



## CROWLAND BY-LAW 1538 (1958)

Consolidated to March 2023

This is a consolidated copy of the Crowland By-law 1538 (1958), approved by Council of the Township of Crowland (now City of Niagara Falls), and is intended for convenience only. For accuracy, reference should be made to the amending by-laws and schedules on file in the Clerk's Department. Further, this office consolidation is provided as a courtesy only without municipal obligation to note and certify relevant municipal, regional, provincial, and federal enactments, nor to provide updates and excerpts of amendments to the text and schedules.

Please contact the Planning Division of the Planning, Building & Development Department for interpretation.

TOWNSHIP OF CROWLAND

BY-LAW NO. 1538 (1958)

A ZONING BY-LAW

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## **SECTION 1 - TITLE**

This By-Law shall be known as the

“Zoning By-Law”

of the Township of Crowland

**THE TOWNSHIP OF CROWLAND**  
**BY-LAW NO. 1538 (1958)**

Being a By-Law to regulate the use of land, the erection, use, bulk, height, location and spacing of buildings and structures, and to prohibit certain uses of lands and the erection and use of certain buildings and structures in certain areas of the Township of Crowland.

WHEREAS it is considered desirable to regulate the use of land and the character and use of buildings and structures within the Township of Crowland and,

WHEREAS authority is granted under Section 390 of the *Ontario Municipal Act*, subject to the approval of the Ontario Municipal Board, to the Council of the Township of Crowland to exercise such powers,

THEREFORE the Council of the Corporation of the Township of Crowland enacts as follows:

## **SECTION 2 - DEFINITIONS**

For the purpose of this By-Law the definitions and interpretations given in this section shall govern unless a contrary intention appears:

### **Accessory**

- 2.1 “Accessory” when used to describe a building or structure shall mean a detached subordinate building or structure, not used for human habitation, located on the same lot with the main building; and when used to describe a use shall mean a use customarily incidental and subordinate to and located on the same lot as the principal use of the premises (as amended by By-Law 1589);

### **Animal Hospital**

- 2.2 “Animal Hospital” shall include the premises of a veterinary surgeon where animals, birds or other livestock are treated or kept;

### **Automobile Service Station**

- 2.3 “Automobile Service Station” shall mean a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark-plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed;

### **Bake Shop**

- 2.4 “Bake Shop” shall mean a shop where products of a bakery are sold or offered for sale by retail, including incidental baking;

### **Basement**

- 2.5 “Basement” shall mean that portion of a building between two floor levels, which is partly below grade but which has at least one half of its clear height above grade;
- 2.5.1 “Bed and Breakfast” shall mean a home occupation that provides guest rooms and breakfast to the travelling and vacationing public and is licensed by the City of Niagara Falls to carry on business (By-law 2018-91).

### **Block**

- 2.6 “Block” shall mean all land fronting on one side of a street between the nearest streets, intersecting, meeting or crossing the aforesaid street;

## **Boarding or Lodging House**

- 2.7 “Boarding or Lodging House” shall mean a dwelling in which the proprietor supplies for gain lodging with or without meals, but does not include a hotel, hospital, children’s home, home for the aged or other establishment otherwise classified or defined in this By-Law;

## **Boys’ Home, Girls’ Home, Orphanage or Infants’ Home**

- 2.8 “Boys’ Home, Girls’ Home, Orphanage or Infants’ Home” shall mean a house or institution for the shelter and care of boys or girls or both, which is supervised or approved under any general or special Act, except a children’s shelter, a children’s home, a boarding school or a day nursery;

## **Building Height**

- 2.9 “Building Height” shall mean the vertical distance between the established grade, and,

In the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge;

And a penthouse, tower, cupola, steeple or other roof structure which is used only as an ornament upon or to house the mechanical equipment of any building shall be disregarded in calculating the height of such building;

## **Business Office**

- 2.10 “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management direction or conducting of an agency, business, brokerage, labour or fraternal organization, and shall include a telegraph office, newspaper plant and a radio or television broadcasting station, studio or theatre;

## **Car Washing Establishment**

- 2.11 “Car Washing Establishment” shall mean a public garage for washing or cleaning motor vehicles, for gain;

## **Children’s Home**

- 2.12 “Children’s Home” shall mean a building in which children actually or apparently under the age of sixteen (16) years, are harboured, received or lodged, without either parent or guardian, for hire, but does not include a boarding school;

**Children's Shelter**

- 2.13 "Children's Shelter" shall mean a place of refuge for neglected children established pursuant to *The Children's Protection Act, R.S.O. 1950, Chapter 53*;

**Church**

- 2.14 "Church" shall mean a building dedicated to religious worship;

**Clinic**

- 2.15 "Clinic" shall mean a public or private medical, surgical, physiotherapeutic or other human health clinic except when accessory to a private or public hospital;

**Commercial Club**

- 2.16 "Commercial Club" shall mean any club other than a private club;

**Commercial School**

- 2.17 "Commercial School" shall mean a school conducted for hire or gain, other than a private academic, religious or philanthropic school, and includes the studio of dancing teacher or music teacher, an art school, golf school, school of calisthenics, business or trade school and any other such specialized school conducted for hire or gain;

**Corporation**

- 2.18 "Corporation" shall mean the Corporation of the Township of Crowland;

**Council**

- 2.19 "Council" shall mean the Council of the Corporation of the Township of Crowland;

**Custom Workshop**

- 2.20 "Custom Workshop" shall mean a building where there is carried on individual custom production of drapes and slip covers, venetian blinds, handmade leather goods, millinery, glass blowing, orthopedic and prosthetic appliances, drug and medical prescriptions, weaving, awnings, metal plating, gold and silver engraving and other non-offensive, non-dangerous custom production of any article or thing but does not include any factory production or any shop or factory otherwise classified or defined in this By-Law;



### **Day Nursery**

- 2.21 “Day Nursery” shall mean a day nursery to which *The Day Nurseries Act, R.S.O. 1950, Chapter 88*. applies;

### **Dressmaker’s Shop**

- 2.22 “Dressmaker’s Shop” shall mean a building where the business of individual custom tailoring for females is carried on, including remodeling, hemstitching and buttonhole making, but does not include a shop where clothing manufacture other than individual custom tailoring for females is carried on;

### **Dry Cleaner’s Distributing Station**

- 2.23 “Dry Cleaner’s Distributing Station” shall mean a building or part of a building used for the purpose of receiving articles or goods of fabric to be subjected to the process of dry-cleaning, dry-dyeing or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such purpose (as amended by By-Law 1589)

### **Dry-Cleaning Establishment**

- 2.24 “Dry-Cleaning Establishment” shall mean a building or part of a building where dry cleaning, dry-dyeing, cleaning or pressing of articles or goods of fabric is carried on but does not include a spotting and stain removing establishment, hand laundry, machine laundry, or a wholesale dyeing plant (as amended by By-Law 1589);

### **Dwelling**

- 2.25 “Dwelling” shall mean a building or part of a building occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, or temporarily; but does not include living quarters for a caretaker, watchman or other supervisor that are accessory to a non-residential building or structure (As amended by By-Law 1589);

### **Dwelling Converted**

- 2.26 “Dwelling Converted” shall mean a dwelling, including any additions thereto erected prior to the passing of this By-law and which has been or is proposed to be altered or converted so as to provide therein two or more dwelling units;

### **Dwelling Duplex**

- 2.27 “Dwelling Duplex” shall mean the whole of a two storey building divided horizontally into two separate dwelling units, each of which has an independent entrance;

**Dwelling, Double Duplex**

2.28 “Dwelling, Double Duplex” shall mean two attached duplex dwellings;

**Dwelling One-Family**

2.29 “Dwelling One-Family” shall mean the whole of a dwelling containing one dwelling unit only;

**Dwelling Private Detached**

2.30 “Dwelling Private Detached” shall mean the whole of a dwelling occupied or capable of being occupied by one person or two or more persons related by bonds of consanguinity, marriage or legal adoption, with or without one or more full-time domestic servants;

**Dwelling, Semi Detached**

2.31 “Dwelling, Semi Detached” shall mean the whole of a building divided vertically into two separate dwelling units;

**Dwelling Unit**

2.32 “Dwelling Unit” shall mean a room or suite of two or more rooms designed or intended for use by an individual or family in which culinary and sanitary conveniences are provided for the exclusive use of such individual or family and with a private entrance from outside the building or from a common hallway or stairway inside;

**Dwelling Unit Area**

2.33 “Dwelling Unit Area” shall mean the floor area of a dwelling unit measured between the exterior faces of the exterior walls of the dwelling unit;

**Eating Establishment**

2.34 “Eating Establishment” shall mean a building or part of a building where food is offered for sale or sold to the public for immediate consumption therein and includes a restaurant, café, tea or lunch room, dairy bar, and refreshment room or stand; but does not include a boarding or lodging house (as amended by By-Law 1589);

**Erect**

- 2.35 "Erect" shall mean (with reference to a building or structure) construct, build or assemble and shall include enlargement, removal, allocation and any physical operations preparatory to construction or reconstruction;

**Established Grade**

- 2.36 "Established Grade" in a residential district shall mean the average elevation of the ground adjoining the front wall of a building, exclusive of any embankment in lieu of steps; and, in a commercial district, shall mean the average elevation of the sidewalk or, where there is no sidewalk, of the roadway in front of the lot on which the building stands;

**Existing**

- 2.37 "Existing" shall mean existing as of the date of the passing of this By-law;

**Family**

- 2.38 "Family" shall mean one person, or two or more persons who are interrelated by bonds of consanguinity, marriage or legal adoption, or a group of not more than five unrelated persons occupying, with or without one or more domestic servants, a dwelling unit;

**First Floor**

- 2.39 "First Floor" shall mean the floor of a building approximately at or first above grade;

**Floor Area**

- 2.40 "Floor Area" shall mean the maximum habitable area contained within the outside walls or outside finished furred partitions thereof, excluding, in the case of a dwelling, any private garage, porch, verandah, sunroom, unfinished attic and basement;

**Fuel Storage Tank**

- 2.41 "Fuel Storage Tank" shall mean a tank for the bulk storage of petroleum, gasoline, fuel, oil, gas or inflammable liquid or fluid but does not include a container for inflammable liquid or fluid legally and properly kept in a retail store or a tank for storage merely incidental to some other use of the premises where such tank is located;

### **Garage, Public**

- 2.42 “Garage, Public” shall mean a public garage within the meaning of *The Municipal Act, R.S.O. 1950, Cap. 243, Sec. 388, S.S. 121A*, but shall not include a car sales lot or car washing establishment;

