as amended.

36.4 Additional Overlay Requirements – Boat House, Boat Ramp, Dock

- a) Minimum Rear Yard No minimum

Section 37: Special Provisions

37.1 General

- a) Where special provisions are established for certain lots, the applicable regulations of the special provisions apply in addition to, or as an exception to, the normal zone provisions that apply to the subject lands.
- b) Where on Schedule A to this By-law, a zone symbol (e.g. R1) applying to lots contains a suffix at the end of the zone symbol consisting of a dash and number (e.g. R1-1), this indicates that a special provision applies to the subject lot(s). The number after the dash corresponds with the special provision number as set out in Section 37.

37.2 List of Special Provisions

Special Provision: A-1 Formerly: A-6 By-law No: 1746/11/86

In addition to the uses permitted in the Agricultural (A) Zone, this land may also be used for the raising and processing of poultry, and uses building and structures accessory thereto, and the following special regulations shall apply:

- | | | |
|----|----------------------------|------------|
| a) | Minimum Lot Frontage | 150 metres |
| b) | Minimum Lot Area | 6 hectares |
| c) | Maximum Lot Coverage | 25 percent |
| d) | Minimum Front Yard | 24 metres |
| e) | Minimum Interior Side Yard | 23 metres |
| f) | Minimum Rear Yard | 30 metres |
| g) | Maximum Building Height | 2 storeys |

Special Provision: A-2 Formerly: A-14 By-law No.: 4598/129/04

In addition to the uses permitted in the Agricultural (A) Zone, this land may be also used for the manufacturing of construction lifting devices, cranes and other related hydraulic equipment and for the maintenance and storage of heavy equipment and uses and buildings and structures accessory thereto, and the following regulations shall apply:

- | | | |
|----|-----------------------------------|-------------|
| a) | Minimum Front Yard | 92 metres |
| b) | Minimum Interior Side Yard (West) | as existing |
| c) | Minimum Interior Side Yard (East) | 5 metres |

- d) Minimum Rear Yard 15 metres
- e) Maximum Lot Coverage 25 percent
- f) Maximum Building Height 2 storeys
- g) No building or structure is permitted in the westerly interior side yard separated from the westerly lot line by a yard having a minimum width of 22.8 metres measured perpendicular to said lot line and shall be separated from the rear yard having a minimum width of 18.3 metres.
- h) No building or structure is permitted in the rear yard having a rear yard depth of 126 metres extending easterly 22.8 metres from the westerly lot line measured perpendicular to said lot line.
- i) Outside storage is to be permitted in the rear yard and easterly interior side yard only, separated from the easterly lot line by a yard having a minimum width of 22.8 metres measured perpendicular to said lot line and shall be separated from the rear yard having a minimum width of 18.3 metres measured perpendicular to said rear yard.

Special Provision: A-3 Formerly: LI-9 By-law No.: n/a

In addition to the uses permitted in the Agriculture (A) Zone, this land may also be used for the manufacturing, outdoor storage and sales of concrete products and uses, buildings and structures accessory thereto.

Special Provision: A-4 Formerly: A-21 By-law No.: 1374/67/83

In addition to the uses permitted in the Agricultural (A) Zone, this land may also be used for a motel, restaurant and gasoline retail outlet and one accessory dwelling unit and uses, buildings and structures accessory thereto and the following regulations shall apply:

- a) Minimum Lot Frontage 52 metres
- b) Minimum Lot Area 0.6 hectares
- c) Minimum Front Yard 15 metres
- d) Minimum Side Yard 15 metres
- e) Minimum Rear Yard 42 metres
- f) Maximum Lot Coverage 8.5 percent
- g) Maximum Height for a Motel 1 storey

Special Provision: A-5**Formerly: A-29****By-law No.: 1374/67/83**

In addition to the uses permitted in the Agricultural (A) Zone, this land may also be used for the operation of a ship repair shop, machine shop and fabrication and uses, buildings and structures accessory thereto and the following regulations shall apply:

- | | | |
|----|---|---------------|
| a) | Maximum Lot Coverage | 20 percent |
| b) | Minimum Lot Frontage | 37.4 metres |
| c) | Minimum Lot Area | 0.28 hectares |
| d) | Minimum Front Yard | 15 metres |
| e) | Minimum Side Yard | 7.5 metres |
| f) | Minimum Rear Yard | 3 metres |
| g) | Maximum Height | 1 storey |
| h) | Outdoor storage shall be permitted in the rear yard only. | |

Special Provision: A-6**Formerly: A-42****By-law No.: 1374/67/83**

In addition to the uses permitted in the Agricultural (A) Zone, this land may also be used for a private club and uses, buildings and structures accessory thereto and the following regulations shall apply:

- | | | |
|----|---|-------------|
| a) | Maximum Lot Coverage (for all buildings) | 5 percent |
| b) | Minimum Front Yard | 70 metres |
| c) | Minimum North Side Yard | 18 metres |
| d) | Minimum South Side Yard | 70 metres |
| e) | Minimum Rear Yard | 240 metres |
| f) | Maximum Height | 1.5 storeys |
| g) | Maximum Lot Coverage for Accessory Structures | 0.5 percent |
| h) | Minimum Side Yard for Accessory Structures | 18 metres |
| i) | Minimum Rear Yard for Accessory Structures | 18 metres |

- j) Accessory structures shall be permitted in the interior side and rear yard only.

Special Provision: A-7 Formerly: A-50 By-law No.: 1374/67/83

In addition to the uses permitted in the Agricultural (A) Zone, this land may also be used for an automobile service station and one accessory residential unit and uses, buildings and structures accessory thereto and the following regulations shall apply:

- | | | |
|----|--------------------------|-------------|
| a) | Maximum Lot Coverage | 5.5 percent |
| b) | Minimum Front Yard | as existing |
| c) | Minimum Side Yard (West) | 30 metres |
| d) | Minimum Side Yard (East) | 7.5 metres |
| e) | Minimum Rear Yard | 140 metres |
| f) | Maximum Height | 2.5 storeys |

Special Provision: A-8 Formerly: A-51 By-law No.: 5669/100/11

In addition to the uses permitted in the Agricultural (A) Zone, this land may also be used for a motel and one accessory residential unit, a trailer for living accommodations and uses, buildings and structures accessory thereto and the following regulations shall apply:

- | | | |
|----|--------------------------------------|-------------|
| a) | Minimum Lot Frontage | 60 metres |
| b) | Maximum Lot Coverage | 7 percent |
| c) | Minimum Front Yard | as existing |
| d) | Minimum Side Yard (West) | 15 metres |
| e) | Minimum Side Yard (East) for Motel | 25 metres |
| f) | Minimum Side Yard (East) for Trailer | 12 metres |
| g) | Minimum Rear Yard for Motel | 70 metres |
| h) | Minimum Rear Yard for Trailer | 22 metres |
| i) | Maximum Building Height | 1.5 storeys |

Special Provision: A-9 Formerly: A-72 By-law No.: 1374/67/83

In addition to the uses permitted in the Agricultural (A) Zone, this land may be used for a take-out restaurant and uses, buildings and structures accessory thereto and the following regulations shall apply:

- | | | |
|----|--------------------------|-----------|
| a) | Minimum Front Yard | 12 metres |
| b) | Minimum Side Yard (West) | 15 metres |
| c) | Minimum Side Yard (East) | 40 metres |
| d) | Minimum Rear Yard | 25 metres |
| e) | Maximum Building Height | 1 storey |

Special Provision: A-10 **Formerly: A-82** **By-law No.: 1436/11/84**

In addition to the uses permitted in the Agricultural (A) Zone, this land may also be used for a private club for the purpose of conservation including but not limited to; one assembly hall for banquet, meeting and seminar purposes (related to the conservation of plant and wildlife); trap-shooting and trap-shooting house; skeet shooting and high and low skeet houses; and an archery range and uses buildings and structures accessory thereto and the following regulation shall apply:

- | | | |
|----|----------------------|-----------|
| a) | Maximum Lot Coverage | 1 percent |
|----|----------------------|-----------|

Special Provision: A-11 **Formerly: A-253** **By-law No.: 3393/124/96**

In addition to the uses permitted in the Agricultural (A) Zone, these lands may also be used for the purpose of a golf course and uses, buildings and structures accessory thereto.

Special Provision: A-12 **Formerly: A-121** **By-law No.: 1941/61/87**

In addition to the uses permitted in the Agricultural (A) Zone, this land may also be used as an exhibition grounds for the display of antique farm equipment and uses, building and structures accessory thereto and the following regulation shall apply:

- | | | |
|----|--------------------------|----------|
| a) | Minimum Corner Side Yard | 9 metres |
|----|--------------------------|----------|

Special Provision: A-15 **Formerly: A-243** **By-law No.: 3203/74/95**

In addition to the uses permitted in the Agricultural (A) Zone, these lands may also be used for the manufacturing of wood crates and pallets, steel and wood fabrication and welding uses, and uses buildings and structures accessory thereto and outdoor storage of related materials and the following regulations shall apply:

- | | | |
|----|----------------------|-----------|
| a) | Minimum Lot Frontage | 30 metres |
|----|----------------------|-----------|

- | | | |
|----|--|------------|
| b) | Minimum Front Yard | 45 metres |
| c) | Minimum Interior Side Yard (West) | 3.5 metres |
| d) | Minimum Interior Side Yard (East) | 8.5 metres |
| e) | Maximum Building Height | one storey |
| f) | Maximum Lot Coverage | 10 percent |
| g) | Outside storage shall only be permitted in the rear yard | |

Special Provision: A-16 Formerly: A-265 By-law No.: 3739/25/99

In addition to the uses permitted in the Agricultural (A) Zone, these lands may also be used for an agricultural and non-agricultural machine shop and fabrication and repairshop with no outside storage and uses, buildings and structures accessory thereto and the following regulations shall apply:

- | | | |
|----|---|---------------|
| a) | Minimum Lot Area | 0.69 hectares |
| b) | Minimum Front Yard | 12 metres |
| c) | Minimum Interior Side Yard (South) | 2 metres |
| d) | Minimum Interior Side Yard (North) | 8.3 metres |
| e) | Maximum Lot Coverage | 14 percent |
| f) | No outside storage and no welding, fabricating, machining, painting or any industrial processes outside of the buildings on the property. | |

Special Provision: A-19 Formerly: A-379 By-law No.: 6108/74/14

In addition to the uses permitted in the Agricultural (A) Zone, this land may also be used for special events related to weddings and similar type celebrations as well as special events relating to the agricultural uses occurring on the property and the following special regulations shall apply:

- | | | |
|----|--|-------------------|
| a) | Maximum Gross Floor Area for Outdoor Event Tents | 330 square metres |
| b) | Outdoor Event Tents will only be permitted between May 1 st and October | |

31st of each year

- c) That the Minimum Distance Separation I shall not apply for outdoor event tents.

Special Provision: A-43 Formerly: A-383 By-law No.: 6331/11/16

In addition to the uses permitted in the Agricultural (A) Zone, this land may also be used for one mobile home for permanent year round living accommodation and the following regulations shall apply:

- | | | |
|----|--|------------------|
| a) | Minimum Lot Frontage | as existing |
| b) | Minimum Lot Area | as existing |
| c) | Maximum Lot Coverage
for a Mobile Home | 7 percent |
| d) | Minimum Front Yard
for a Mobile Home | 75 metres |
| e) | Minimum West Side Yard
for a Mobile Home | 25 metres |
| f) | Minimum East Side Yard | 75 metres |
| g) | Minimum Rear Yard
for a Mobile Home | 75 metres |
| h) | Minimum Ground Floor Area
for a Mobile Home | 65 square metres |
| j) | Maximum Height for a
mobile home | One storey |

Special Provision: A-389 Formerly: N/A By-law No.: 6456/23/17

The rezoning will satisfy a condition of the City of Welland Committee of Adjustment's decision to sever a surplus farm dwelling on the portion of the property located within the City of Welland.

Special Provision: AR-49 Formerly: N/A By-law No.: 6627/82/18

For the lands rezoned to AR-49 the following special regulations shall apply:

- | | | |
|----|------------------------|-------|
| a) | Maximum Lot Coverage | 13.7% |
| b) | Accessory Lot Coverage | 10.2% |

Special Provision: AR-55 Formerly: N/A By-law No.: 6830/80/20

Notwithstanding the provisions of the Agricultural Residential Zone, the following special regulations shall apply:

- | | | |
|----|------------------------|------|
| a) | Accessory Lot Coverage | 7.8% |
|----|------------------------|------|

Special Provision: CP-33 Formerly: HC-160 By-law No.: 4885/116/04

Notwithstanding the provisions of the Commercial Plaza (CP) Zone, this land may also be used for mini-warehouse/storage use and the following regulations shall apply:

- | | | |
|----|-----------------------------------|----------|
| a) | Minimum Interior Side Yard (West) | 3 metres |
|----|-----------------------------------|----------|

Special Provision: CP-52 Formerly: N/A By-law No.: 6696/60/19

In addition to the uses permitted in the Commercial Plaza zone, this land may also be used for a motor vehicle gas station and car wash, and the following regulations shall apply:

- | | | |
|----|----------------------------------|------|
| a) | Minimum Eastern Corner Side Yard | 8.3m |
| b) | Minimum Landscaped Area | 8.6% |
| c) | Minimum Required Parking Spaces | 307 |

Special Provision: DC-41 Formerly: CC-340 By-law No.: 5578/08/11

Notwithstanding the provisions of the Central Commercial (CC) Zone, this land may also be used for a maximum of four accessory dwelling units on the ground floor and one accessory dwelling unit in the basement in combination with a permitted commercial use.