### **Garage, Private**

- 2.43 “Garage, Private” shall mean a building or part thereof not over one storey or fifteen (15) feet in height, used for the storage of private passenger motor vehicles wherein neither servicing for profit is conducted nor storage of commercial vehicles is permitted;

### **Ground Floor Area**

- 2.44 “Ground Floor Area” shall mean the area of that portion of a lot occupied by a building or structure, exclusive of any porch, sun-room or private garage;
- 2.44.1 “Guest Room” shall mean a room or suite of rooms which is capable of being rented separately to the travelling and vacationing public and does not have any cooking facilities (By-law 2018-91);

### **Half Storey**

- 2.45 “Half, Storey” shall mean that portion of a building situated within the roof or having its floor level not lower than four feet (4’) below the line where the roof and outer walls meet and having a roof not steeper than fifty-five (55°) above the horizontal;

### **Hereafter**

- 2.46 “Hereafter” shall mean after the date of the passing of this By-law;

### **Herein**

- 2.47 “Herein” shall mean in this By-law and shall not be limited to any particular section of this By-law;
- 2.47.1 “Home Occupation” shall mean an occupation or business conducted for gain or profit, within a one family detached dwelling, by any primary resident of the one family detached dwelling (By-law 2018-91);

### **Hotel**

- 2.48 “Hotel” shall mean a building or part of a building that contains a general kitchen and dining and other public rooms, the remaining rooms of which contain no

provision for cooking, and are usually hired by transients as places of abode; and includes a hostel for men or women;

## **Lane**

2.49 “Lane” shall mean a public thoroughfare or way, not more than thirty (30) feet wide and which affords only a secondary means of access to abutting property;

2.49.1 “Licence” shall mean a City of Niagara Falls business licence issued pursuant to the City’s Licencing By-law (By-law 2018-91);

## **Lot**

2.50 “Lot” shall mean a parcel of land fronting on a street, whether or not occupied by a building or structure;

(a) “Corner Lot” shall mean a lot situated at the intersection of two streets or two parts of the same street of which the two adjacent sides upon the street line or street lines include an angle of not more than one hundred and thirty-five (135) degrees and, where such adjacent sides are curved, the angle included by the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines drawn through the extremities of the interior lot lines, provided that (1) in the latter case the corner of the lot shall be deemed to be that point on the street line nearest to the point of intersection of the said tangents, and (2) any portion of a corner lot distant more than one hundred (100) feet from the corner, measured along the street line, shall be deemed to be an inside lot;

(b) “Inside Lot” shall mean a lot other than a corner lot;

(c) lot lines have the following meanings:

(i) “Front Lot Line” shall mean the line that divides a lot from the street provided that in the case of a corner lot the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that so abuts shall be termed the “flank” of the lot;

(ii) “Rear Lot Line” shall mean the lot line opposite the front lot line;

(iii) “Side Lot Line” shall mean a lot line other than a front lot line or rear lot line;

## **Lot Area**

2.51 “Lot Area” shall mean the total horizontal area within the lot lines of a lot;

**Lot Coverage**

- 2.52 “Lot Coverage” shall mean the combined areas of all the buildings on the lot measured at the level of the lowest floor above grade;

**Lot Depth**

- 2.53 “Lot Depth” shall mean the horizontal distance between the front and rear lot lines. Where these lines are not parallel, it shall be the length of a line joining the mid points of the front and rear lot lines;

**Lot Frontage**

- 2.54 “Lot Frontage” shall mean the horizontal distance between the side lot lines; where such lot lines are not parallel, the lot frontage shall be measured perpendicularly from the line joining the centre of the front and rear lot lines at a point twenty (20) feet from the front lot line;

**Lot Residential**

- 2.55 “Lot Residential” shall mean a lot situated in a residential district and having a lot frontage and lot area in accordance with the requirements of the district in which the name is situated;

**Lot Registered**

- 2.56 “Lot Registered” shall mean a lot described in accordance with and within a registered plan of subdivision;

**Motor Vehicle Repair Shop Class A**

- 2.57 “Motor Vehicle Repair Shop Class A” shall mean a public garage used as a motor vehicle repair shop, exclusive of the painting and repairing of bodies and fenders;

**Motor Vehicle Repair Shop Class B**

- 2.58 “Motor Vehicle Repair Shop Class B” shall mean a public garage used as a motor vehicle repair shop including the painting and repairing of bodies and fenders;

**Motel**

- 2.59 “Motel” shall mean and include a structure containing a series of three or more living or sleeping units with individual interior sanitary conveniences, for rent or hire for temporary living or sleeping accommodation of the travelling public;

### **Non Conforming**

- 2.60 “Non Conforming” shall mean that which does not conform, comply or agree with the regulations of this By-law as of the date of final passing thereof;

### **Nursery School**

- 2.61 “Nursery School” shall mean a school where children of pre-kindergarten age are taught and cared for by the day or half-day;

### **Open Space**

- 2.62 “Open Space” shall mean an unoccupied space open to the sky on the same lot with the building;
- 2.62.1 “Owner” shall mean the owner of a lot as recorded in the records of the Registry Office for the Land Titles Division of Niagara South maintained in that Office for that lot (By-law 2018-91);

### **Parking Lot, Public**

- 2.63 “Parking Lot, Public” shall mean a lot or portion thereof other than an automobile sales lot, used for the temporary storage or parking of six (6) or more motor vehicles for hire and gain;

### **Parking Space**

- 2.64 “Parking Space” shall mean an area of not less than two hundred (200) square feet, exclusive of driveways or aisles for temporary parking or storage of motor vehicles;

### **Parking Station**

- 2.65 “Parking Station” shall mean a lot or lots or portion thereof, required in accordance with the provisions of this By-law for the temporary storage or parking of motor vehicles accessory or incidental to uses in all districts, and shall not include the storage or parking of motor vehicles for hire and gain, display or for sale;

### **Person**

- 2.66 “Person” shall include individual, association, firm, partnership or incorporated company;

### **Pet Shop**

- 2.67 “Pet Shop” shall mean a shop or place where animals or birds for use as pets are sold or kept for sale;

### **Photographer’s Shop**

- 2.68 “Photographer’s Shop” shall include a shop where photographic negatives are developed for hire or gain, or where prints are made from photographic negatives for hire or gain;

### **Place of Amusement**

- 2.69 “Place of Amusement” shall include a motion picture or other theatre, arena, auditorium, public dance hall, public hall (including premises for wedding receptions, banquets and other social gatherings), music hall, arcade show or penny arcade, billiard or pool room, bowling alley, exhibitor golf driving tee, archery range, ice or roller skating rink, miniature golf course, shooting gallery, game of skill, travelling show;

### **Playlot**

- 2.70 “Playlot” shall mean a lot used for the purposes of a non-profit playlot for children under the age of seven years and managed and controlled by the Corporation or by a neighbourhood association, church or other similar organization;

### **Private Club**

- 2.71 “Private Club” shall mean a lawn bowling, tennis, badminton or other athletic, social or recreational club located on private lands and not operated for profit, and includes the premises of a fraternal organization;

### **Public Hospital**

- 2.72 “Public Hospital” shall include a convalescent home and a rest home but does not include (i) a sanatorium, within the meaning of *The Sanatoria for Consumptives Act, R.S.O., 1950, Chapter 346*, (ii) a sanitarium for mental defectives or any institution in respect of which a licence under *The Private Sanitaria Act, R.S.O. 1950, Chapter 290*, is in force, (iii) a mental hospital within the meaning of *The Mental Hospitals Act, R.S.O., 1950, Chapter 229*, or (iv) an institution for the reclamation and care of habitual drunkards or any other institution for the care, treatment or education of drug or drink addicts or the insane or of persons suffering from psychiatric disabilities or from mental or nervous diseases or disorders;



**Religious Institution**

- 2.73 “Religious Institution” shall include a bible institute, a Christian Science reading room, a religious library, a religious school, a monastery, a nunnery, a religious retreat or similar use but shall not include a church or synagogue;

**Rentable Space**

- 2.74 “Rentable Space” shall mean the area of a dwelling unit measured within the walls enclosing the said dwelling unit but shall not include any common space such as halls, corridors, stairs or entries, which is shared by all occupying tenants;

**Retail Store**

- 2.75 “Retail Store” shall mean a building or part of a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles, or things sufficient only to service such store but does not include any retail outlet otherwise classified or defined in this By-law (as amended by By-law 1589);

**Sales or Hire Garage**

- 2.76 “Sales or Hire Garage” shall mean a public garage where motor vehicles and/or trailers are hired or kept or used for hire, or where motor vehicles and/or trailers are stored or kept for sale or a used motor vehicle lot;

**Sample or Showroom**

- 2.77 “Sample or Showroom” shall mean a building or part of a building where samples or patterns are displayed and orders taken for goods, wares and merchandise for future delivery and includes the display room of a wholesale merchant (as amended by By-law 1589);

**Service Store**

- 2.78 “Service Store” shall mean a building or part of a building where services are provided such as a barber’s shop, a ladies hairdressing establishment, a shoe shine shop and other similar services (as amended by By-law 1589);

**Service or Repair Shop Class A**

- 2.79 “Service or Repair Shop Class A” shall mean a shop, not otherwise classified or defined in this By-law and whether conducted in conjunction with a retail store or receivers; vacuum cleaners, refrigerators, washing machines, sewing machines and other domestic appliances; musical instruments; sound and public address

systems; hosiery, cameras, toys, jewelry, watches, clocks, safes and locks, bicycles, wheel chairs, orthopedic and prosthetic appliances; and any other like articles; and for fabric mending, window-glazing, metal replating, mirror resilvering, or repairing, painting and refinishing furniture and other household goods; and includes a key shop, a hat cleaner's shop, a custom picture framing shop, the business of installing, servicing and watching burglar alarm systems, the business of renting pianos, tents, canopies, chairs, coin machines, costumes, uniforms, bicycles, sound and public address systems and other like articles and equipment;

### **Service or Repair Shop Class B**

- 2.80 "Service or Repair Shop Class B" shall mean a shop, not otherwise classified or defined in this By-law and whether conducted in conjunction with a retail store or not, for servicing or repairing tires, including vulcanizing or retreading, batteries, brakes or radiators, automotive ignition, or electric systems, furnace and oil burners, water coolers and domestic water heaters; domestic boilers, water softening equipment, and plumbing fixtures and equipment; and any other like articles, and includes the regular place of business of a master electrician or plumber;

### **Spotting and Stain Removing Establishment**

- 2.81 "Spotting and Stain Removing Establishment" shall mean a building or part of a building where the business of removing dirt, grease, or other stain or soil from clothing or other articles is carried on by means of manual application of cleaning solvent to such clothing or articles and includes the pressing of such clothing or articles (as amended by By-law 1589);

### **Storey**

- 2.82 "Storey" shall mean that portion of a building other than a basement or cellar included between the surface of any floor and the surface of the floor, roof deck or ridge next above it, except an attic storey;

### **Street**

- 2.83 "Street" shall mean a highway as defined by *The Highway Traffic Act* and *The Municipal Act*;

### **Tailor's Shop**

- 2.84 "Tailor's Shop" shall mean a building or part of a building where the business of individual custom tailoring is carried on but does not include a shop where clothing manufacture other than individual custom tailoring is carried on (as amended by By-law 1589);

**Tavern and Public House**

- 2.85 “Tavern and Public House” shall mean, respectively, a tavern and public house as defined by *The Liquor Licence Act, R.S.O. 1950, Chapter 211*, but does not include a hotel or restaurant;

**Undertaker’s Establishment**

- 2.86 “Undertaker’s Establishment” shall mean the business premises of an undertaker or funeral director whether or not the same includes a crematorium or a school of instruction in embalming or preparation for burial of human remains;

**Yard**

- 2.87 “Yard” shall mean any open uncovered, unoccupied space appurtenant to a building;

**Yard Front**

- 2.88 “Yard Front” shall mean a yard extending across the full width of the lot between the front lot line and the nearest wall of any main building on the lot for which the yard is required;

**Yard Rear**

- 2.89 “Yard Rear” shall mean a yard extending across the full width of the lot between the rear lot line and the nearest wall of any building or structure on the lot for which the yard is required;

**Yard Side**

- 2.90 “Yard Side” shall mean a yard extending from the front yard to the rear yard between the side lot line and the nearest wall of any main building on the lot for which the yard is required;
- 2.91 In this By-law the word “shall” is mandatory and not directory.

### **SECTION 3 - SCHEDULE**

SCHEDULE "A", a District Map at the scale of 1" – 400'

SCHEDULE "B", a District Map at the scale of 1" – 800'

Together with notations and references thereon are hereby declared to be part of this By-law.

## **SECTION 4 - DISTRICTS**

### **4.1 CLASSIFICATION**

For the purpose of this By-law, the Township of Crowland is divided into the following Districts and their extent, location and boundaries are shown on the District Map, which forms Schedule “A” & “B” of this By-law.

<b>TYPE</b>	<b>PERMITTED USES</b>	<b>SYMBOL</b>
4.1.1 Rural Agricultural	One-family detached dwelling Agricultural Light manufacturing and heavy industrial only for lands north of Bigger Rd and east of Crowland Ave in the City of Niagara Falls Urban Boundary (As amended by By-law 1589 & 85-129)	RA
4.1.2 Residential Rural	One-family detached dwelling One-family detached dwelling	RR1 RR2
4.1.3 Residential Detached Dwelling	Private detached dwelling Private detached dwelling Private detached dwelling One-family dwelling	R1 R2 R3
4.1.4 Residential Multiple-Family dwelling	Private detached dwelling One-family dwelling Semi-detached dwelling Duplex dwelling Double duplex dwelling, converted dwelling (as amended by By-law 1589)  Private detached dwelling One-family dwelling Semi-detached dwelling Duplex dwelling, converted dwelling	RM1      RM2
4.1.5 Commercial	Local commercial Shopping General commercial Highway Commercial	C1 C2 C3 C4
4.1.6 Industrial	Storage and light manufacturing Yard storage and heavy manufacturing Railway	I1 I2 I3

<b>TYPE</b>	<b>PERMITTED USES</b>	<b>SYMBOL</b>
4.1.7 Open Space	Public open space	O1
	Public and private open space	O2

## **4.2 INTERPRETATION OF DISTRICT MAP**

### **4.2.1 Symbols of the Districts**

The buildings and structures and uses of buildings, structures and land permitted by this By-law in the said Districts may be referred to as RA, RR1, RR2, R1, R2, R3, RM1, RM2, C1, C2, C3, C4, I1, I2, I3, O1, or O2 buildings, structures and uses respectively; and the expression RA District, RR1District etc. when used in this By-law, shall mean, respectively, and area of the Township of Crowland delineated on the District Map and designated thereon by the symbols RA, RR1, etc.

### **4.2.2 Boundaries of the Districts**

Where the boundary of any district is uncertain and

- a) The boundary is shown in Schedule "A" & "B" as following a street, lane, railway right of way, electric transmission line right of way or watercourse, the centreline of the street, lane, railway right of way, electric transmission line right of way or watercourse is the boundary;
- b) The boundary is shown in Schedule "A" & "B" as substantially following lot lines shown on a registered plan of subdivision, the lot lines are the boundary; and
- c) The boundary is shown in Schedule "A" & "B" as running substantially parallel to a street line and the distance from the street line is not indicated, the boundary is parallel to the street line the distance from the street line shall be determined according to scale shown in Schedule "A" and "B".

### **4.2.3 Street or Right of Way Division**

A street, lane, railway right of way, electrical transmission line right of way or watercourse shown on Schedule "A" & "B", unless otherwise indicated shall be included within the district of adjoining property on either side thereof.

### **4.2.4 Closed Street or Lane**

In the event of any street or lane shown on the Schedule "A" & "B" being closed, the property formerly in said closed street or lane be included in the district of the adjoining property or either side of the said closed street or lane. In the event of the said street or lane having been a boundary between two or more different

districts the new district boundary shall be the former centreline of the said closed street or lane.

## **SECTION 5 - GENERAL PROVISIONS TO ALL DISTRICTS**

### **5.1 SCOPE**

No person shall, within any district of the Township of Crowland, use any land or erect or use any building or structure except in conformity with the provisions of this By-law. (As amended by By-law 1589)

### **5.2 NON-CONFORMING USES**

Nothing in this By-law shall apply to any land, building or structure which, on the passing of this By-law is lawfully used or erected for any purpose prohibited by this By-law, as long as it continues to be used for that purpose, nor shall this By-law apply to any building or structure the plans for which have been approved by the building inspector prior to the day of the passing of this By-law, so long as the building or structure, when erected, is used for the purpose for which it was erected, and provide the erection of such building or structure is commenced within two years after the day of the passing of this By-law and such building or structure is completed within a reasonable time after the erection thereof is commenced. (As amended by By-law 1589)

### **5.3 INSPECTION OF LAND, BUILDING OR STRUCTURES**

The authority from time to time having jurisdiction to enforce this By-law is hereby authorized to enter at all reasonable hours for purpose of inspection upon any property or premises.

### **5.4 FRONTAGE ON A STREET**

No person shall erect or use any building or structure on a lot which does not front on a street. (As amended by By-law 1589)

### **5.5 DETERMINATION OF FRONTAGE**

For the purpose of this By-law, every building erected or proposed to be erected in any district shall be deemed to front on the street opposite to the principal entrance of such building, or if such entrance is not opposite to a street, upon the street from which the building gains its principal entrance.

## **5.6 OBSTRUCTION OF YARDS**

No person shall obstruct in any manner whatsoever any front yard, side yard or rear yard required to be provided by this By-law, but this provision shall not apply to:

- a) Main eaves, bolt courses, sills or cornices not projecting more than eighteen (18) inches into any required yard.
- b) Uncovered steps, porches, or platforms not exceeding four (4) feet in height above grade and not projecting more than eight (8) feet into any required front yard or more than four (4) feet into any required side yard. (As amended by By-law 1589)
- c) Awnings, clothes poles, garden trellises or similar accessories.
- d) Fire escapes projecting not more than five (5) feet into the side or rear yard.
- e) Fences in side and rear yards.
- f) Accessory buildings permitted by this By-law. (As amended by By-law 1589)

## **5.7 REDUCTION OF LOT AREA**

- a) No lot shall be reduced in area, either by the conveyance or alienation of any portion thereof or otherwise, so that any building or structure on such lot shall have a lot coverage that exceeds, or a front yard, rear yard, side yard, frontage or lot area that is less than that permitted by this By-law for the district in which such lot is located. (As amended by By-law 1589)
- b) Where any part of a lot is required by this By-law to be reserved as a yard, it shall continue to be so used regardless of any change in the ownership of the lot or in any part thereof and shall not be deemed to form part of an adjacent lot for the purpose of computing the area thereof available for building purposes.

## **5.8 LOT ON A BOUNDARY LINE**

Where a lot is contiguous to a boundary line of two different districts, any side yard or rear yard which is directly adjacent to the said boundary line in the least restricted district shall be increased in minimum width or depth to the average of the required minimum width or depth of such yards in the two different districts.

## **5.9 HEIGHT REQUIREMENTS**

No building or structure in any district shall exceed thirty-five (35) feet in height and in any residential district no building or structure erected or used for any residential purpose shall exceed two (2) storeys in height, but this provision shall not apply to I2 districts.



### **5.10 EXCEPTIONS TO HEIGHT REGULATIONS**

Nothing in this By-law shall limit the height of any accessory agricultural building or structure, belfry, church ornamental dome, cupola, clock tower, water storage tank or any wireless receiving or transmitting antennas. (As amended by By-law 1589)

### **5.11 SPECIAL USES PERMITTED**

Nothing in this By-law shall prevent the use of land or the use or erection of a building or structure for

- a) A scaffold or other temporary building or structure incidental to construction in progress on premises for which a building permit has been granted, until such time as the work has been finished or abandoned;
- b) A sign having an area of not more than fifty (50) square feet incidental to construction in progress on premises for which a building permit has been granted, until such time as the work has been finished or abandoned.

### **5.12 PUBLIC UTILITIES**

The Township of Crowland or any “local board” thereof as defined in The Department of Municipal Affairs Act any telephone or telegraph Company, a transportation system owned or operated by or for the Township, or any Department of the Federal or Provincial Government including the Hydro Electric Power Commission of the Province of Ontario may for the purpose of public service, subject to the approval of Council use any land or use or erect any building or structure in any district, notwithstanding that such building or structure or proposed use does not conform with the provisions of this By-law for such district. However, such building or structure shall be, so far as possible, in substantial compliance with the regulations for such district.

### **5.13 USES OF LOTS WITHOUT BUILDINGS**

Where a lot is occupied for permitted uses without buildings or structures thereon, the front yards required herein for the district within which such lot is located shall be provided and maintained, except when the lot is used for garden purposes or public playgrounds. (As amended by By-law 1589)

### **5.14 ACCESSORY USES**

Wherein this By-law a use is permitted, accessory buildings and accessory use thereto shall also be permitted. (As amended by By-law 1589)

## **5.15 ACCESSORY BUILDINGS**

### **5.15.1 Location**

Except as may otherwise be provided therein, all accessory buildings which are not attached or connected with the main building shall be erected in the rear yard and shall be at least three (3) feet from the nearest lot line or main building and shall not occupy more than ten (10) percent of the area of the lot.