Special Provision: DC-42 Formerly: HC-46 By-law No.: 1374/67/83

In addition to the uses permitted in the Downtown Commercial (DC) Zone, this land may also be used for wholesale marine and mill supply and uses, buildings and structures accessory thereto.

Special Provision: DC-44 Formerly: CC-65 By-law No.: n/a

In addition to the uses permitted in the Downtown Commercial (DC) Zone, this land may

also be used for marine sales and service, uses buildings and structures accessory thereto and the following regulations shall apply:

- | | | |
|----|------------------------------|---|
| a) | Minimum Front Yard | as existing |
| b) | Maximum Building Height | 1 storey |
| c) | Minimum Parking Requirements | in accordance with Section 3 of this By-law |

Special Provision: HC-25 Formerly: LI-119 By-law No.: 2021/142/87

Notwithstanding the provisions of the Light Industrial (LI) Zone, this land may only be used for a machine shop and uses, buildings and structures accessory thereto and the following regulations shall apply:

- | | | |
|----|--|--------------------|
| a) | The provisions of Sections 1.3.5 and 2.6 shall not apply. | |
| b) | Minimum Lot Area | 4500 square metres |
| c) | Minimum Lot Frontage | 40 metres |
| d) | Minimum North Yard Setback | 15 metres |
| e) | Minimum Setback to Lands
Zoned Residential | 15 metres |
| f) | Minimum Setback to Lands
Zoned Heavy Industrial | 3 metres |
| g) | Minimum East Yard Setback | 5 metres |
| h) | Maximum Building Height | 1 storey |
| i) | Minimum Landscaped Open Space | 10 percent |
| j) | Maximum Lot Coverage | 35 percent |
| k) | Open storage and display areas shall not be located within any yard. | |
| l) | Loading spaces shall not be located in any required yard. | |
| m) | Parking areas may be located in any yard provided a landscape buffer is provided where any yard abuts a street or lands which are zoned residential. Said landscape buffer shall have a minimum width measured perpendicular to the lot line in accordance with the following: | |

- i) Minimum Width to the
North Lot Line 9 metres

Special Provision: HC-48 Formerly: N/A By-law No.: 6601/56/18

The zoning of the land is changed from “HC – Highway Commercial” to “HC-48” to allow the use of the property for warehousing and uses, buildings and structures thereto, and the following special regulations apply:

- a) Outside storage shall not be permitted;
- b) The first 3m from the interior side lot lines shall only be used as a landscape buffer.

Special Provision: HC-57 Formerly: N/A By-law No.: 6853/01/21

Notwithstanding the provisions of the Highway Commercial Zone, the following special regulations shall apply:

- a) Notwithstanding any provisions of this By-law to contrary, the lands indicated in Schedule A to this By-law (Phase 2 in the approved Site Plan Agreement) shall be deemed a lot.
- b) Notwithstanding any provisions of this By-law to the contrary, the frontage of the lands indicated on Schedule A to this By-law, shall be deemed to be the frontage of Phase 1 of the approved Site Plan Agreement.
- c) Notwithstanding any provisions of this By-law to the contrary, the front lot line for the lands indicated on Schedule A to this By-law shall be deemed to be the front lot line of Phase 1 of the approved Site Plan Agreement.
- d) Notwithstanding any provisions of this By-law to the contrary, the front yard for the lands indicated on Schedule A to this By-law shall be deemed to be the front yard of Phase 1 of the approved Site Plan Agreement.

Special Provision: HI-39 Formerly: HI-270 By-law No.: 3819/105/99

In addition to the uses permitted in the Heavy Industrial (HI) Zone, this land may also be used for a salvage yard operation to receive, process, store and ship reusable and/or recyclable materials such as copper, brass, steel, cast aluminum and stainless steel and uses, buildings and structures accessory thereto and the following regulations shall apply:

- a) The maximum height of any material which is stacked, piled or otherwise

stored outside on this property shall not exceed 3.6 metres.

- b) No buildings or structures, including accessory buildings or structures are permitted in the required yard setback of subsection (a) and (b) above.

Special Provision: HI-46-H Formerly: n/a By-law No.: 5989/95/13

Notwithstanding the provisions of the Heavy Industrial (HI) Zone, the following shall apply:

- a) The provisions in Section 23 (HI – Heavy Industrial) of the City of Port Colborne former Zoning By-law 1150/97/81 will continue to apply to the lands zoned HI-46-H (Heavy Industrial - Holding). The permitted uses will be restricted to a 56 tank petrochemical storage facility.
- b) The uses permitted in this By-law shall not occur until the Holding Symbol (H) on the HI-46-H (Heavy Industrial – Holding) zone is removed through an amending By-law enacted by the City of Port Colborne. The Holding Provision will be administered to provide Council with the authority to ensure a Phase 2 Archaeological Study, a Geotechnical Study, a Noise Study, an Air Quality Study, Site Access and Traffic Study, a Vibration Study, a Tree Preservation Plan, an Environmental Impact Statement, and a Risk Assessment Report have been undertaken to the satisfaction of the City and appropriate approval authorities. Removal of the Holding Symbol (H) may only occur when:
 - i) The Owner enters into and registers on title a Site Plan Agreement with the City of Port Colborne which will include recommendations

Special Provision: HR-17 Formerly: HR-354 By-law No.: 5680/111/11

Notwithstanding the provisions of the Hamlet Residential (HR) Zone, the following regulation shall apply:

- a) Minimum Rear Yard Setback (Dwelling) 169 metres

Special Provision: HMC-22 Formerly: RU-34 By-law No.: 1374/67/83

In addition to the uses permitted in the Hamlet Commercial (HMC) Zone, this land may also be used for detached dwelling and the buying, selling and storing of industrial equipment and supplies, and uses, buildings and structures accessory thereto and the following special regulations shall apply thereto:

- i) Minimum Lot Frontage 68m
- ii) Minimum Lot Area 1.25 ha.

- iii) Maximum Lot Coverage 15 per cent
- iv) Minimum Front Yard 60m
- v) Minimum Side Yard 35m
- vi) Minimum Rear Yard as existing
- vii) Maximum Height 11m”

Special Provision: HMC-23 Formerly: HD-16 By-law No.: 1418/111/83

In addition to the uses permitted in the Hamlet Commercial (HCM) Zone, this land may also be used for the manufacture and sales of monuments and uses, buildings and structures accessory thereto and the following regulations shall apply:

- a) Maximum Lot Coverage 15 percent
- b) Minimum Front Yard 10 metres
- c) Minimum East Side Yard 7.5 metres
- d) Minimum West Side Yard 15 metres
- e) Minimum Rear Yard 15 metres
- f) Maximum Building Height 1.5 storeys
- g) Outdoor storage shall be permitted in the east side yard and rear yard and shall not be permitted in the required west side yard setback.
- h) Outdoor displays shall be permitted in the front yard.

Special Provision: HMC-45 Formerly: HD-365 By-law No.: 6050/16/14

Notwithstanding the provisions of the Hamlet Commercial (HMC) Zone, the use of this land shall be restricted to the sale, service and storage of golf carts and the following shall apply:

- a) Maximum Height 9 metres

Special Provision: I-21 Formerly: I-93 By-law No.: 3427/9/97

Subject to the Provisions of Section 2 General Provisions of this by-law and notwithstanding the requirements of the Institutional (I) Zone, this land may also be used for; a public nursing home; an accessory dwelling unit; a senior citizen apartment house; a residential retirement home containing not more than 167 beds in 165 bedroom units and uses, buildings and structures accessory thereto and the following regulations shall apply:

- | | | |
|----|--|------------------|
| a) | Minimum Lot Area | 1.13 hectares |
| b) | Minimum Lot Frontage | 95 metres |
| c) | Minimum Lot Depth | 118 metres |
| d) | Minimum Side Yard | 2 metres |
| e) | Minimum Rear Yard | 15.05 metres |
| f) | Minimum Front Yard | 8 metres |
| g) | Maximum Lot Coverage | 40 percent |
| h) | Maximum Building Height | 11 metres |
| i) | Minimum Bedroom Size | 26 square metres |
| j) | Minimum Landscaped Open Space | 35 percent |
| k) | A public dining room or restaurant is specifically not permitted | |

Accessory Structure Provisions

- | | | |
|----|-------------------------|-------------|
| a) | Minimum Rear Yard | 7.5 metres |
| b) | Minimum Side Yard | 3.0 metres |
| c) | Maximum Building Height | 1.5 storeys |

Special Provision: I-24 Formerly: I-24 By-law No.: n/a

In addition to the uses permitted in the Institutional (I) Zone, this land may also be used for:

- a) 24 Unit Apartment Building; and
- b) 22 Unit Supportive Living Facility

Special Provision: ID-47-H Formerly: n/a By-law No.: 5989/95/13

Notwithstanding the Provision of the Industrial Development (ID) Zone, the following shall apply:

- a) Prior to any dry industrial development of lands zoned ID-47-H, a Zoning By-law Amendment is required to establish the permitted uses and zone requirements.

- b) Further, development on the subject lands shall not occur until the Holding Symbol (H) on the ID-47-H (Dry Industrial Development – Holding) zone is removed through an amending By-law enacted by the City of Port Colborne. Removal of the Holding Symbol (H) may only occur when:
 - i) The Owner enters into and registers on title a Site Plan Agreement with the City of Port Colborne which will include recommendations made in the supporting technical studies conducted in association with the development application;
 - ii) Appropriate technical studies are submitted including a Phase 2 Archaeological Study, a Geotechnical Study, a Noise Study, an Air Quality Study, Site Access and Traffic Study, a Vibration Study, a Tree Preservation Plan, an Environmental Impact Statement, and a Risk Assessment Report dependent upon the use proposed. A pre-consultation meeting will be held to identify which studies are required and to scope the extent of the studies. The above mentioned technical studies and their recommendations are to be satisfactory to the City of Port Colborne; and
 - iii) Prior to the City entering to the Site Plan Agreement, approval shall be obtained from the applicable approval authority which identifies an appropriate location and design for a private sewage disposal system and private water supply system to adequately and appropriately service the proposed use.

Special Provision: LI-35 Formerly: LI-343 By-law No.: 5511/108/10

In addition to the permitted uses in the Light Industrial (LI) Zone, this land may also be used for a hotel, uses, buildings and structures accessory thereto and the following regulations shall apply:

- | | | |
|----|------------------------------------|-----------|
| a) | Maximum Height | 12 metres |
| b) | Maximum Height for a Hotel | 32 metres |
| c) | Minimum Southerly Yard | 14 metres |
| d) | Minimum Southerly Yard for a Hotel | 20 metres |
| e) | Minimum Westerly Yard | 14 metres |
| f) | Minimum Westerly Yard for a Hotel | 20 metres |
| g) | Minimum Easterly Yard | 85 metres |

- i) Minimum Interior Side Yard 10 metres

Special Provision: LI-51 Formerly: P-CH By-law No.: 6705/69/19

The zoning of the land is changed from “P-CH” to “LI-51” to permit industrial uses on the subject lands. The following special regulations shall apply:

- a) The following uses are prohibited: Medical Marihuana Production Facility; Adult Oriented Entertainment Establishment; and Transportation Depot.
- b) Outside storage is not permitted.
- c) shift work past 8:00 p.m. is not permitted

Special Provision: LR-18 Formerly: LR-370 By-law No.: 6001/107/13

Notwithstanding the provisions of the Lakeshore Residential (LR) Zone, the following regulations shall apply:

- a) Minimum Lot Frontage 13.1 metres
- b) Minimum Side Yard (West) 2.9 metres
- c) Minimum Width to Lands
Zoned Residential 9 metres
- d) Minimum Width in All
Other Cases 3 metres

Special Provision: MAO-38-H Formerly: EI-373(H) By-law No.: 6007/113/13

Notwithstanding the provisions of the Mineral Aggregate Operation (MAO) Zone, the use of this land shall include concrete product manufacturing and uses, buildings and structures accessory thereto and the following regulations shall apply:

- b) Maximum Building Height 11 metres

The Holding Provision is to be removed once a new or revised site plan agreement between the City of Port Colborne and Port Colborne Quarries is executed.