- a) Notwithstanding the provisions of Section 5.15.1, on any existing residential parcel having 45-foot frontage or less, accessory buildings may be erected in the rear-yard having not less than 18 inches clearance from the nearest side lot line. (As amended by By-law 1621)

### **5.15.2 Relation to a Main Building**

Any accessory building may be erected as part of the main building provided that all yard and area requirements of this By-law are complied with.

### **5.15.3 Prior to Erection of Main Building**

Where an accessory building is necessary for the storage of tools or material for use in connection with the construction of the main building on a lot in a Residential district, the accessory building may be erected on the lot before the erection of the main building and such building shall be used only for the purpose of storage.

### **5.15.4 Height**

Unless otherwise excepted in this By-law no accessory building shall exceed a height of fifteen (15) feet nor one storey. (As amended by By-law 1589)

### **5.15.5 Accessory Use**

No accessory building shall be used for any purpose other than a use that is incidental or secondary to that of the main building on the same lot and without limiting the foregoing such use may include a private garage, recreation building, greenhouse or bath house if not used for commercial purposes.

### **5.15.6 Human Habitation**

The use of any accessory building for human habitation is not permitted.

## **5.16 IRREGULAR LOTS**

Whereby reason of topography, general layout or otherwise the side lot lines of a lot are not parallel, but the minimum lot area for the respective district is provided, the lot frontage shall be measured perpendicularly from the line joining the centre of the front and rear lot lines at a point twenty (20) feet from the front lot line.

### 5.17 **AREA REQUIREMENTS FOR INSTITUTIONAL USES (As amended by By-law 1589)**

Notwithstanding any other provision in this By-law, for any church, hospital, school, college, institutional building or “other use” referred to in Section 14.1.2, or other similar building or structure, the following minimum yards shall be provided:

#### In any RA, RR1 or RR2 District:

Front yard 60 feet

Rear yard and side yard 40 feet

#### In any R1 or RM1 District

Front yard 25 feet

Rear yard and side yard minimum equal to height of building, but not less than 30 feet.

#### In any other District

Front yard 20 feet

Rear yard and side yard minimum equal to  $\frac{3}{4}$  height of building, but not less than 20 feet.

Notwithstanding any other provision in this By-law, one dwelling unit only for the purpose of a resident, a church hall or Sunday school may be erected on the same lot as a church, and may be attached to the main building of the church, provided the minimum yards applicable to the church hall or Sunday school and the church for the district in which each is located shall be provided, and in case of any building being detached from the church, the minimum required yard between the two building shall be five feet.

### 5.18 **PARKS AND PLAYGROUNDS**

Nothing in this By-law shall prevent the establishment of private parks or playgrounds in any Residential, Commercial or Industrial District, provided that such parks or playgrounds are not operated for commercial purposes and provided that such parks or playgrounds shall conform to the requirements of the Public and Private Open Space District (O2).

### **5.19 ACCESSORY BUILDINGS ON CORNER LOTS**

In any Commercial District no person shall erect a detached accessory building on a corner lot.

### **5.20 OFF-STREET PARKING REQUIREMENTS**

For every building or structure erected, altered or enlarged there shall be provided and maintained off-street parking in conformity with the following schedule and each parking space shall be made accessible for ingress and egress by means of a hard surfaced lane or right of way or street at least eight (8) feet in width.

Parking required in a Residential District shall be provided on the same lot as the dwelling unit or units. Parking space for any Multiple-Family Dwelling shall be provided only in the rear yard. In a Commercial District parking spaces shall be provided within the limits of the Commercial District in which the commercial use is situated and not more than 500 feet distant.

### **SCHEDULE**

	<b>Type Of Nature Of Building Or Structure</b>	<b>Minimum Required Parking Facilities</b>
1	A place of residence other than a hotel, private hotel or motel	1 parking space for each dwelling unit
2	A hotel, private hotel or hospital	1 parking space for each three bedrooms
3	A motel	1 parking space for each living unit
4	A tavern, public house, restaurant or eating place	1 parking space for each 10 persons (in a C3 district only fifteen (15) persons) that can be accommodated at any time
5	A retail, service store, or other similar establishments	1 parking space for each 200 square feet of floor area
6	A department store	1 parking space for each 150 square feet of floor area
7	A church hall or other place of assembly	1 parking space for each 12 seats in excess of 100 seats or where the seating is provided by open benches every twenty (20) inches of bench space shall be considered as one seat for the purpose of this By-law

	<b>Type Of Nature Of Building Or Structure</b>	<b>Minimum Required Parking Facilities</b>
8	A factory	1 parking space for each 400 square feet of floor area
9	For every building or structure not specified above	1 parking space for every 300 square feet of floor area
10	A bed and breakfast	1 parking space for each guest room, in addition to the parking spaces required for a dwelling unit

### **5.21 SUPPLEMENTARY PARKING REGULATIONS**

Wherein this By-law parking facilities for more than 4 vehicles are required or permitted,

- a) The parking area shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles,
- b) The lights used for illumination of the parking lot or parking station shall be so arranged as to divert the light away from adjacent lots,
- c) A shelter, not more than fifteen (15) feet in height and not more than fifty (50) square feet in area may be erected in the parking area for the use of attendants in the area,
- d) No gasoline pump or other service station equipment shall be located or maintained on a parking lot or parking station.

### **5.22 OFF-STREET LOADING REQUIREMENTS**

For every building or structure hereafter erected for an industrial or commercial use, involving the frequent shipping, loading or unloading of persons, animals, goods, wares or merchandise, there shall be provided and maintained for the premises, loading facilities on land that is not part of a street, comprised of one or more loading spaces thirty (30) feet long, twelve (12) feet wide and having a vertical clearance of at least fourteen (14) feet wide, with access to a lane of minimum width twenty (20) feet, or a street, and in accordance with the floor area of the building or structure as follows (As amended by By-law 1589):

<b>Floor Area</b>	<b>Number of Loading Spaces</b>
4,500 square feet or less	None

<b>Floor Area</b>	<b>Number of Loading Spaces</b>
From 4,500 square feet to 25,000 square foot inclusive	1
Over 25,000 square feet	2

Loading spaces required by this provision shall not be provided at the front of a commercial building.

### **5.23 COMBINED USES**

Notwithstanding any other provision of this By-law, where any use or proposed use of any lot, building or structure is composed of two or more uses which are separately classified for different district, none of such uses shall be classified as accessory to any other use but the permissible district for such composite use shall be the less restricted district in the case of a combination of two uses or the least restricted district in the case of a combination of more than two uses. (As amended by By-law 1589)

### **5.24 RESIDENTIAL DISTRICT**

Wherein this By-law the term "Residential District" is used, it shall include the following districts: Rural Agricultural (RA), Rural Residential First Density (RR1), Rural Residential Second Density (RR2), Private Detached Dwelling First Density (R1), Private Detached Dwelling Second Density (R2), Private Detached Dwelling Third Density (R3), Multiple-Family Dwelling, First Density (RM1) and Multiple-Family Dwelling, Second Density (RM2), unless the contrary intention appears.

### **5.25 FLOOD OR ROCKY LAND**

No person shall, in any district, erect any building or structure for any residential or commercial purpose on land which is subject to flooding or on land where by reason of its rocky, low-lying marshy or unstable character, the cost of construction of satisfactory water works, sewage or drainage facilities is prohibitive.

### **5.26 MINIMUM FRONTAGE**

No person shall convey a part of a lot if the effect of such conveyance is to leave remaining a part of a lot or a parcel of land with a frontage, on a public thoroughfare, that is less than the required minimum frontage for the district in which such lot or parcel is situated. (As amended by By-law 1589)

## **5.27 ROOMS BELOW GRADE**

A room which has its floor entirely below the finished grade adjacent to such room shall not be used as a dwelling unit or part thereof except as a furnace room, laundry room, storage room, recreation room or for a similar use, and in any event such room shall not be used to provide sleeping accommodation. (As amended by By-law 1589)

## **5.28 BED AND BREAKFAST**

A bed and breakfast shall comply with the following provisions:

- a) A bed and breakfast must be located in a one family detached dwelling that is the primary residence of the owner;
- b) The maximum number of guest rooms in a bed and breakfast shall be 3;
- c) A bed and breakfast shall be licensed by the City of Niagara Falls and the municipal license of a bed and breakfast must be kept current and maintained in good standing;
- d) The maximum number of guests permitted to stay in a guest room shall be in accordance with the requirements of the *Building Code Act*, 1992, S.O. 1992, c.23, as amended, and the regulations promulgated thereunder; and
- e) Parking and access requirements shall be in accordance with subsection 5.20 of Section 5 (By-law 2018-91).

### **5.28.1 BUILDING ON A LOT (As amended by By-law 79-186)**

Except as otherwise specifically permitted in this By-law, no person shall, within that part of the former Township of Crowland which is now in the City of Niagara Falls, erect a building or structure in any district except upon a lot which fronts or abuts upon an improved street.

5.28.2 Section 5.28.1 shall not apply to prevent the erection of a farm building or farm structure, which is not to be erected or used for the purpose of human habitation, upon a lot which does not front or abut upon an improved street.

5.28.3 For the purpose of sections 5.28.1 and 5.28.2, "improved street" means a street which has been constructed in such a manner so as to permit its use by the general public for the passage of normal vehicular traffic on a year round basis and in addition to the foregoing in the case of a street that is under the jurisdiction of

The Corporations of the City of Niagara Falls, the maintenance of such street has been assumed by the said Corporation and such street is eligible for subsidy purposes under The Public Transportation and Highway Improvement Act.



## **SECTION 6: GENERAL PROVISIONS TO RESIDENTIAL DISTRICTS**

### **6.1 RESIDENTIAL LOT OCCUPANCY**

No person shall erect more than one main building on any Residential lot. (As amended by By-law 1589)

### **6.2 INCREASE OF FRONTAGE AND AREA OF REGISTERED LOTS**

The frontage area of a Registered lot with less frontage or are than required may be increased by the conveyance of the whole or part of adjoining lots provided that all the provisions of this By-law applicable to the district in which the lots are situated are complied with for each lot.

- 6.2.1 Notwithstanding any other provision in this By-law contained, where a parcel of land on the date of the passing of this By-law has insufficient frontage or area to permit the owner thereof or any person who hereafter purchases or acquires the same from such owner, to comply with the provisions of this By-law and such owner is not on the date of passing of the By-law (and such purchaser is not at the date of such purchase) the owner of any adjacent lands, this By-law shall not prevent the erection of a one one-family detached dwelling on the said parcel provided that the yards, coverage, floor area and height provisions of the residential district in which such parcel is situate are complied with, and provided that such parcel has not less than forty (40) feet of frontage and not less than four thousand (4,000) square feet of area. (As amended by By-law 1603)

### **6.3 CORNER LOTS**

In any Residential District:

- a) Where a main building is erected upon a corner lot with its main front entrance facing the front of such lots, such main building shall have a full front yard as required in this By-law, but the minimum width of the side yard facing the street upon which the lot flanks shall be the lessor of the ten feet or one-half the required depth of the average front yard of the lots fronting on the flanking street.
- b) Where an accessory building is erected upon a corner lot at the rear of which (whether a lane intervenes or not) there is a lot restricted to Residential uses fronting or flanking on a street which flanks such corner lot, such accessory building shall be located in such a manner that no part of it shall be nearer the street line of the flanking street than the distance prescribed by this By-law as a front yard for the lot so in the rear.

- c) Where a main building is erected upon a corner lot with its main front entrance facing the flank of such lot, such main building shall be deemed to have two front yards, one on the street, upon which such lot fronts, and one on the street upon which such lot flanks, and shall conform to the respective front yards requirements applicable to each of such streets.
- d) Notwithstanding the provisions of the above Section, a main building may be constructed on Lot 75 according to Registered Plan 59 for the said Township of Crowland, with its main entrance facing on Hagar Street, with a front yard not exceeding 10 feet in depth from Hagar Street. (As amended by By-law 1621, in Welland area)
- e) Notwithstanding anything contained in this Section of this By-law, Sts. Peter and Paul Church may reconstruct upon Lots 142, 143, 147 and 146, according to Registered Plan 15, a hall facing on Beatrice Street in the same location as the previous hall, with a front yard facing on Beatrice Street of not less than 7 feet from the building to the limit of Beatrice Street. (As amended by By-law 1621, in Welland area)

#### **6.4 PARKING AND STORAGE OF COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICT**

No person shall, in any Residential District, use any lot building or structure for the parking or storage of any trailer or commercial vehicle, except when the same is temporarily parked for the purpose of delivering to or servicing the premises, provided that the owner or occupant of the lot, building or structure may personally use any enclosed building or structure of which he is owner or occupant of the lot, building, or structure may personally use any enclosed building or structure which is accessory to the lot, building or structure of which he is owner or occupant for the housing or storage of one trailer and commercial vehicle. (As amended by By-law 1589)

#### **6.5 CONVERSION OF RESIDENTIAL BUILDINGS (As amended by By-law 1589)**

A one-family detached dwelling in rural agricultural district (RA) or in a 2nd density residential multiple-family dwelling district (RM2) may be converted to a multiple-family dwelling provided that:

- a) Such single family dwelling existed and was erected prior to the passing of this By-law;
- b) No dwelling unit so created contain a floor area of less than six hundred (600) square feet;
- c) No external stairways other than an open fire escape shall be permitted; and

- d) The external appearance of the building as a single family detached dwelling shall be preserved.

## **6.6 MUNICIPAL SERVICES REQUIRED**

No person shall hereafter erect or use in whole or in part, any building or structure for any Residential purpose on any land on which municipal water supply and sanitary sewer are not available or will not be available within one (1) year, except in any RA, RR1, or RR2 Districts. (As amended by By-law 1589)

## **6.7 HOME OCCUPATION**

In any Residential District the offices of physicians, dentist or drugless practitioners may be located in the one-family detached dwelling used by such physicians, dentists or drugless practitioners as their private residence, but such offices shall only be used for consultation and emergency treatment, and shall not be used in the nature of a clinic or private hospital and further such offices shall not occupy in excess of 25 per cent of the total floor area of such one-family detached dwelling. (As amended by By-law 1589)

## **6.8 INSTITUTIONAL USES IN RESIDENTIAL DISTRICTS**

Nothing contained in this By-law shall prevent the use of any land, building or structure, in any Residential District for the following:

- a) Schools (Public, separate, private or nursery) or colleges
- b) Churches or synagogues
- c) Church halls and Sunday schools only when located on the same lot as the church or synagogue.

## **6.9 ROOMERS AND BOARDERS**

Nothing in this By-law shall prevent the keeping of not more than two roomers or boarders in any one-family dwelling, semi-detached dwelling, duplex dwelling, double duplex dwelling, except in the case of a one-family dwelling where the family consists of a group of not more than five unrelated persons.

## **6.10 EXCEPTION TO DISTRICT LAND USE**

- 6.10.1 Notwithstanding anything contained in Section 8.1 of this By-law, the lands described below and any structure or buildings thereon may be used as an office or maintenance and machine shop.

Commencing on the north-west corner of the intersection of Ontario Road and Pearson Road thence northerly along the westerly boundary of Pearson Road a distance of 1000 feet; thence westerly parallel to Ontario Road, a distance of 300 feet; thence southerly parallel to Pearson Road a distance of 1000 feet; thence easterly along the north limit of Ontario Road a distance of 300 feet to the point of commencement.

- 6.10.2 Notwithstanding anything contained in Section 11.1 of this By-law, Lots 83 to 100, inclusive and 201 to 218 inclusive in Registered Plan No. 24, located at the north east corner of Southworth Street and McCabe Avenue and any buildings or structures located on the said lots may be used as a tool shop and fabrication plant.
- 6.10.3 Notwithstanding anything contained in Section 12.1 of this By-law lots 972 and 973 of Registered Plan No. 40 and any buildings or structures located thereon may be used as retail store.
- 6.10.4 Notwithstanding anything contained in Section 7.1 of this By-law, the lands described below and any structures or buildings thereon may be used as a machine shop and apartment building. (As amended by By-law 1589)
- 6.10.5 Commencing at the North West corner of Lot 12, Concession 6, thence southerly along the westerly limit of said Lot 70 feet to a point, thence easterly and parallel to the northerly limit of said lot 100 feet to a point, thence northerly and parallel to the westerly limit of said lot 70 feet to a point in the northerly limit of said lot, thence westerly, along the northerly limit of said lot 100 feet to the place of beginning. (As amended by By-law 1589)
- 6.10.6 Notwithstanding anything contained in Section 7.1 of this By-law, the lands described below and any buildings thereon may be used as an Orange Lodge. (As amended by By-law 1589)
- 6.10.7 Commencing at the North East angle of Lot 21 in Concession 111 thence westerly along the northern limit of Lot 21 a distance of 70 feet, thence southerly parallel to the easterly limit of said lot a distance of 110 feet, thence easterly parallel to the northerly limit of said lot a distance of 70 feet more or less to the easterly limit of said lot, thence northerly along the easterly limit of said lot a distance of 110 feet more or less to the point of commencement.

- 6.10.8 Notwithstanding anything contained in Section 11.1 of this By-law the lands described below may be used for an enclosed swimming pool together with an office, eating establishment and required off-street parking.
- 6.10.9 Commencing at the North East angle of lot 29 in Concession V1 thence westerly along the northern limit of Lot 29 a distance of 260 feet, thence southerly parallel to the easterly limit of said lot a distance of 600 feet, thence easterly parallel to the northerly limit of said lot a distance of 260 feet more or less to the easterly limit of said lot, thence northerly along the easterly limit of said lot a distance of 600 feet more or less to the point of commencement.
- 6.11** No person shall, in any district designated as R-1, R-2, R-3, RM-1 or RM-2, use any lot, building or structure for the keeping of hives containing bees. (As amended by By-law 1694)

## **SECTION 7: RURAL AGRICULTURAL DISTRICT RA**

The following provisions shall apply in all RURAL AGRICULTURAL DISTRICT RA:

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions:

### **7.1 USES PERMITTED**

#### **7.1.1 Residential:**

One-family detached dwelling

For lands north of Biggar Road and east of Crowland Avenue, within the City's Urban Boundary:

Accessory living quarters for staff employed on the premises (staff dwellings) (As amended by By-law 82-20, 85-129)

#### **7.1.2 For lands north of Biggar Road and east of Crowland Avenue, within the City's Urban Boundary:**

Light manufacturing; and,  
Heavy Industrial.

#### **7.1.3 Agricultural: (As amended by By-law 1589)**

Agricultural uses including crops, truck and market gardening, nurseries, greenhouses, breeding, raising animals

#### **7.1.4 Institutional: (As amended by By-law 82-20)**

For lands north of Biggar Road and east of Crowland Avenue, within the City's Urban Boundary:

Cemeteries

#### **7.1.5 Other:**

Animal hospitals, veterinary establishments, storing of farm machinery and vehicles used on the farm.

#### **7.1.6 A bed and breakfast in a one family detached dwelling that complies with the provisions set out in Section 5.**

#### **7.1.7 Converted Dwelling only for the lands north of Biggar Road and east of Crowland Avenue, within the City's Urban Boundary.**

## **7.2 AREA REQUIREMENTS**

### **7.2.1 Lot Frontage:**

Minimum – 100 feet (as amended by By-law 1589)

### **7.2.2 Lot Area:**

Minimum – 3 acres

### **7.2.3 Yard Requirements:**

Front yard - minimum 60 feet (as amended by By-law 1589)

Rear yard - minimum 40 feet

Side yard – minimum 15 feet (as amended by By-law 1820)

### **7.2.4 Ground Floor Area:**

Minimum – 950 square feet

### **7.2.6 Total Floor Area:**

Minimum – 1200 square feet

### **7.2.7 Lot Coverage:**

Maximum – 15 percent

## **7.3 STAFF DWELLINGS**

Staff dwellings shall comply with the minimum provisions for R3 districts.

## **7.4 CONVERTED DWELLING**

The provisions for a converted dwelling shall conform to Section 6.5 of this By-law.