Special Provision: MU-50 Formerly: N/A By-law No.: 6687/51/19

The zoning of the land is changed from Downtown Commercial to MU-50 and the following special regulations shall apply:

a)	Minimum Lot Frontage	11m
b)	Minimum Front Yard	1m
c)	Minimum Rear Yard	4.5m
d)	Minimum Northern Side Yard	1.8m
e)	Minimum Southern Side Yard	0.6m
f)	Minimum Landscaped Area	21%

Special Provision: NC-27-H Formerly: NC-H By-law No.: 5910/17/13

The uses permitted in the Neighbourhood Commercial (NC) Zone shall not occur until the Holding (H) symbol on the NC-27-H Zone is removed. Removal of the Holding (H) symbol may only occur when the owner enters into and registers on title a Subdivision Agreement with the City of Port Colborne.

Special Provision: NC-31 Formerly: NC-150 By-law No.: 2163/111/88

In addition to the uses permitted in the Neighbourhood Commercial (NC) Zone, this land may also be used for: a professional office and; a business office and uses, buildings and structures accessory thereto.

Special Provision: P-37-H Formerly: P-381-H By-law No.: 6171/137/14

In addition to the uses in the Public and Park (P) Zone, this land may also be used for:

- a) Farmer's Market;
- b) Flea Market;
- c) Motor Vehicle Sales/ Rental Service Centre;
- d) Outdoor Storage;
- e) Place of Assembly/Banquet Hall
- f) Warehouse

The following regulations shall apply for a place of assembly/banquet hall:

- a) That 124 parking spaces be provided.

The use of the property for warehousing and outdoor storage shall not occur until the Holding symbol (H) on the "P-381-H (Warehouse, Outdoor Storage & Auditorium – Holding)" zone is removed. Removal of the Holding Symbol (H) may only occur when the owner enters into a Site Plan Agreement with the City that addresses parking, emergency access, buffering and landscaping.

Special Provision: RR-13 Formerly: RD-173 By-law No.: 3438/20/97

Notwithstanding the provisions of the Rural Residential (RR) Zone, no residential dwelling shall be permitted on these lands.

Special Provision: RR-14 Formerly: RU-78 By-law No.: 1374/67/83

In addition to the uses permitted in the Rural Residential (RR) Zone, this land may also be used for the manufacturing of sashes, frames and doors and for the stockpiling and transport of sand, stone and topsoil and uses, buildings and structures accessory thereto and the following regulations shall apply:

- | | | |
|----|--|-------------|
| a) | Minimum Side Yard (North) | as existing |
| b) | Minimum Side Yard (South) | 15 metres |
| c) | Minimum Rear Yard | 100 metres |
| d) | Maximum Building Height | 1.5 storeys |
| e) | Maximum Lot Coverage for Accessory Structure | 2 percent |
| f) | Minimum Front Yard | 15 metres |
| g) | Outside storage and stockpiling of sand, stone and topsoil is permitted in the rear yard only. | |

Special Provision: R1-40 Formerly: R1-291 By-law No.: 4225/61/02

Notwithstanding the provisions of the First Density Residential (R1) Zone, the following regulations shall apply:

- | | | |
|----|--|------------|
| a) | Minimum Yard Setback (North)
Eagle Marsh Drain | 7.5 metres |
| b) | Minimum Yard Setback (South)
Water Filled Channel | 10 metres |

Special Provision: R2-20-H Formerly: R2-280-H By-law No.: 4088/83/01

Notwithstanding the provisions of the Second Density Residential (R2) Zone, this land may also be used for a parking lot provided that the following Holding provision

conditions are met:

- a) The City receives and approves plans submitted by the owner depicting the parking area and access including details for surfacing, curbing of the parking area, lot grading, storm drainage, landscaping, fencing and lighting; and
- b) The City and the owner enter into an Agreement to be registered on title to the lands detailing implementation of the matters referenced in (a) above.

Special Provision: R2-26 Formerly: R2-45 By-law No.: 1374/67/83

In addition to the uses permitted in the Second Density Residential (R2) Zone, this land may also be used for a private club and uses, buildings and structures accessory thereto and the following regulations shall apply:

- | | | |
|----|-----------------------------------|--|
| a) | Minimum Lot Frontage | 50 metres |
| b) | Minimum Lot Area | 0.5 hectares |
| c) | Minimum Front Yard | 9 metres |
| d) | Minimum Interior Side Yard | as existing |
| e) | Minimum Rear Yard | 60 metres |
| f) | Maximum Building Height | 2 storeys |
| g) | Maximum Lot Coverage | 30 percent |
| h) | Minimum Landscaped Area | as existing |
| i) | Minimum Parking Requirements | 1 space per 10 square metres of net floor area |
| j) | Minimum Interior Side Yard (East) | 1 metre |

Special Provision: R2-28-H Formerly: R2-355-H By-law No.: 5910/17/13

Notwithstanding the provisions of the Second Density Residential (R2) Zone, the following regulations shall apply:

- | | | |
|----|-----------------------------------|---------------|
| a) | Minimum Lot Frontage – Corner Lot | 13.1 metres |
| b) | Minimum Lot Area | 0.03 hectares |

- c) Minimum Rear Yard 15 metres where abutting an active railway right of way

The uses permitted in the Second Density Residential (R2) Zone shall not occur until the Holding (H) symbol on the R2-28-H Zone is removed. Removal of the Holding (H) symbol may only occur when the owner enters into and registers on title a Subdivision Agreement with the City of Port Colborne.

Special Provision: R2-36 Formerly: R2-368 By-law No.: 5974/80/13

Notwithstanding the provisions of the Second Density Residential (R2) Zone the use of this land shall include a warehouse within the existing building and uses accessory thereto and the following regulations shall apply:

- a) Maximum Height shall be as existing.
- b) Landscape buffer along the southern lot line is to be maintained as existing.
- c) From warehouse building face to western lot line, one coniferous tree within the existing landscape buffer at an interval of one per dwelling located along Delhi Street.
- d) Outside storage is permitted provided opaque screening is provided along the southern lot line.

Special Provision: R2-54 Formerly: R2-137 By-law No.: 5057/112/07

In addition to the uses permitted in the Second Density Residential (R2) zone, this land may also be used for a Bed & Breakfast establishment, seniors lodging and a refreshment “tea room” as accessory uses to the single-detached dwelling, provided, the single-detached dwelling is the principal residence of the person carrying on the Bed & Breakfast establishment, seniors lodging and refreshment “tea room”. In addition, the following special regulations shall apply thereto:

- a) A maximum of 4 guest rooms be permitted for the use of seniors lodging only.
- b) A maximum of 2 guest rooms be permitted for the use of either seniors lodging or bed and breakfast patrons.
- c) The refreshment “tea room” shall not contain more than 16 seats total.
- d) A minimum of 2 parking spaces be provided on-site.

Special Provision: R3-29-H Formerly: RT-356-H By-law No.: 5910/17/13

Notwithstanding the provisions of the Third Density Residential (R3) Zone, the following regulations shall apply:

- | | | |
|----|-----------------------------------|---------------|
| a) | Minimum Lot Frontage – Corner Lot | 10.5 metres |
| b) | Minimum Lot Area | 0.02 hectares |

The uses permitted in the Third Density Residential (R3) Zone shall not occur until the Holding (H) symbol on the R3-29-H Zone is removed. Removal of the Holding (H) symbol may only occur when the owner enters into and registers on title a Subdivision Agreement with the City of Port Colborne.

Special Provision: R4-30-H Formerly: R4-357-H By-law No.: 5910/17/13

Notwithstanding the provisions of the Fourth Density Residential (R4) Zone, these lands may only be used for townhouse and apartment dwellings and uses, buildings and structures accessory thereto and the following regulations shall apply:

- | | | |
|----|-------------------|---|
| a) | Minimum Rear Yard | 15 metres where abutting an active railway right of way |
|----|-------------------|---|

The uses permitted in the Fourth Density Residential (R4) Zone shall not occur until the Holding (H) symbol on the R4-30-H Zone is removed. Removal of the Holding (H) symbol may only occur when the owner enters into and registers on title a Subdivision Agreement with the City of Port Colborne.

Special Provision: R4-32 Formerly: R4-151 By-law No.: 2163/111/88

Notwithstanding the provisions of the Fourth Density Residential (R4) Zone, the following regulations shall apply:

- | | | |
|----|---------------------------------------|--------------------------|
| a) | Minimum Rear Yard | One-half building height |
| b) | Minimum Floor Area One Bedroom Unit | 80 square metres |
| c) | Minimum Floor Area Two Bedroom Unit | 95 square metres |
| d) | Minimum Floor Area Three Bedroom Unit | 110 square metres |

Special Provision: R4-34 Formerly: R4-203 By-law No.: 4700/82/05

Notwithstanding the provisions of the Fourth Density Residential (R4) Zone, this land may also be used for a Long Term Care Facility, subject to the following regulations:

- a) Minimum Lot Area 1605 square metres
- b) Minimum Front Yard 2.9 metres
- c) Minimum Interior Side Yard (North) 4.3 metres
- d) Minimum Rear Yard 2.2 metres
- e) Minimum Landscaped Area 7.3 percent
- f) Minimum Parking Stall Length 5.5 metres
- g) Minimum Two Way Driveway Access 5.5 metres
- h) The long term care facility shall not contain more than 36 bedroom units.
- i) The long term care facility may or may not include nursing or medical care.

Special Provision: R4-53-H Formerly: NC By-law No.: 6763/13/20

Notwithstanding the provisions of the Fourth Density Residential Zone, the following special regulations shall apply for an apartment building:

- a) Minimum Lot Frontage 10.973 metres
- b) Minimum Front Yard 0.27 metres
- c) Minimum Interior Side Yard 0.3 metres
- d) Minimum Corner Side Yard 0.4 metres
- e) Minimum Lot Area Per Unit 56 square metres
- f) Minimum Landscaped Area no minimum
- g) Minimum Floor Area Per Unit no minimum
- h) Maximum Lot Coverage 78 percent
- i) Maximum Accessory Lot Coverage 22 percent
- j) Parking Spaces Per Unit 0.33
- k) The accessory building is permitted to be located 0.02 metres from the interior side lot line, 0.9 metres from the rear lot line, and 0.29 metres from the corner side lot line.

Special Provision: R4-56 Formerly: I By-law No.: 6855/03/21

Notwithstanding the provisions of the Fourth Density Residential zone, the following special regulations shall apply:

- | | | |
|----|--|-------------------------|
| a) | Minimum Front Yard | 4.5 metres |
| b) | Minimum Interior Side Yard | 1.5 metres |
| c) | Minimum Corner Yard | 1.5 metres |
| d) | Minimum Rear Yard | 1.5 metres |
| e) | Maximum Lot Coverage | 25 percent |
| f) | Maximum Height | As existing |
| g) | Max Gross Floor Area | 1450 square metres |
| h) | Minimum Landscape Area | 25 percent |
| i) | Minimum Floor Area / Unit | 35 square metres |
| j) | Minimum Number of Parking Spaces
dwelling unit | 1 space per residential |
| k) | Landscape Buffer Between the Edge
of any Parking Area Abutting a Public
Road | 0 metres |
| l) | Landscape Buffer Between the Edge
of any Parking Area Abutting a
Residential Zone | 1.5 metres |
| m) | Minimum Setback of a Building for
the Purpose of Human Habitation
to a Functioning Railway
Right-of-way | 1.5 metres |

made in the supporting technical studies conducted in association with the development application;

- ii) The above mentioned technical studies and their recommendations are satisfactory to the City of Port Colborne,
- iii) Prior to the City entering to the Site Plan Agreement, approval shall be obtained from the applicable approval authority which identifies an appropriate location and design for a private sewage disposal system and private water supply system to adequately and appropriately service the proposed use; and,
- iv) Meet Species at Risk requirements to the satisfaction of Ministry of Natural Resources.

Section 38: Definitions

Abattoir: means a slaughter house designed for the purpose of killing animals, skinning, dressing and cutting up of carcass, wrapping for sale for human consumption with cooler and freezer storage and includes indoor confinement of animals while awaiting slaughter but shall not include any cooking or process related to processing plants such as smoking, curing or the manufacturing of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer or any other inedible product.

Abutting: means two or more lots sharing a common boundary of at least one point; or a lot sharing a common boundary with a public road.

Accessory Agricultural Activities: means equipment maintenance and activities required to produce market ready commodities including washing, sorting, drying, packing and packaging of agricultural products.

Accessory Structure: means a detached building, or structure that is incidental and secondary to the principal use(s) on the same lot.

Accessory Use: means a use subordinate and incidental to the principal use(s) on the same lot and does only includes a use or uses specifically listed as a permitted use in this by-law.

Address of Convenience: means a home occupation that is solely used for the purpose of receiving phone calls, mail and electronic transmissions and the keeping of business records.

Adult Oriented Entertainment Establishment: means any indoor premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation or services appealing to or designed to appeal to erotic or sexual appetites or inclinations including strip clubs and body rub parlours. Establishments that offer adult oriented goods for sale or services which are provided by a provincially licensed registered professional such as a registered massage therapist are not included.

Agriculture Use: means the growing of crops, including nursery, biomass and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agriculture Farm Related Commercial or Industrial: means premises directly related to serving agriculture uses, including but not limited to canneries, dairies and farm implement sales and service.

Agricultural Source Material: means treated or untreated materials, as defined by the *Nutrient Management Act*, other than compost that meets the Compost Guidelines, or a commercial fertilizer, if they are capable of being applied to land as nutrients.

Agri-Tourism and Value Added Use: means farm based business activities that cater to the travelling public and agriculture tourism and which support, promote and sustain the viability of the agricultural operation. These uses are secondary and subordinate to the principal agricultural farm operation and include but are not limited to: farm markets, restaurants related to a winery, road side produce stands, pick your own facilities, farm mazes, agriculture related special event facilities, agriculture education and research facilities and do not include uses and practices that support the day to day agriculture farm operation or accessory uses.

Air Treatment Control: means the functional use of industrial grade multi-stage carbon filtration system, or alternatively proven technologies, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and sized accordingly in comparison to the facility it serves as designed by a qualified person.

Amenity Space: means an area for outdoor recreation or leisure and does not include a parking area.

Animal Care Establishment: means any premises for the caring, grooming and training of household pets without outdoor pens or exercise areas.

Apartment Building: means a building divided vertically and horizontally, or horizontally into five or more dwelling units each with its own entrance either separately or from a common vestibule, stairway or hallway.

Apartment Building, Public: means a building divided vertically and horizontally, or horizontally into five or more dwelling units each with its own entrance either separately or from a common vestibule, stairway or hallway, that has been erected, owned and/or is maintained by a public agency or non-profit charitable organization.

Asphalt and Cement Manufacturing: means an industrial facility used for the manufacture of asphalt, concrete, cement, rock, brick and other aggregate materials

Attached Building: means a building which shares a roof or wall in common with an adjacent building or buildings.

Balcony: means a platform projecting from the façade of a wall or walls, cantilevered or supported by columns or brackets, located above the grade of the ceiling height of the first storey above the basement and may be covered.

Basement: means the portion of a building partly underground having more than one half its height below grade at the principal entrance.

Bed and Breakfast: means a home based business wherein guestrooms are rented

for a period not exceeding 28 consecutive days and meals are served to overnight guests.

Boarding or Lodging House: Means a dwelling in which the proprietor supplies, for gain lodging, with or without meals, to more than four persons, but does not include a group home, hotel, hospital or other establishment otherwise classified or defined in this By-law.0

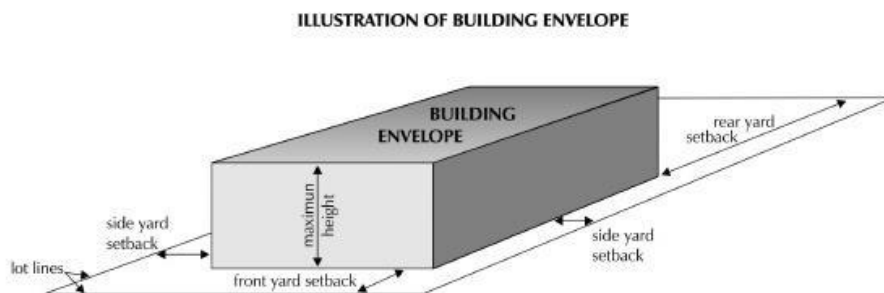
Boat House: means a detached accessory building or structure which is designed or used for the sheltering of a boat or other form of water transportation and storage of household equipment incidental to the principal residential occupancy of the lot.

Boat Ramp: means a sloped surface designed for launching and retrieving watercraft to and from a body of water.

Brew-pub: means a small-scale brewery producing beer for sale on the premises or for distribution beyond the premises, with the floor area devoted to the production of beer not to exceed 45% of the total floor area of the brew-pub, and includes an accessory drinking establishment or restaurant.

Building: means a structure that has a roof, walls and a floor that stands more or less permanently in one place.

Building Envelope: means the three-dimensional buildable area prescribed for a building by the regulations of this by-law.



Building Height: means the vertical distance between the average grade at the base of a main wall of the building, and height has a corresponding meaning unless otherwise defined in this By-law.

Bulk Fuel Depot: means the use of land, building or structures or parts thereof for the bulk surface or underground storage of propane, petroleum products, chemicals, gases or similar products and may include the distribution of same.

Bulk Water Haulage Operator means the use of land for the storage and management of a water hauling truck used for the conveyance and dispensing of potable water.

Campground, Temporary: means an area where temporary, seasonal

accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers is established.

Campground, Permanent: means an area where more permanent, seasonal accommodation for park model recreation vehicles is established but does not include a mobile home.

Cannabis: means a cannabis plant, including the phytocannabinoids produce by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has in it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained. Marihuana shall have the same definition.

Cannabis Production Facility: means a facility structure for the cultivation, processing, packaging and shipping where cannabis is produced by a federally licensed producer and can be for the production of medical or recreational cannabis.

Car Wash: means premises used for washing and cleaning vehicles.

Cemetery: means premises used for the interment of the dead and including but not limited to columbaria, mausoleums, and crypts.

Charitable Organization: means a registered charity, religious organization, charitable non-profit organization, sports club or service group approved by the Province.

Chord: means a straight line that joins the ends of an arc.

Commercial: when used in reference to a building, structure, lot or use means pertaining to the buying or selling of commodities or the supplying of services for remuneration.

Common Wall: means vertical wall separating two or more buildings from the base of the footing to the roof.

Community Garden: means an area of land managed and maintained by a group of individuals for the purpose of cultivation of plants for personal consumption.

Complying: means in keeping with the quantitative requirements of this By-law.

Conservation Uses: means the use of land and/or water for the purpose of planned management of natural resources.

Contractor's Yard: means the use of a lot, building or structure, or part thereof by a construction company or building contractor for the storage and maintenance of vehicles, equipment and materials used by the company or contractor in the construction or renovation trades, but does not include wholesale or retail sale of such vehicles, equipment or materials or any building supplies or home improvement supplies. Such uses may include the following or similar uses:

- a) Foundation, structure and exterior building contractors;

- b) Building equipment contractors (electrical, plumbing, heating/cooling);
- c) Building finishing contractors;
- d) Landscape contractors;
- f) Other specialty contractors

Convenience Store: means a retail store where a range of day-to-day items such as newspapers, confections, foodstuffs, sundries and other such household items are sold in small quantities.

Conforming: means a use which is permitted by this By-law in the zone category in which the use is located.

Crematorium: means a building fitted with the proper appliances for the purpose of the cremation of human or animal remains and includes everything incidental or ancillary thereto.

Cultural Facility: means premises used for the purposes of educational entertainment including but not limited to museums, libraries, art galleries, theatres and community centres and may include ancillary office, restaurant, retail and service commercial uses.

Day Care: means a premises used for caring for one or more persons for a portion of the day.

Deck: means a platform structure without a roof which may or may not be attached to one or more walls for a building but shall not include a landing or stairs.

Density: is the number of dwelling units on a lot divided by the net lot area expressed as hectares.

Dock: means an accessory structure built at the shoreline or anchored over water at which watercraft are berthed or stored and includes such structure whether floating or permanently anchored to the shore or the lake bed.

Drive-thru Facility: means a premises which includes stacking lanes and service areas which provides or dispenses products or services to persons remaining in motorized vehicles.

Driveway: means a vehicle access provided between a street or lane and a parking area or a loading space, or between two parking areas, but does not include a parking aisle.

Dwelling, Accessory: means a dwelling unit that is accessory to a permitted non-residential use, other than an automotive use.

Dwelling, Detached: means a building containing one principal dwelling unit.

Dwelling, Duplex: means a building that is divided horizontally into two dwelling units each with an entrance either independent to the exterior or through a common vestibule.

Dwelling, Fourplex: means a building that is divided vertically and horizontally into four dwelling units each with an entrance either independent to the exterior or through a common vestibule.

Dwelling, Semi-Detached: means a building that is divided vertically into two principal dwelling units each with an independent entrance to the exterior.

Dwelling, Townhouse, Block: means a dwelling containing two or more dwelling units having private independent entrances directly from a yard and being attached horizontally in whole or in part above grade and divided vertically from each other by a common masonry wall, the said dwelling being located on a single lot, with or without dwellings, such lot being held and maintained under one ownership or under condominium ownership pursuant to the Condominium Act. R.S.O. 1990, as amended from time to time or any successors thereto.

Dwelling, Townhouse, Street: means one of a group of not less than three, but not more than eight single dwellings which are attached together horizontally in whole or in part above grade and divided vertically from each other by a common masonry wall between each two adjacent dwellings and each of which has a private independent entrance directly from a yard.

Dwelling Triplex: means a building that is divided vertically and horizontally, or horizontally into three dwelling units in which each dwelling unit has an independent entrance to the exterior or through a common vestibule.

Dwelling Unit: means a self-contained housekeeping unit of one or more rooms containing cooking facilities, living quarters, sleeping quarters and sanitary facilities for the exclusive use of those residing within the dwelling unit and which has an exclusive entrance.

Dwelling Unit, Accessory: means a separate dwelling unit that is contained within a building or in a separate building on a lot containing a dwelling unit which is subordinate and secondary to the principal dwelling unit located on the same lot.

Dynamic Beach Hazard: means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes – St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance.

Education Facility: means a premises used for instruction in a business, trade or craft that is related or complementary to the associated industrial use.

Employee Convenience Facilities: means part of a premises providing uses for the convenience and health of employees such as tuck shops, cafeterias, day care, training, medical, recreational and fitness facilities.

Erosion Hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Farmers Market: means a retail establishment consisting of multiple vendors engaged in the sale of food and plant products, a portion of which are locally grown and/or prepared.

Flea Market: means the occasional or periodic sale of new and used goods to the public, by groups of individual sellers that is held within a building, structure or open area but shall not include a garage/yard sale.

Floor Area: means the area of all floors in a building or structure as calculated from the interior surface of the exterior walls, exclusive of cellars, basements, garages, carports or porches.

Flood and Erosion Protection works: means any work or structure that ensures the prevention of loss of life, property damage and social disruption from flood and erosion processes.

Flooding Hazard: means the inundation, under the conditions specified below, as areas adjacent to a shoreline or a creek or stream system and not ordinarily covered by water:

- a) Along the shoreline of Lake Erie and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- b) Along creek, stream and small inland lake systems, the flooding hazard limit is the one hundred year flood

Food Vehicle: means an outdoor vehicle not permanently affixed to the ground and capable of being moved on a daily basis, from which food intended for immediate consumption is provided for sale or sold, and includes a motorized, self-propelled vehicle (i.e. food truck), a vehicle that is not self-propelled, but that can be towed (i.e. food trailer) and a vehicle moved by human exertion (i.e. food cart).

Forestry Uses: means land used for the development, management and cultivation of timber resources grown on-site and may include the establishment of an accessory portable sawmill.

Funeral Home: means premises used for the care and preparation of human remains, excluding a crematoria and may include related coordination and provision of rites and ceremonies so that persons may attend and pay their respects.

Garage/Yard Sale: means the occasional or periodic sale of personal property which is conducted by the occupant on a lot upon which a dwelling unit exists.

Grade: means the final elevation of the ground surface of a lot after completion of development or construction.

Greenhouse: means a building or structure used for the cultivation and propagation of plants.

Gross Floor Area (GFA): means the total of all floor areas of a building(s) or structure(s) measured from the interior wall surface of the exterior walls.

Guest Room: means a habitable room or suite of rooms wherein accommodation is provided for gain or profit and contains no facilities for cooking.

Heavy Equipment Sales and Service: means the use of land, buildings or structures in which heavy machinery and equipment are repaired or serviced or offered or kept for sale, rent, lease or hire directly from said lot.

Height: means the vertical distance of a building or structure from average grade.

Home Based Business: means a use conducted within a dwelling unit which is secondary to the primary residential use of the dwelling unit and does not include outdoor activities associated with the home based business.

Hotel: means a building(s) that provides temporary accommodation to the public for a period not exceeding 28 consecutive days and may include independent cooking facilities and ancillary uses such as but not limited to restaurants, retail and service commercial uses, meeting and convention facilities, banquet facilities, recreation and entertainment facilities and may also include one dwelling unit.

Industry, Heavy: means premises used for:

- a) The manufacture or processing of products from raw materials; and
- b) Outdoor processing of products and materials.

Industry, Light: means premises used for:

- a) The manufacture, processing, assembly, disassembly or packaging of finished parts or products from previously prepared materials;
- b) The repair or servicing of products;
- c) Building supply storage and wholesale; and
- d) Warehouse and storage

Industrial Effluent System: means a system which conveys and discharges the by-product for an industrial process that can contain contaminant from non-domestic wastes.

Infrastructure: means physical structures that form the foundation for development or resource use.

Intake Protection Zone (IPZ): means an area vulnerable to water quality or water quantity threats surrounding a municipal surface water intake as delineated in a Source Water Protection Plan.

Intensive Animal Operation: means the use of land, buildings or structures for the raising of fowl or animals where the number of animal units, housed or marketed per year (whichever is greater), exceeds 2.5 animal unit for each hectare of land used for such purpose and considered to be raising of livestock.