## **7.5 EXEMPTIONS**

Where a lot having a lesser frontage or area than is required herein is held under distinct and separate ownership from adjoining lots recorded with the Land Titles or Registry Office on or prior to the passing of this By-law, the following provisions shall apply:

Lot area - minimum 15,000 square feet

Lot Frontage - minimum 40 feet

Lot Coverage – in all buildings 25 percent

Yard Requirements:

Front yard - minimum 60 feet  
 Side yard - minimum 5 feet  
 Rear yard – minimum 40 feet

## **7.6 EXCEPTIONS**

7.6.1 None of the provisions of section 7 of this by-law shall apply to prevent the use of the land being part of Township Lot 7 in the 4<sup>th</sup> Concession of the former Township of Crowland, now in the City of Niagara Falls, designated RA shown hatched on the plan Schedule B-3 of By-law 1986-22 for the purpose of a cemetery which complies with the provisions of the Cemeteries Act and the regulations made thereunder: (By-law 1986-22)

- a) Notwithstanding the RA designation or any other provisions of this By-law, no building or structure except one accessory building having a horizontal area of not more than 25 square metres and a building height or not more than 3.5 metres shall be erected or used on the said land;
- b) No such accessory building shall be erected closer to the easterly, northerly, or westerly boundaries of the said land than 9 metres or closer to the southerly boundary of the said land than 15 metres;
- c) Landscaped open space shall be provided and maintained on the said land to the extent of not less than 40% of the area of the said land.
- d) For the purpose of By-law 1986-22, “landscaped open space” means a portion of the area of the said land which consists of grass, flower beds, trees, shrubbery, and other landscaping or a combination thereof.

7.6.2 None of the provisions of this section shall apply to prevent the use of the land being part of Township Lot 2 in the 4<sup>th</sup> Concession of the former Township of Crowland, now in the City of Niagara Falls, shown hatched on the plan Schedule B-4 attached to and forming part of By-law 88-268 for the purpose of a golf course in conjunction with the adjoining lands immediately to the east thereof provided (By-law 88-268):

- a) Notwithstanding the RA designation or any other provisions of this By-law, no person shall use the land shown hatched on the plan Schedule B-4 of By-law 88-268 for the purpose of a one-family detached dwelling or any other type or category of dwelling.
- b) The provisions of Section 7.2.2 and the minimum front yard requirement in Section 7.2.3 of this by-law shall not apply to prevent the continued use of the one-family detached dwelling erected on part of Township Lot 2 in the 4<sup>th</sup> Concession of the said former Township of Crowland provided:
  - a. The lot frontage and lot area be used for the purpose of such one-family detached dwelling shall not be less than 41.15 metres and 4,200 square metres, respectively; and
  - b. No part of such one-family detached dwelling shall be erected or used on the said land closer to the southerly limit thereof, being the northerly limit of Yokum Road, than 14.5 metres.



## **SECTION 8: RURAL RESIDENTIAL FIRST DENSITY DISTRICT RR1**

The following provisions shall apply in all RURAL RESIDENTIAL FIRST DENSITY DISTRICT RR1:

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions:

### **8.1 USES PERMITTED**

#### **8.1.1 Residential:**

Private detached dwelling

### **8.2 AREA REQUIREMENTS**

#### **8.2.1 Lot Frontage:**

Minimum – 100 feet

#### **8.2.2 Lot Area:**

Minimum – 30,000 square feet

#### **8.2.3 Yard Requirements:**

Front yard - minimum 60 feet (As amended by By-law 1589)

Rear yard - minimum 25 feet

Side yard – minimum 10 feet

#### **8.2.4 Ground Floor Area:**

Minimum – 1200 square feet

#### **8.2.5 Total Floor Area:**

Minimum – 1350 square feet

#### **8.2.6 Lot Coverage:**

Maximum – 25 percent

## **SECTION 9: RURAL RESIDENTIAL SECOND DENSITY DISTRICT RR2**

The following provisions shall apply in all RURAL RESIDENTIAL SECOND DENSITY DISTRICTS RR2:

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions:

### **9.1 USES PERMITTED**

#### **9.1.1 Residential:**

One-family detached dwelling

### **9.2 AREA REQUIREMENTS**

#### **9.2.1 Lot Frontage:**

Minimum – 100 feet

#### **9.2.2 Lot Area:**

Minimum – 15,000 square feet

#### **9.2.3 Yard Requirements:**

Front yard – minimum 35 feet  
Rear yard – minimum 25 feet  
Side yard – minimum 10 feet

#### **9.2.4 Ground Floor Area:**

Minimum – 900 square feet

#### **9.2.5 Total Floor Area:**

Minimum – 1,150 square feet

#### **9.2.6 Lot Coverage:**

Maximum – 25 percent

## **SECTION 10: PRIVATE DETACHED DWELLING FIRST DENSITY DISTRICT R1**

The following provisions shall apply in all PRIVATE DETACHED DWELLING FIRST DENSITY DISTRICTS R1:

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions:

### **10.1 USES PERMITTED**

#### 10.1.1. Residential:

Private detached dwelling

### **10.2 AREA REQUIREMENTS**

#### 10.2.1. Lot Frontage:

Minimum – 60 feet

#### 10.2.2. Lot Area:

Minimum – 7,200 square feet

#### 10.2.3. Yard Requirements:

Front yard – minimum 25 feet

Rear yard – minimum 25 feet

Side Yard – 1 storey minimum 6 feet  
                   – 1 ½ storey minimum 8 feet  
                   – 2 storey minimum 10 feet

#### 10.2.4. Ground Floor Area:

Minimum – 750 square feet

#### 10.2.5. Total Floor Area:

Minimum – 1,100 square feet

#### 10.2.6. Lot Coverage:

Maximum 35 percent

## **SECTION 11: PRIVATE DETACHED DWELLING SECOND DENSITY DISTRICT R2**

The following provisions shall apply in all PRIVATE DETACHED DWELLING SECOND DENSITY DISTRICTS R2:

No person shall hereafter use any building, structure or land, nor erect a building or structure except in accordance with the following provisions:

### **11.1 USES PERMITTED**

#### **11.1.1 Residential:**

Private detached dwelling

### **11.2 AREA REQUIREMENTS**

#### **11.2.1 Lot Frontage:**

Minimum – 50 feet

#### **11.2.2 Lot Area:**

Minimum - 6000 square feet

#### **11.2.3 Yard Requirements:**

Front Yard – minimum 20 feet

Rear yard – minimum 25 feet

Side yard – 1 storey – minimum 5 feet

– 1 ½ storey – minimum 7 feet

– 2 storey – minimum 9 feet

#### **11.2.4 Ground Floor Area:**

Minimum – 650 square feet

#### **11.2.5 Total Floor Area:**

Minimum – 900 square feet

#### **11.2.6 Lot Coverage:**

Maximum – 35 percent

#### **11.2.7 Notwithstanding anything contained in this By-law or the schedules thereto, the parcel of land hereinafter described now owned by the Knight of Columbus shall be re-zoned as Second Density District RM2: (As amended by By-law 1621, in Welland area)**

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of Crowland, in the County of Welland, and being composed of part of Lot 29, Concession 6, described as follows:

COMMENCING at the northeast corner of Lot 29, Concession 6 in the Township of Crowland:

THENCE southerly along the Easterly Limit 700.4 feet;

THENCE north 54 degrees 21 minutes west, 644.1 feet;

THENCE north 36 degrees 46 minutes east, 62.4 feet;

THENCE south 53 degrees 14 minutes east, 15.0 feet;

THENCE north 36 degrees 46 minutes east, 133.0 feet;

THENCE north 53 degrees 14 minutes east, 15.0 feet;

THENCE north 36 degrees 46 minutes east, 70.0 feet;

THENCE north 44 degrees 22 minutes 30 seconds east, 68.4 feet;

THENCE north 46 degrees 41 minutes 30 seconds west, 130 feet

to a point on the northerly limit of Lot 29;

THENCE easterly along the northerly limit 347.7 feet more or less  
to the place of beginning.

**SECTION 12: PRIVATE DETACHED DWELLING THIRD DENSITY DISTRICT R3**

The following provisions shall apply in all PRIVATE DETACHED DWELLING THIRD DENSITY DISTRICTS R3:

No person shall hereafter use any building, structure or land, nor erect any building or structure except in accordance with the following provisions:

**12.1 USES PERMITTED****12.1.1 Residential:**

Private detached dwelling  
One-family dwelling

**12.2 AREA REQUIREMENTS****12.2.1 Lot Frontage:**

Minimum – 40 feet

**12.2.2 Lot Area:**

Minimum – 3,800 square feet

**12.2.3 Yard Requirements:**

Front yard – minimum 20 feet  
Rear yard – minimum 25 feet  
Side yard – minimum 4 feet

**12.2.4 Ground Floor Area:**

Minimum – 550 square feet

**12.2.5 Total Floor Area:**

Minimum – 700 square feet

**12.2.6 Lot Coverage:**

Maximum – 40 percent

## **SECTION 13: MULTIPLE-FAMILY DWELLING FIRST DENSITY DISTRICT RM1**

The following provisions shall apply in all MULTIPLE-FAMILY DWELLING FIRST DENSITY DISTRICTS RM1:

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions:

### **13.1 USES PERMITTED**

#### **13.1.1 Residential:**

Private detached dwelling  
One-family dwelling  
Semi-detached dwelling  
Duplex dwelling

### **13.2 PRIVATE DETACHED OR ONE-FAMILY DWELLING**

#### **13.2.1 Lot Frontage:**

Minimum – 60 feet

#### **13.2.2 Lot Area:**

Minimum – 7,200 square feet

#### **13.2.3 Yard Requirements:**

Front yard – minimum 20 feet  
Rear yard – minimum 25 feet  
Side yard – 1 storey – minimum 6 feet  
                  – 1 ½ storey – minimum 8 feet  
                  – 2 storey – minimum 10 feet

#### **13.2.4 Ground Floor Area:**

Minimum – 750 square feet

#### **13.2.5 Total Floor Area:**

Minimum – 900 square feet

#### **13.2.6 Lot Coverage:**

Maximum – 35 percent

### **13.3    SEMI-DETACHED OR DUPLEX DWELLING**

#### **13.3.1    Lot Frontage:**

Minimum – 60 feet

#### **13.3.2    Lot Area:**

Minimum – 7,500 square feet

#### **13.3.3    Yard Requirements: (As amended by By-law 1589)**

##### Semi-detached dwelling

Front yard – minimum 20 feet

Rear yard – minimum 25 feet

Side yard – minimum 10 feet

##### Duplex dwelling

Front yard – minimum 20 feet

Rear yard – minimum 25 feet

Side yard - 1 side                    – minimum 6 feet

   – other side        – minimum 10 feet

#### **13.3.4    Total Floor Area:**

Minimum – 850 square feet

#### **13.3.5    Lot Coverage:**

Maximum – 40 percent



## **SECTION 14: MULTIPLE-FAMILY DWELLING SECOND DENSITY DISTRICT RM2**

The following provisions shall apply in all MULTIPLE-FAMILY DWELLING SECOND DENSITY DISTRICTS RM2:

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions:

### **14.1 USES PERMITTED**

#### **14.1.1. Residential:**

- Private detached dwelling
- One-family dwelling
- Semi-detached dwelling
- Duplex dwelling
- Double duplex dwelling
- Converted dwelling

#### **14.1.2. Other Uses:**

A boarding or lodging house; a public or private hospital; a children's home; a religious institution; a fraternal organization; a private club; a children's shelter; a community day nursery; a nursery school; a private school or a boys' home, girls' home, orphanage or infants' home; provided that any building used for any purpose mentioned in this paragraph is or was originally constructed for such purpose.