Kennel: means any premises where four or more dogs or cats are maintained, boarded, trained, bred or cared for in return for remuneration or kept for the purpose of sale and is licensed by the City.

Landscape Buffer: means an open area on a lot used exclusively for the growing and maintenance of grass, trees, shrubs and other horticultural elements and is not used for any other purpose except where a driveway and/or sidewalk cross the landscape buffer and includes the use of said area for a fence.

Landscaped Open Space: means a space used for the growth and maintenance of grass, flowers, shrubs or similar landscape material and includes landscape buffers, walkways, patios, swimming pools, fences, playgrounds and similar facilities but excludes driveways, parking areas, ramps and curbs.

Lane: means a private right-of-way that provides a means of access to lots abutting thereon.

Large Motor Vehicle: means a motor vehicle in excess of 3600 kilograms as registered with the Ministry of Transportation and shall also include but not be limited to a tractor trailer used for hauling purposes, a bus, earth moving equipment and tractors, truck or farm vehicles.

Legal Non-Conforming: means an existing use, building or structure which is not permitted in the zone or does not meet the zone regulations of the zone in which it is located and which lawfully existed prior to March 19, 1982.

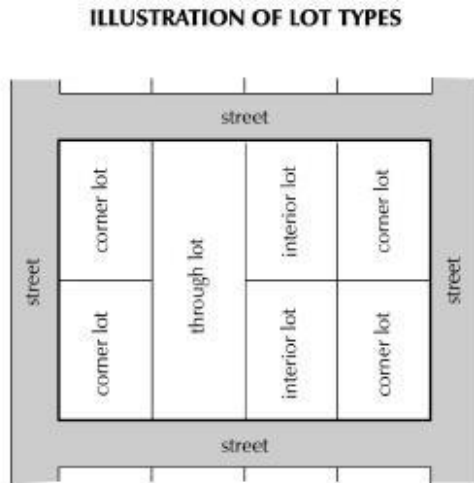
Livestock: means farm animals and includes but is not limited to: dairy and beef cattle, horses, swine, sheep, poultry, goats, fowl, mink, rabbits and other fur bearing animals.

Loading Space: means an unobstructed open or covered area used to provide access to a loading door, platform or bay.

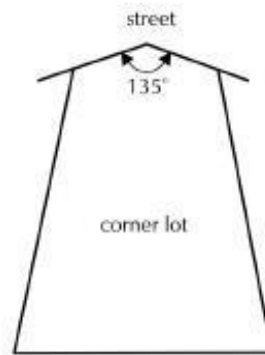
Long Term Care Facility: means a premises containing dwellings which provide care to meet the physical, emotional, social, spiritual and personal needs of persons. Long Term Care Facilities include Homes for the Aged established under the Home for the Aged and Rest Homes Act, as amended; Nursing homes licensed under the Nursing Homes Act, as amended; and Chronic Care Facilities.

Lot: means all contiguous land under one ownership and includes:

- a) **Corner Lot** – a lot situated at the intersection of two or more streets or at the intersection of two parts of the same street, which parts have an interior angle of intersection of not more than one hundred and thirty-five degrees (135°);
- b) **Through Lot** – a lot bounded on two opposite sides by streets, provided that if any lot qualified both as a through lot and a corner lot as defined herein, such lot is considered to be a corner lot for the purposes of applying the zoning by-law; and
- c) **Interior Lot** – a lot other than a corner lot and a through lot.



**ILLUSTRATION OF CORNER LOT
ON A SINGLE STREET**



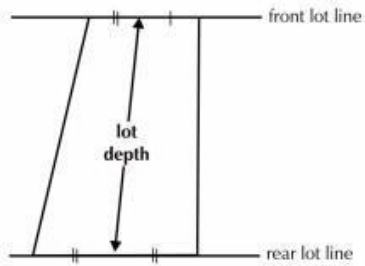
Lot Area: means the total horizontal areas within the boundaries of a lot.

Lot Coverage: means that percentage of a lot covered by building or structure but does not include:

- a) An eaves, or eaves trough or any other feature that is located at or above the ceiling of the first storey; or
- b) A projection permitted under Section 2.19.

Lot Depth: means the horizontal distance measured between the midpoint of the front lot line and the midpoint of the rear lot line.

ILLUSTRATION OF LOT DEPTH



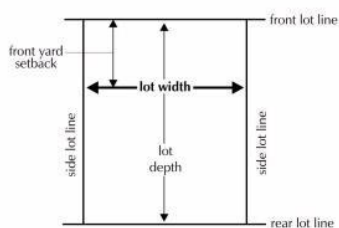
Lot Line: means the boundary of a lot and includes:

- a) **Front Lot Line:** which means the lot line, not including a corner lot line, which abuts a street for the shortest distance, whether or not that line jogs or curves, and extending between the side lot lines, more or less for the full width of the lot and where more than one such lot line exists, means a lot line which abuts the same street as the front lot line of an abutting lot;
- b) **Rear Lot Line:** which means the lot line furthest from and opposite the front lot line but if there is no such line, that point furthest from and opposite the front lot line; and
- c) **Interior Side Lot Line:** which means the lot line other than a front lot line, a corner lot line or a rear lot line; or
- d) **Corner Side Lot Line:** which means the longest lot line along a public road where a lot has two or more lot lines along a public road.

Lot, Registered: means a parcel of land described in a deed or other document legally capable or conveying land or shown as a lot or block on a registered plan of subdivision.

Lot Width: means the horizontal distance between the side lot lines measured at right angles to the lot depth, from a point that is equal to the front yard setback requirement for the zone.

ILLUSTRATION OF LOT WIDTH



Maintenance and Storage Facility: means a building, lot, or structure, or part thereof that is used for the mechanical repair of equipment and provides uses for the

convenience and health of employees such as tuck shops, cafeterias, training, medical and recreational and fitness facilities.

Marina: means a premises containing docking facilities and which is located on a navigable waterway, where boats or boat accessories are stored, serviced, repaired, launched or kept for sale and where a full range of marine services may be provided including but not limited to fuelling and sewage pump out facilities, showers, foodstuffs and laundry facilities and ancillary restaurants.

Marine Sales and Service: means a building or part thereof and associated lands where a dealer displays new and used boats and marine accessories for sale or rent and where marine equipment is serviced or repaired and may include boat storage facilities.

Medical Clinic: means a place where a medical doctor, dentist or other lawfully qualified health care practitioner has his or her practice and includes a medical or dental laboratory.

Mineral Aggregate Operation: means

- a) An operation other than wayside pits and quarries, conducted under a license or permit under the Aggregate Resources Act or successors thereto; and
- b) Associated accessory facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

Minimum Distance Separation Formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Mobile Home: means a residence that is designed and manufactured to be transported on its own chassis and is equipped for year-round occupancy.

Mobile Home Park: means two or more occupied mobile homes housed on the same lot.

Motor Vehicle: means an automobile, motorcycle, motorized boat, motorized snow vehicle and any other vehicle propelled or driven otherwise than by muscular power, but excludes a large motor vehicle.

Motor Vehicle Repair Garage: means a premises where mechanical repairs on motor vehicles including painting and body repairs are preformed and may include a motor vehicle gas station.

Motor Vehicle Sales/Rental Service Centre: mean premises where new and used vehicles are kept for sale, lease or rent and may include a motor vehicle repair garage.

Motor Vehicle Gas Station: means premises for the retail sale of gasoline, diesel fuel, lubricants and associated motor vehicle fluids and may include a propane filling station.

Multi-Modal Storage Facility: means premises used for the indoor or outdoor, short term storage of goods, materials or containers which are unloaded from cargo ships and awaiting further transport via transport truck, rail or other similar means.

Municipal Camp Ground: means an open area provided for the use of outdoor camping in tents, tent trailers, travel trailers or recreational vehicles.

Natural Heritage Features: means wetlands, significant woodlands, fish habitat, areas of natural and scientific interest (ANSI's), significant habitat of endangered species and threatened species, significant wildlife habitat, natural corridors, key hydrological features.

Natural Hazard Lands: means shorelines, floodplains and significant valleylands.

Noxious Use: means

- a) a use which creates an adverse effect through the generation of noise, vibration, dust, fumes, gas, odour, waste, hazardous waste, emissions, smoke, glare, radiation, electrical interference; or
- b) any use involving the use or storage of hazardous, toxic or contaminant substances which constitutes a threat to public health and safety; or
- c) any use that is not lawfully permitted in the Province of Ontario; or
- d) a combination thereof; but
- e) excluding normal agricultural and livestock operations and normal aggregate resource operations in a licensed pit or quarry

Office: means a building or part thereof where administration and clerical functions are carried out in the management of a business, profession, organization or public administration.

One Hundred Year Flood: for a river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

Operating Apparatus: means outdoor mechanical equipment or machinery used in conjunction with buildings or structures including but not limited to air conditioners, generators, heat exchanges and compressors.

Outdoor Commercial Patio: means an outdoor seating area, operated as part of a full-service or take-out restaurant or brew pub.

Outdoor Storage: means the keeping in an unroofed area of any goods, junk, material, merchandise or vehicles in the same place for more than 24 hours.

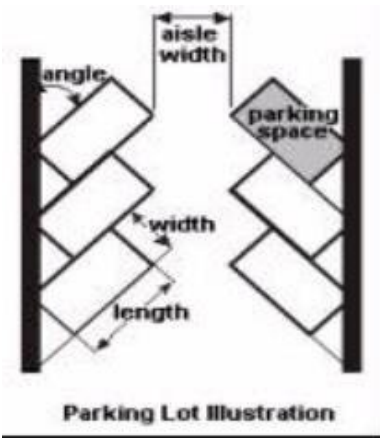
Owner: means any person whose interest in a parcel of land is defined and whose name is specified in an appropriate instrument in the relevant Land Registry Office.

Park: means a playground, sports field, garden, outdoor public swimming pool and may also include accessory buildings or structures such as a maintenance building or washroom.

Park Model Recreation Vehicle: means a trailer-type recreation vehicle that is designed to provide a temporary accommodation for recreation, camping or seasonal use. Park Model Recreation Vehicles are built on a single chassis, mounted on wheels.

Parking Area: means an area of land used for parking of motor vehicles and which is located on the same lot as the principal use and comprises all parking spaces or at least the minimum number required by this By-law and all driveways, aisles, maneuvering areas, entrances, exits and similar areas used for the purpose of gaining access to, or egress from the said parking spaces.

Parking Space: means a portion of a parking area, exclusive of any aisles, to be used for the temporary parking or storage of a motor vehicle or recreation vehicle and can include a garage or carport.



Parking Structure: means a structure used for the parking of motor vehicles but does not include a garage, or a carport accessory to a detached, semi-detached or duplex dwelling.

Passive Recreation: means the use of land which is typically unobtrusive and not disturbing to the surrounding natural landscape and may include walking trails, natural interpretive facilities, bird and wildlife observation areas and similar uses involved in the enjoyment of the natural environment.

Personal Service Business: means a place where:

- a) A service is performed for the personal grooming and personal effects or clothing of the consumer, including a hair styling salon, tattoo and piercing parlours, spa, tanning salon, shoe repair shop, dry cleaning outlet and accessory dry cleaning equipment; laundromat; tailor or dressmaker shop; or massage therapy service but excluding an adult entertainment establishment;
- b) A consultation or information service is provided by a professional, other than a medical professional, including a travel agency or interior decorator; or
- c) Other personal or business services are provided including a printing, publishing, photocopying, picture framing or photofinishing service, including self-service operations.

Petrochemical Storage Facility: means the use of land, building or structures or parts thereof for the bulk surface or underground storage of propane, petroleum products, chemicals, gases or similar products and may include the distribution of same.

Place of Assembly/Banquet Hall: means premises providing a room or rooms to accommodate gatherings or people for events including but not limited to trade shows, banquets, weddings and conventions and does not include a Place of Worship.

Place of Worship: means a building, structure or part thereof, which is primarily used for the practice of religion and faith-based spiritual purposes wherein people assemble for faith based worship and teachings, fellowship and community social outreach and may include a cemetery.

Platform Structure: means a raised level surface including but not limited to decks, balconies and porches.

Pool, Above Ground: means a pool used for recreational swimming with a superstructure 0.6 metres or greater above grade.

Pool, In-Ground: means a pool used for recreational swimming with a superstructure that is less than 0.6 metres above grade.

Porch: means a platform structure attached to a main wall or walls of a building having a roof.

Premises: means the whole or part of lands, buildings or structures or a combination thereof.

Principal: means the primary use of a lot, building or structure.

Principal Entrance: means the primary use entrance to a building.

Private Club: means a building, structure or lot owned and operated by a private organization for use by its members and guests.

Private Water Supply and Sewage Treatment Facility: means a non-municipal drinking water, or sewage treatment facility that serves a private use.

Public Use: means a building, structure or lot used for public services by the corporation, the Regional Municipality of Niagara, the Federal and/or Provincial Government, Board of Education, utility and rail companies or similarly recognized agencies and any not-for-profit organization that is acting on behalf of any of the aforementioned agencies.