### **14.2 PRIVATE DETACHED OR ONE-FAMILY DWELLING**

#### **14.2.1. Lot Frontage:**

Minimum – 50 feet

#### **14.2.2. Lot Area:**

Minimum: 6000 square feet

#### **14.2.3. Yard Requirements:**

- Front Yard - minimum 20 feet
- Rear Yard - minimum 25 feet
- Side Yard - 1 storey - minimum 5 feet
- 1 ½ storey - minimum 7 feet
- 2 storey - minimum 9 feet

## 14.2.4. Ground Floor Area:

Minimum – 650 feet

## 14.2.5. Total Floor Area:

Minimum – 750 square feet

## 14.2.6. Lot Coverage:

Maximum – 35 percent

**14.3 SEMI-DETACHED OR DUPLEX DWELLING**

## 14.3.1. Lot Frontage:

Minimum – 60 feet (As amended by By-law 1589)

## 14.3.2. Lot Area:

Minimum: 6600 square feet

## 14.3.3. Yard Requirements:

	Semi-Detached Dwelling	Duplex Dwelling
Front Yard	Minimum 20 feet	Minimum 20 feet
Rear Yard	Minimum 25 feet	Minimum 25 feet
Side Yard	Minimum 10 feet	Minimum one side 6 feet Minimum other side 10 feet

## 14.3.4. Total Floor Area per Dwelling Unit:

Minimum – 700 square feet

## 14.3.5. Lot Coverage:

Maximum – 40 percent

**14.4 DOUBLE DUPLEX DWELLING**

## 14.4.1. Lot Frontage:

Minimum – 60 feet

14.4.2. Lot Area:

Minimum: 7200 square feet

14.4.3. Yard Requirements: (As amended by By-law 1589)

Front Yard -minimum 20 feet  
Rear Yard -minimum 25 feet  
Side Yard - minimum 10 feet

14.4.4. Total Floor Area per dwelling unit:

Minimum – 700 square feet

14.4.5. Lot Coverage:

Maximum – 40 percent

**14.5 BOARDING OR LODGING HOUSES**

14.5.1. Lot Frontage:

Minimum – 55 feet

14.5.2. Lot Area:

Minimum: 6600 square feet

14.5.3. Yard Requirements:

Front Yard -minimum 20 feet  
Rear Yard -minimum 25 feet  
Side Yard - 1 storey -minimum 5 feet  
- 1 ½ story -minimum 7 feet  
- 2 story -minimum 9 feet

14.5.4. Ground Floor Area:

Minimum – 750 feet

14.5.5. Total Floor Area:

Minimum – 750 square feet

14.5.6. Lot Coverage:

Maximum – 35 percent

#### **14.6 CONVERTED DWELLING**

The provisions for a Converted Dwelling shall conform to Section 6.5 of this By-law. (As amended by By-law 1589)

#### **14.7 OTHER USES (Not including a Boarding or Lodging House)**

**14.7.1. Lot Frontage:**

Minimum – 55 feet

**14.7.2. Lot Area:**

Minimum: 6600 square feet

**14.7.3. Yard Requirements:**

Front Yard - minimum 20 feet

Rear Yard and Side Yard - minimum equal to 75 percent of the height of the building or structure, but not less than 15 feet (As amended by By-law 1589)

**14.7.4. Ground Floor Area:**

Minimum – 750 feet

**14.7.5. Total Floor Area:**

Minimum – 750 square feet

**14.7.6. Lot Coverage:**

Maximum – 30 percent

**SECTION 15: LOCAL COMMERCIAL DISTRICT C1**

The following provisions shall apply in all LOCAL COMMERCIAL DISTRICTS C1:

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions:

**15.1. USES PERMITTED****15.1.1. Residential:**

Dwellings over stores

**15.1.2. Commercial:**

Retail stores, eating establishments, service stores, dry cleaning and laundry collecting stations, a bake shop, a caterer or a delicatessen.

**15.2. AREA REQUIREMENTS****15.2.1. Lot Coverage:**

Maximum – 35 feet

**15.2.2. Yard Requirements:**

Front Yard - minimum 20 feet

Rear Yard - minimum 15 feet

Side Yard - no minimum side yard shall be required except where a Local Commercial District flanks any other district, a minimum side yard of 15 feet shall be provided.

**15.2.3. Floor Area of Dwelling unit:**

Minimum – 600 square feet

## **SECTION 16: SHOPPING DISTRICT C2**

The following provisions shall apply in all SHOPPING DISTRICT C2

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions:

### **16.1. USES PERMITTED**

16.1.1. All uses permitted in C1 Districts and the following:

16.1.2. Commercial:

- A commercial lending library
- A photographer's studio
- A photographer's or tailor's or dressmaker's shop
- A spotting and stain removing establishment
- A car washing establishment
- An automobile service station
- A bowling alley
- Business offices

### **16.2. AREA REQUIREMENTS**

16.2.1. Floor Area of Dwelling unit:

Minimum 600 square feet for each dwelling unit but not more than 50 percent of the ground floor area of the building may be erected or used for this purpose.

16.2.2. Yard Requirements:

- |            |  |
|------------|--|
| Front Yard | - minimum 40 feet  |
| Rear Yard  | - minimum 25 feet  |
| Side Yard  | - no side yard shall be required except where a Shopping District flanks any other district, a minimum side yard of 25 feet shall be provided. |

## **SECTION 17: GENERAL COMMERCIAL DISTRICT C3**

The following provisions shall apply in all GENERAL COMMERCIAL DISTRICTS C3:

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions:

### **17.1. USES PERMITTED**

17.1.1. All uses permitted in O1, O2, C1 and C2 Districts and the following:

17.1.2. Commercial:

A commercial scale; a hotel, motel, tavern or public house; a place of amusement; a commercial bath; a sample or showroom; an auctioneer's premises and a second hand shop; a pet shop or animal hospital; a parking lot, taxicab stand or station; a laboratory; an automatic laundry shop; a motor vehicle repair shop Class "A"; a clinic; an undertaker's establishment; an artist's studio; a business office; a custom workshop; trades services and professions; a commercial school; an open air market; service or repair shops Class "A" and "B"; a sales and hire garage; a duplicating shop; a printing plant; a hand laundry.

17.1.3. Institutional Uses:

A Salvation Army hostel; a YMCA, YWCA, YMHA or YWHA; a fraternal society; a club or lodge; a labour union hall; an assembly hall; a religious institution.

### **17.2. AREA REQUIREMENTS**

17.2.1. Floor Area of Dwelling unit:

Minimum 600 square feet for each dwelling unit but not more than fifty (50) percent of the ground floor area of the building may be erected or used for this purpose.

17.2.2. Yard Requirements:

Rear Yard	- minimum 15 feet
Side Yard	- no side yard shall be required except where a General Commercial District flanks any other district, a minimum side yard of 15 feet shall be provided.

**17.3. AMENDMENT PER BY-LAW 1603**

The following lands and premises shall be and they are hereby designated as being within a GENERAL COMMERCIAL DISTRICT:

ALL AND SINGULAR that certain parcel of land and premises situate, lying and being –

In the Township of Crowland, in the County of Welland and being composed of part of Lot #21, Concession #4, of the said Township and more particularly described as follows:

COMMENCING at a point in the southerly limit of Lot #21, distant easterly thereon 216 feet from the southwest angle of said Lot, said point being a point in the easterly limit of the right of way of the Transmission line of the Hydro Electric Power Commission of Ontario.

THENCE north 0 degrees 29 minutes west along the said easterly limit of said right of way 10 feet to a point which is the point of beginning of the parcel to be herein described;

THENCE north 0 degrees 29 minutes west along the said easterly limit of the said right of way 235 feet;

THENCE north 89 degrees 54 minutes east 235 feet to a point in the north lint of East Main Street as widened;

THENCE south 89 degrees 54 minutes west along said north limit of East Main Street as widened a distance of 116 feet to the place of beginning.



**SECTION 18: HIGHWAY COMMERCIAL DISTRICT C4**

The following provisions shall apply in all HIGHWAY COMMERCIAL DISTRICTS C4:

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions:

**18.1. USES PERMITTED**

18.1.1. All uses permitted in O1 and O2 Districts.

18.1.2. Commercial:

A motel; a parking lot, taxicab stand or station; a motor vehicle repair shop Class 'A'; a car washing establishment; an automobile service station; a bowling alley; a retail store; an eating establishment; service stores.

**18.2. AREA REQUIREMENTS**

18.2.1. Lot Frontage:

Minimum – 60 feet

18.2.2. Lot Area:

Minimum: 7500 square feet

18.2.3. Yard Requirements:

Front Yard	- minimum 45 feet
Rear Yard	- minimum 10 feet
Side Yard	- minimum 10 feet

18.2.4. Lot Coverage:

Maximum – 25 percent

## **SECTION 19: STORAGE AND LIGHT MANUFACTURING DISTRICT I1**

The following provisions shall apply in all STORAGE AND LIGHT MANUFACTURING DISTRICTS I1:

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions:

### **19.1. USES PERMITTED**

#### **19.1.1. Residential:**

The dwelling of a caretaker or persons employed on the maintenance staff of the land, buildings or equipment thereof. Such dwelling shall comply with the provisions of the R3 Districts within the district in which the land is situated.

#### **19.1.2. Recreational:**

Uses permitted in O1 and O2 Districts and in compliance with the provision therefor.

#### **19.1.3. Commercial:**

An open air market, fair ground or market garden;  
A motor vehicle repair shop Class "A" or "B";  
A scale;  
An automobile service station;  
A public parking lot.

#### **19.1.4. Storage and Light Manufacturing:**

The following uses shall be permitted only within enclosed structures:

A service or repair shop Class "A" or "B";  
A warehouse or distributing depot;  
A garage  
A bus depot or railway station;  
Light manufacturing or assembly of manufactured products such as:

- a) Apparel and finished textile or fabric product
- b) Paper and allied products
- c) Furniture and finished lumber products
- d) Light metal products such as precision instruments, watches and radios

#### **19.1.5. Railway:**

Railway uses incidental to the foregoing uses.