Recreation Facility: means a premises used for participatory and/or spectator-oriented recreation and entertainment use and may include ancillary office, restaurant, retail and service commercial uses.

Recreation Vehicle: means a vehicle which provides short term occupancy intended and used exclusively for travel, recreation and vacationing, designed to be towed or propelled by a motor vehicle or self-propelled, and includes such vehicles commonly known as; travel trailers, camper trailers, truck campers, motor homes or other similar vehicles but does not include a mobile home.

Research Facility: means a premises for research, investigation, testing or

experimentation and which may include engineering and product development.

Restaurant, Fast-Food: means a premises that sells food and beverages over a counter to its customers for consumption in the restaurant, for consumption in a motor vehicle on the premises or for consumption off the premises.

Restaurant, Full-Service: means a restaurant that sells and serves food and beverages to patrons seated at tables for consumption on the premises.

Restaurant, Take-Out: means a restaurant that does not have seating capacity for diners and instead:

- a) Sells food and beverages over the counter for pick-up by the consumer for consumption of the premises; or
- b) Delivers food and beverages directly to the consumer for consumption off the premises.

Retail Store: means a building or part thereof where goods, wares and new or used merchandise is offered for sale to the public.

Retail Building and Construction Supply: means a premises engaged in the selling or installing of building supplies including lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning, landscaping, home improvements and similar items.

Risk Management Official: means a person appointed under Part IV of the *Clean Water Act, 2006* that has the authority to pass by-laws respecting water production, treatment and storage under the *Municipal Act, 2001*.

Road, Improved: means a right of way under government jurisdiction that is open and maintained year round.

Road, Unimproved: means a right of way under government jurisdiction that is open, but is not maintained.

Roof, Pitched: means a roof with an angle equal to or greater than 15 degrees.

Salvage Yard: means a lot, building or structure used for wrecking, dismantling, storing or selling used goods, wares or materials but does not include a flea market or garage/yard sale.

Seasonal: means the use of buildings, structures, amenity areas or outdoor spaces for a continuous period between May 1 and October 31 and means the use of buildings, structures, amenity areas or outdoor spaces for no more than 14 consecutive days between November 1 and April 30.

Sensitive Land Use: means buildings, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges, fumes, odours, vibrations, sound

waves or radiation generated from a nearby industrial, cannabis production facility, transportation or utility source. Sensitive land uses may be part of the natural or built environment. Examples may include, but are not limited to: residential uses, parks, community or day care centres, recreation areas, medical facilities, churches and schools.

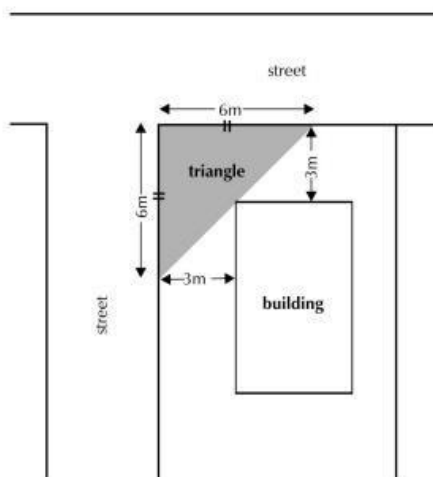
Service, Commercial: means a building or part thereof wherein articles or goods are repaired or serviced or where replacement parts for such articles or goods are offered for sale.

Setback: means the distance from a building or structure to a lot line.

Setback from top of bank: means the horizontal distance from the point of the slope or bank where the downward inclination of the land begins or the upward inclination of the land levels off to the nearest point of any main wall of any building or structure.

Sight Triangle: means an unobstructed, required triangular area where the front lot line and corner side lot line meet on a corner lot.

ILLUSTRATION OF CORNER SIGHT TRIANGLES



Social Service Facility: means premises providing counselling advocacy, dispensing of aid and including but not limited to a crisis centre and emergency shelter.

Solid Waste Disposal Facility: means a facility providing for the long-term storage or destruction of municipal solid waste and includes a landfill site or an incinerator.

Special Event: means an event which provides entertainment for the enjoyment of members of the general public, an event where an admission fee is paid by persons who attend or fees are paid for receiving a meal and/or entertainment and where all

profits are directed to a charitable organization and may include but not be limited to: dinner theatres, picnics, barbeques, corn/pig roasts and fairs.

Stand Alone Parking Lot: means a stand-alone parking area whether or not parking is provided in exchange for remuneration.

Storey: means the portion of a building situated between the top of any floor and the ceiling above it or the top of the floor above it but does not include a basement.

Stormwater Management Facility: means a facility for the treatment, retention, infiltration or control of stormwater.

Street Line: means any lot line that divides a lot from an improved or unimproved road.

Structure: means anything constructed or erected having a fixed point on or in the ground or attached to building or structure having a fixed point on or in the ground.

Studio: means the use of a building for part thereof for:

- a) the workplace of an artist or craftsman including a painter, sculptor and a photographer, where goods including jewellery or fine art such as portraits or sculptures are produced in small quantity and may be provided for sale; or
- b) recreational activities that are performed for which a membership or instruction fee is charged and shall include but not be limited to; weight-lifting or fitness centres, boxing or racquet sport clubs, martial arts schools, and yoga and dance studios.

Supportive Living Facility: means a multi-unit building or part thereof with private living space, monitoring and emergency support, optional meal services, housekeeping services, laundry, social and recreational activities. These facilities may be privately owned and operated, administered by a non-profit organization or run under the authority of the Ontario Housing Corporation which is qualified to receive funding from the Province.

Tandem Parking: means the parking of one motor vehicle directly behind another.

Trailer and Golf Cart Sales and Rental: means premises used for the sale, service and rental of trailers and golf carts but does not include the sale, service or rental of all-terrain vehicles or snowmobiles.

Trailer Park: means a lot used for the parking of inhabited recreation vehicles.

Transportation Depot: means any premises where large motor vehicles, buses or taxis are parked and may include dispatching and administrative offices and vehicle servicing.

Upper Tier Government: means the Federal Government of Canada, the Province of Ontario and the Regional Municipality of Niagara.

Use: means a use of land for any purpose; and “used” and “using”, and other such forms of the word have a corresponding meaning.

Utility Trailer: means a portable structure designed for the hauling of goods, materials, motor vehicles and the like, having a width not exceeding 2.5 metres, a height not exceeding 1.25 metres and a length not exceeding 7.2 metres, and is not used for commercial purposes.

Veterinary Clinic: means a building or part thereof with or without related structures wherein animals of all kinds are treated or kept for treatment by a registered veterinarian.

Warehouse: means premises in which goods or wares are stored and where trucks are stored, loaded or unloaded.

Waste Disposal Site: means the application of untreated septage, the storage, treatment and discharge of tailings from mines and waste disposal sites as defined under Part V of the Ontario *Environmental Protection Act* with respect to Source Water Protection.

Wastewater Treatment Facility: means the part of a sewage works that treats or disposes of sewage but does not include the part of the sewage works that collects or transmits sewage.

Wayside Pits and Quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wholesale Marine and Mill Supply: means premises used for the selling or installing of marine supplies including millwork, welding, plumbing, electrical, heating and similar items.

Yard: means an area of a lot abutting a building that is intended for use for such purposes as privacy space, landscaping, parking or access and includes a:

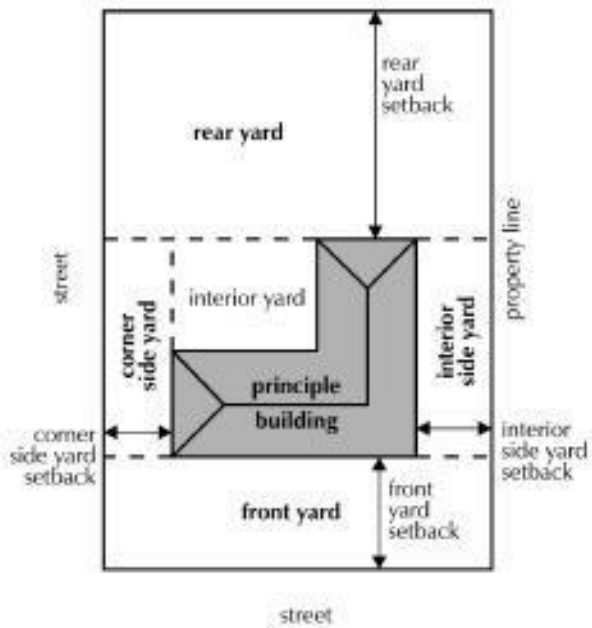
- a) **Front Yard:** which means that yard that extends across the full width of the lot between a front lot line and the nearest point of the principal building, not including a projection permitted under Section 2.20.
- b) **Rear Yard:** which means that yard that extends across the full width of the lot between a rear lot line and the nearest point of the principal building not including a projection permitted under Section 2.20.

- c) **Interior Side Yard:** which means that yard not abutting an improved road that extends from the front yard to the rear yard between a side lot line and the nearest point of the principal building, not including a projection permitted under Section 2.20.
- d) **Corner Side Yard:** which means that yard abutting an improved road that extends from the front yard to the rear yard between a corner side lot line and the nearest point of the principal building, not including a projection permitted under Section 2.20.

Yard Setback: means the distance required by this By-law between a lot line, not including a corner lot line, and a building and includes:

- a) **Front Yard Setback:** which means the shortest distance between the front lot line and any part of a building, not including a projection permitted under Section 2.20.
- b) **Rear Yard Setback:** which means the shortest distance between the rear lot line and the nearest point of the principal building, not including a projection permitted under Section 2.20.
- c) **Interior Side Yard Setback:** which means the shortest distance between the interior side lot line and any part of a building between the front and rear yards, not including a projection permitted under Section 2.20.
- d) **Corner Side Yard Setback:** which means the shortest distance between the corner side lot line and any part of a building between the front and rear yards, not including a projection permitted under Section 2.20.

ILLUSTRATION OF YARDS AND YARD SETBACKS



Yard, Required: means that portion of a lot between a specified lot line and the specified distance to where a building or structure may be located.

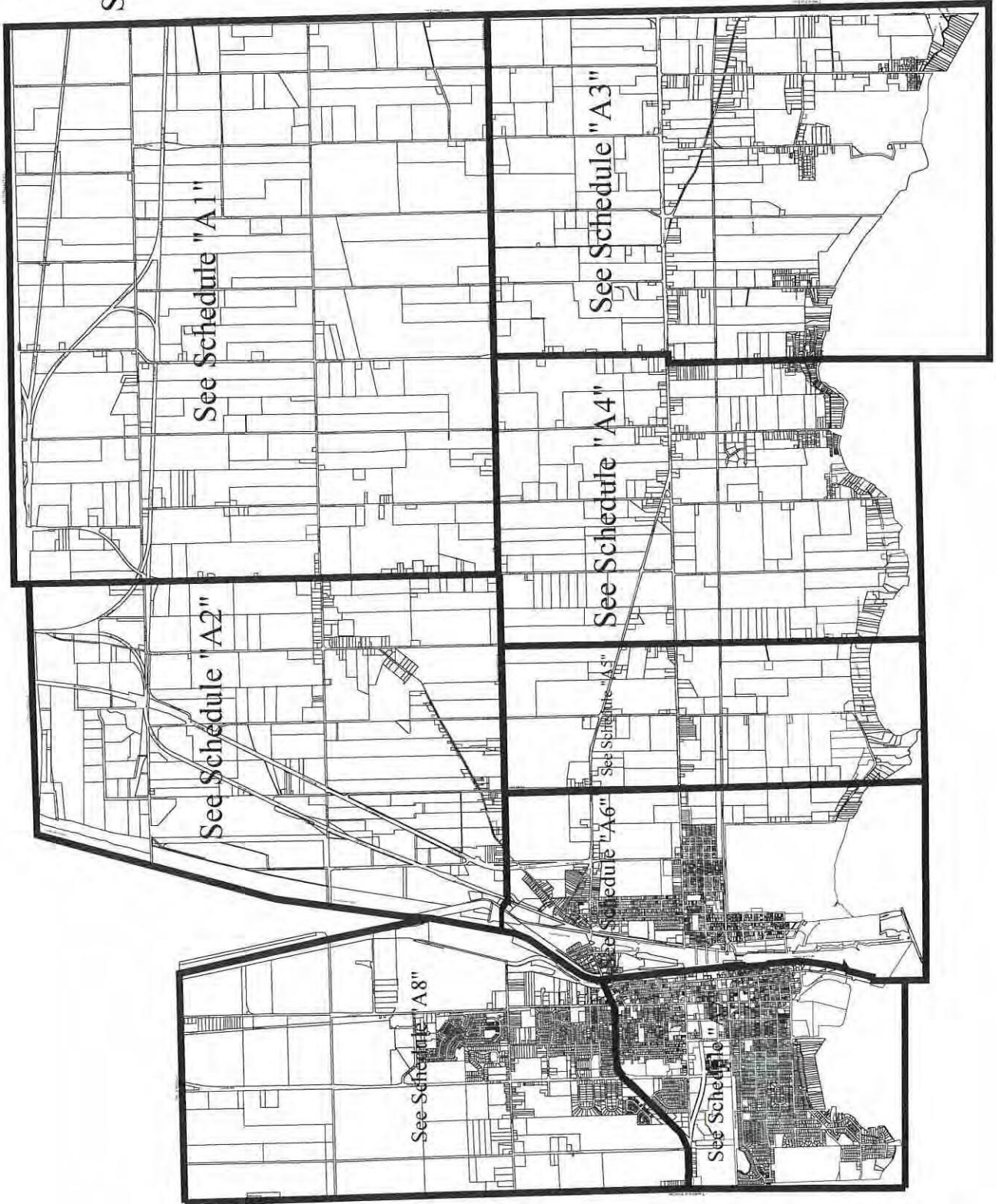
Zone: means a designated area of land use shown on Schedules A1 – A9 in Section 38 of this By-law.



SCHEDULE "A"

Zoning Maps "Index"

DATE: 2011-01-11
DRAWN BY: [illegible]
CHECKED BY: [illegible]



City of Fort Collins

SCHEDULE "A"
for Ordinance No. 07570018

- Legend**
- | Symbol | Zone |
|--------|----------------------------|
| A | AGRICULTURAL |
| APD | AGRICULTURAL PURPOSES ONLY |
| AR | AGRICULTURAL RESIDENTIAL |
| IR | INSTITUTIONAL |
| EP | ENVIRONMENTAL PROTECTION |
| EC | ENVIRONMENTAL CONSERVATION |

Map prepared by: *Charles S. Johnson*
City Engineer, Fort Collins
Date: 10/15/08
Scale: 1" = 100'

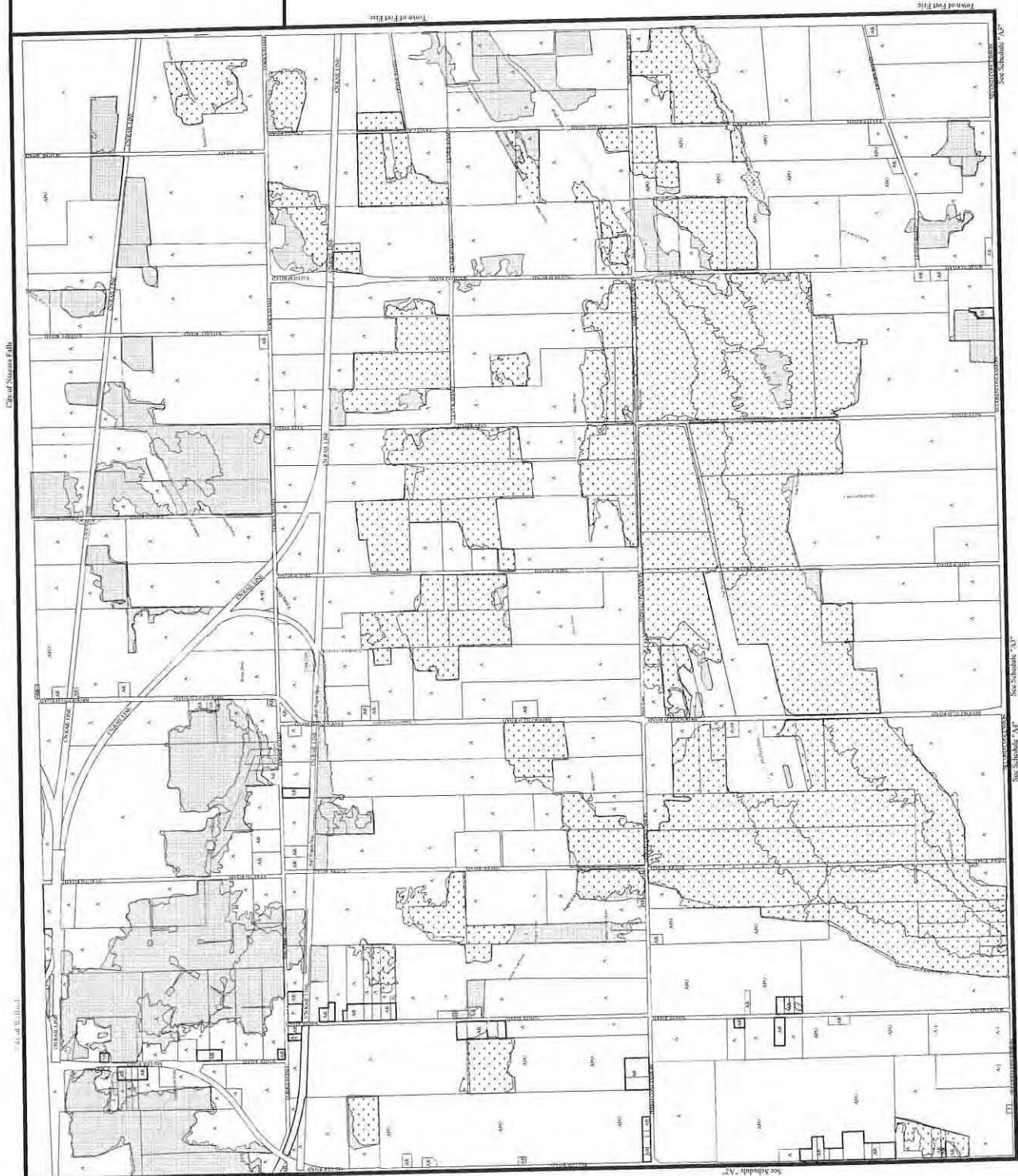


Fig. of Sherman Blvd

Fig. of W. Hwy. 1

Town of Fort Erie

Town of Fort Erie

Sec. Schedule "A"

Sec. Schedule "A"

Sec. Schedule "A"

Sec. Schedule "A"

Sec. Schedule "A"

SCHEDULE "A2"

Legend

- | Symbol | Zone |
|--------|----------------------------|
| | AGRICULTURAL |
| APO | AGRICULTURAL PURPOSE ONLY |
| AR | AGRICULTURAL RESIDENTIAL |
| RU | RURAL |
| RR | RURAL RESIDENTIAL |
| I | INSTITUTIONAL |
| HR | HAMLET RESIDENTIAL |
| ID | INDUSTRIAL DEVELOPMENT |
| GI | GATEWAY INDUSTRIAL |
| HI | HEAVY INDUSTRIAL |
| P | PUBLIC AND PARK |
| | ENVIRONMENTAL PROTECTION |
| | ENVIRONMENTAL CONSERVATION |



Millinery Design
 and Planning
 1000 Lakeshore Blvd. East
 Welland, Ontario

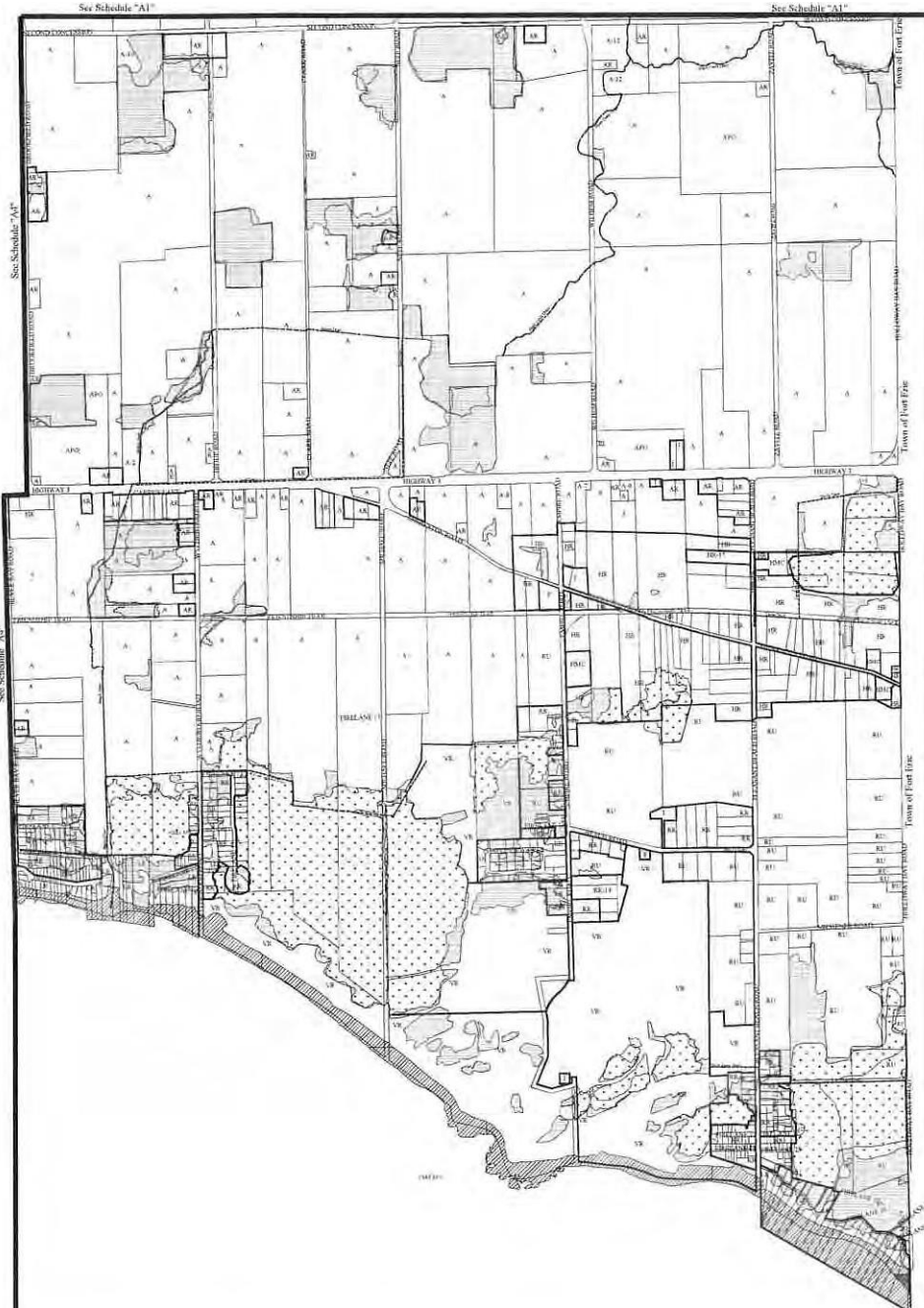
See Schedule "A1"

See Schedule "A1"

See Schedule "A1"

See Schedule "A1"

See Schedule "A1"



City of = home

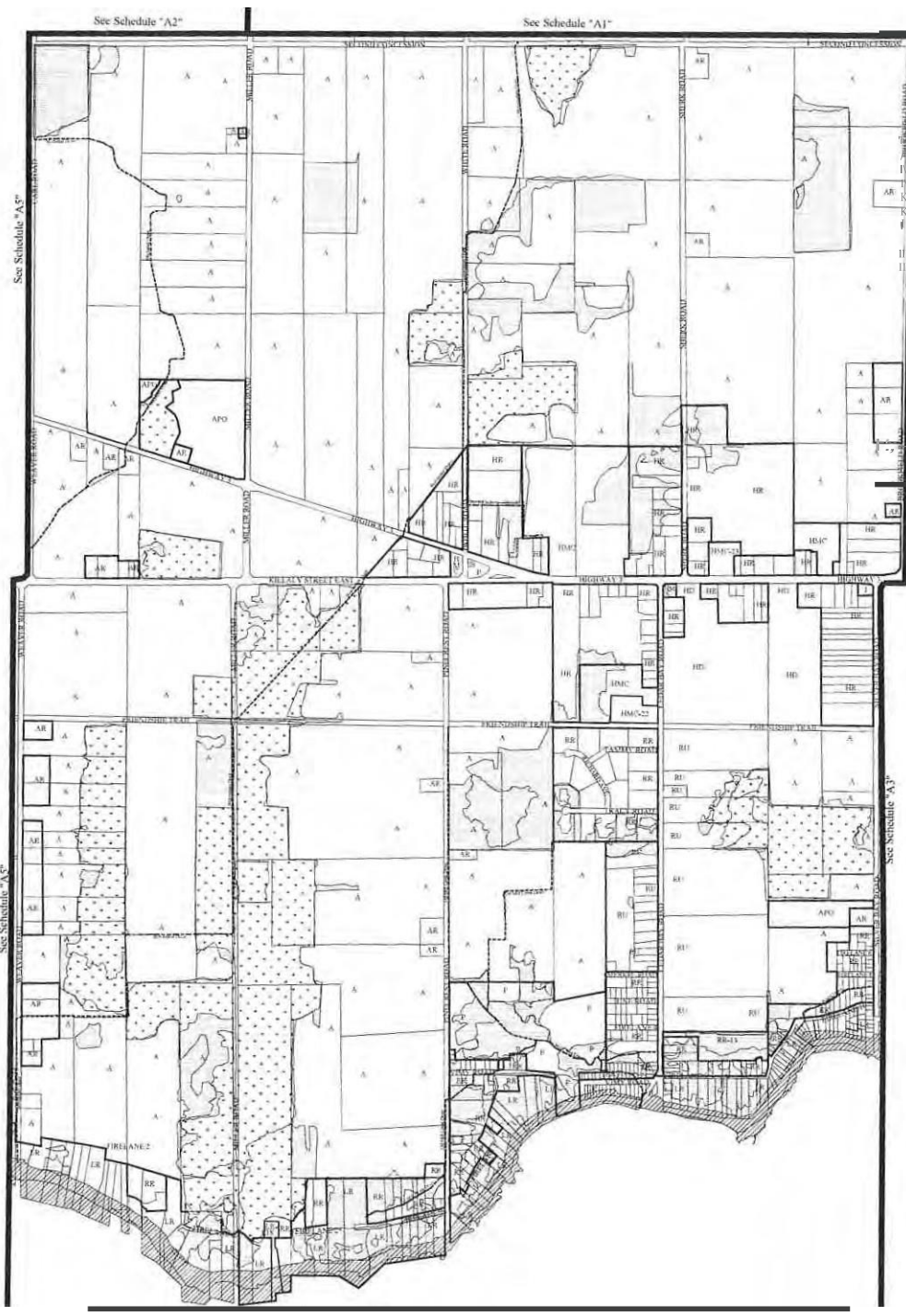
SCHEDULE "A3"
BY L.O.N. 6.23.01 IF

LEGEND

- | Symbol | Zone |
|--------|----------------------------|
| A | AGRICULTURAL |
| APO | AGRICULTURAL PURPOSES ONLY |
| AR | AGRICULTURAL RESIDENTIAL |
| RU | RURAL |
| RR | RURAL RESIDENTIAL |
| I | INSTITUTIONAL |
| HR | MAMLET RESIDENTIAL |
| IMC | MAMLET COMMERCIAL |
| VR | VACATION RESIDENTIAL |
| | HAZARD |
| | ENVIRONMENTAL PROTECTION |
| | ENVIRONMENTAL CONSERVATION |