## **19.2. AREA REQUIREMENTS**

### **19.2.1. Yard Requirements:**

Front Yard	- minimum 20 feet
Rear Yard	- minimum 15 feet
Side Yard	- minimum 15 feet

## **SECTION 20: YARD STORAGE AND HEAVY MANUFACTURING DISTRICT I2**

The following provisions shall apply in all YARD STORAGE AND HEAVY MANUFACTURING DISTRICTS I2:

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions:

### **20.1. USES PERMITTED**

20.1.1. All uses permitted in an O1, O2 and I1 districts and in compliance with the provision therefor.

20.1.2. Commercial:

A retail coal, fuel oil, coke, wood or lumber yard.

20.1.3. Yard Storage:

Bulk storage of fuel oil, coal coke, wood, lumber, salvage yard, builder's supply yard, construction material yard and similar uses.

20.1.4. Industrial:

Heavy industrial

20.1.5. Other:

All other industrial uses not permitted in any other district but which may be lawfully established in the Township of Crowland.

### **20.2. AREA REQUIREMENTS**

20.2.1. Yard Requirements:

- |            |  |
|------------|--|
| Front Yard | - minimum 40 feet<br>- minimum 60 feet when on the opposite side of the street in a residential district |
| Rear Yard  | - minimum 25 feet<br>- minimum 40 feet when contiguous to a residential district                         |
| Side Yard  | - minimum 10 feet<br>- minimum 40 feet when contiguous to a residential district                         |

**SECTION 21: RAILWAY DISTRICT I3**

The following provisions shall apply in all RAILWAY DISTRICTS I3:

No person shall hereafter use any building, structure or land nor erect any building or structure except in accordance with the following provisions:

**21.1. USES PERMITTED**

Those uses permitted only under the “Railway Act” or any other act governing railway operations

**SECTION 22: PUBLIC OPEN SPACE DISTRICT O1**

The following provisions shall apply in all PUBLIC OPEN SPACE DISTRICTS O1:

No person shall hereafter use any building, structure or land nor erect any building or structure except in compliance with the following provisions:

**22.1. USES PERMITTED****22.1.1. Recreational:**

Parks, walks;  
Statues, fountains, play-lots, wading pools and shelters.

**22.2. AREA REQUIREMENTS****22.2.1. Yard Requirements:**

Minimum distance of building or structure from all lot lines shall be 20 feet.

**SECTION 23: PUBLIC AND PRIVATE OPEN SPACE DISTRICT O2**

The following provisions shall apply in all PUBLIC AND PRIVATE OPEN SPACE DISTRICTS O2:

No person shall hereafter use any building, structure or land nor erect any building or structure except in compliance with the following provisions:

**23.1. USES PERMITTED****23.1.1. Recreational:**

All uses permitted in an O1 District and the following:

Play-lots, play fields, playgrounds, athletic fields, field houses, community centre, bleachers, open or closed swimming pools, botanical gardens, zoological gardens, bandstands, skating rinks, bowling greens, tennis courts, boat liveries, bathing stations, golf courses, parking stations, public parking lot, yacht club and cemetery.

**23.1.2. Commercial:**

Refreshment pavilion or booth;

**23.2. AREA REQUIREMENTS****23.2.1. Yard Requirements:**

Minimum distance of buildings or structures from all lot lines shall be 40 feet.

## **SECTION 24: ADMINISTRATION**

### **24.1 ZONING ADMINISTRATOR**

This By-law shall be administrated by a person designated from time to time by the Council as the Zoning Administrator.

### **24.2 VIOLATION OF THIS BY-LAW**

Where land is proposed to be used or a building or structure is proposed to be erected or used in violation of the By-law,

- a) No permit for the use of the land or for the erection or use of the building or structure shall be issued;
- b) No certificate of occupancy for change of use shall be issued; and
- c) No municipal license shall be issued.

### **24.3 CHANGE IN USE**

No person shall change the type of use of any land or of any building or structure on the land without having first applied for and obtained a certificate of occupancy from the Zoning Administrator.

### **24.4 PENALTY**

Every person who contravenes this By-Law is guilty of an offence and liable upon summary conviction to a penalty not exceeding Three Hundred (300) Dollars, exclusive of costs.

### **24.5 REMOVAL OF VIOLATION**

Upon conviction for a breach of any of the provisions of the by-law, the convicting Magistrate, besides imposing a penalty under Section 22.5 may order the offender to carry out the requirements of this By-law within a time to be limited by the order. In default of the offender carrying out such order, the said Magistrate may order the Building Inspector, or any other person, to forthwith enter upon the premises where the said breach has taken place and demolish or remove, at the expense of the offender, the said structure or the part thereof erected contrary to the provision of this By-law. The expense thereof with costs shall be recoverable by action or distress, and in case of non-payment similarly to municipal taxes.



#### **24.6 REPETITION OF OFFENCE**

The conviction of an offender upon a breach of any of the provisions of the By-law, shall not operate as a bar to prosecution against the same offender upon any subsequent breach of the same or any other provisions of this By-law. The presiding Magistrate may convict any offender repeatedly for repeated breaches of this By-law, and may, at his discretion, impose upon each conviction any of the penalties provided for this By-law.

## **SECTION 25: CONFLICT AND VALIDITY**

### **25.1 CONFLICT WITH OTHER BY-LAWS**

In the event of conflict between this By-law and any general or special By-law, this By-law shall prevail.

### **25.2 VALIDITY**

Should any section, or part of a section of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the provisions of this By-law, as a whole or any part thereof, other than the part so declared to be invalid.

This By-law shall come into force on the day that it is passed by Council, subject to the approval of the Ontario Municipal Board.

**READ A FIRST AND SECOND TIME THIS 6<sup>th</sup> day of May, 1958.**

Signed by M. Perenack

\_\_\_\_\_  
Reeve

Signed by Arthur H. Creamer

\_\_\_\_\_  
Clerk

**READ A THIRD TIME AND finally passed this 6<sup>th</sup> day of March, 1958.**

Signed by M. Perenack

\_\_\_\_\_  
Reeve

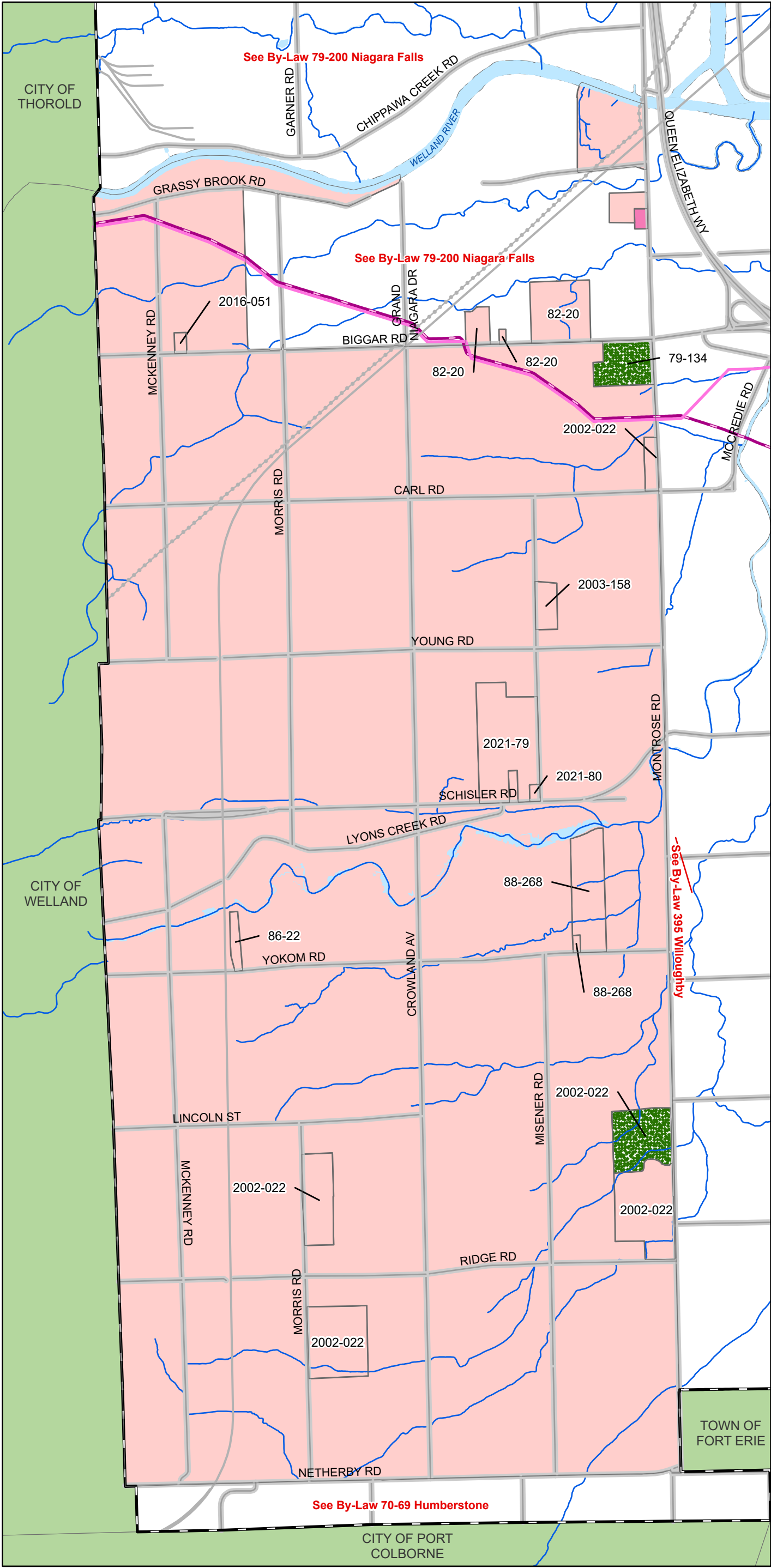
Signed by Arthur H. Creamer

\_\_\_\_\_  
Clerk

# ZONING BY-LAW 1538

as amended by By-law 82-20 & 85-129

Updated to March 2023



### LEGEND

#### CLASSIFICATION OF ZONES

**CROWLAND BY-LAW 1538**

- PUBLIC & PRIVATE OPEN SPACE DISTRICT
- RURAL - AGRICULTURAL
- SHOPPING DISTRICT

**UTILITY**

- Rail
- Hydro
- Interprovincial Pipeline
- Trans-Canada Pipeline
- Municipal Boundary
- Creeks
- Other Municipalities
- Rivers, Hydro Power Canal