HW = "H" A, L, O, P, M, J, K
 For L, O, A, O, L, A, O, L, J, K





See Schedule "A2"

See Schedule "A1"

See Schedule "A5"

See Schedule "A3"

City of Portland

SCHEDULE "A4"
to By-law No. 6575/2018

- LEGEND**
- h.II [Symbol] Lane
 - [Symbol] AGRICULTURAL
 - [Symbol] GENERAL PURPOSE UNL.
 - [Symbol] INDUSTRIAL
 - [Symbol] RURAL
 - [Symbol] RURAL RESIDENTIAL
 - [Symbol] LOCAL RESIDENTIAL
 - [Symbol] COMMERCIAL
 - [Symbol] INSTITUTIONAL
 - [Symbol] PUBLIC PARK
 - [Symbol] MUNICIPAL OFFICE
 - [Symbol] W/WHI

ENVIRONMENTAL CONSERVATION
This schedule "A4" is By-law No. 6575/2018
Passed On 25th Day of April 2018



City of Portland

City of Portland

See Schedule "A3"

SCHEDULE "A2"

10 By-law No. 6575130/18

LEGEND

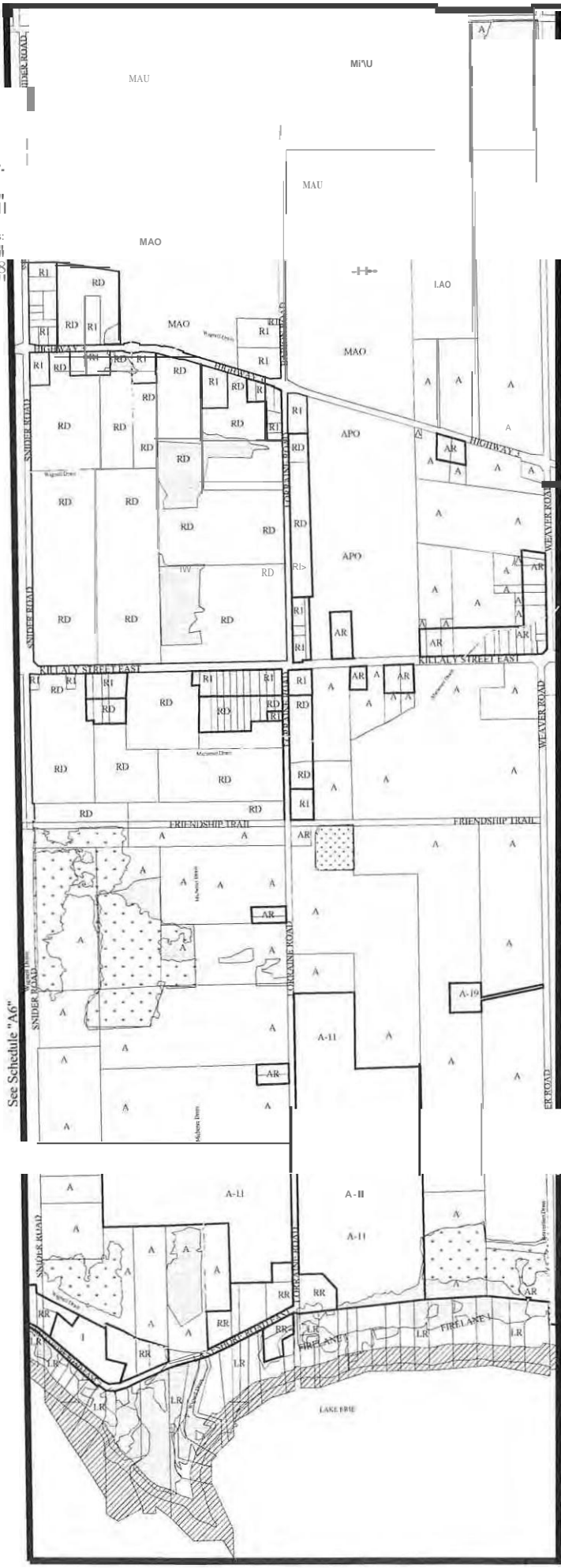
Symbol	Zone
A	AGRICULTURAL
AR	AGRICULTURAL RESIDENTIAL
APO	AGRICULTURAL PURPOSES ONLY
RU	RURAL
RR	RURAL RESIDENTIAL
RI	FIRST DENSITY RESIDENTIAL
RD	RESIDENTIAL DEVELOPMENT
LR	LAHSORE RESIDENTIAL
I	INSTITUTIONAL
P	PUBLIC AND PARK
MAO	MINERAL AGGREGATE OPERATIONS
2J	ENVIRONMENTAL PROTECTION HAZARDOUS
3i	ENVIRONMENTAL CONSERVATION

High Schedule "A2" to U.S. No. 157 U.S.
11th St. 1-1-13, 01 Arni H

John M. H. M. M. M.

C:\if .../
Amber IAPetrol Cart CRIS

See Schedule "A6"



See Schedule "A4"



City of Port Colborne



SCHEDULE "A6"
 to By-law No 6575/30/18
 LEGEND (none)

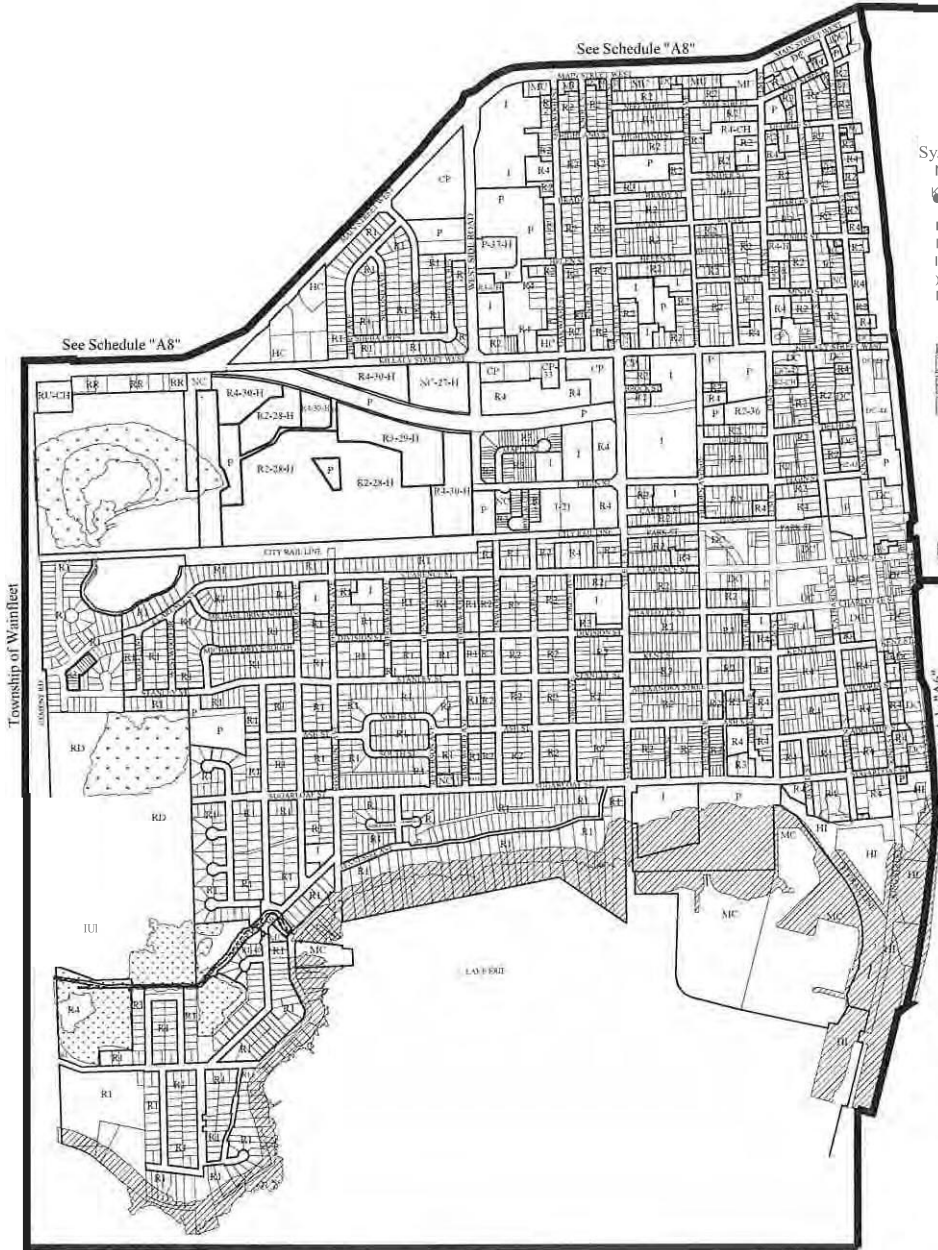
- AGRICULTURAL
- AGRICULTURAL RESIDENTIAL
- RURAL RESIDENTIAL
- LAKE SHORE RESIDENTIAL
- FIRST DENSITY RESIDENTIAL
- SECOND DENSITY RESIDENTIAL
- THIRD DENSITY RESIDENTIAL
- FOURTH DENSITY RESIDENTIAL
- RESIDENTIAL DEVELOPMENT
- MIXED USE
- NEIGHBOURHOOD COMMERCIAL
- DOWNTOWN COMMERCIAL
- HIGHWAY COMMERCIAL
- INSTITUTIONAL
- PUBLIC AND PARK
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL
- MINERAL AGGREGATE OPERATIONS
- GATEWAY INDUSTRIAL
- INDUSTRIAL DEVELOPMENT
- ENVIRONMENTAL PROTECTION
- HAZARD
- ENVIRONMENTAL CONSERVATION

Shu., SL, J, W, D, H, K, * A, P, T, O, T, O, H, H, H, H, N., M, U, L, H,

011
 PJM/LLI ool/po120111



John Maloney, Mayor



City of Port Colborne
 &
 TOWNSHIP OF WAINFLEET
SCHEDULE "A7"
 to By-law No. 6575/30/18

LEGEND

Symbol	PRST	RESIDENTIAL
RU	SINGLE-DWELLING RESIDENTIAL	
R2	TWO-DWELLING RESIDENTIAL	
RD	RECREATIONAL DEVELOPMENT	
NC	NEIGHBOURHOOD COMMERCIAL	
LC	LOW-DENSITY COMMERCIAL	
ML	MAJOR COMMERCIAL	
I	INDUSTRIAL	
HI	HEAVY INDUSTRIAL	
PH	PROFESSIONAL PHOTOGRAPHY	
	INDUSTRIAL	
	INDUSTRIAL	

This is Schedule "A7" to By-law No. 6575/30/18
 JUNE 14, 2018 1:40 PM



John Maloney, Mayor

Amber LaPointe
 Amber LaPointe, City Clerk



City of Port Colborne

- @ -

PORT COLBORNE

SCHEDULE "A9"

to By-law No. 6575/30118

Legend

Symbol	Zone
—	IPZ-1
▨	IPZ-2



This is Schedule "A9" to By-law No. 6575/30118
Passed the 23rd Day of April 2018

C

Amber LaPointe, City Clerk