

CITY OF NIAGARA FALLS

By-Law No. 2025 - _____

A By-law to amend By-law No. 79-200 to include lands within the geographic Township of Humberstone, Crowland, and Willoughby, carry forward site specific amendments, amend the General Provisions, add Agricultural 1 zone, Agricultural 2 zone, Agricultural 3 zone, Residential Niagara Parkway zone, Residential Village zone, Commercial Highway zone, Industrial Willoughby zone, Tourist Commercial Willoughby zone, Open Space Conservation zone, Open Space Public and Private zone, and repeal By-law 70-69 (Humberstone), By-law 1538 (1958) (Crowland), and By-law 395/66 (Willoughby).

THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:

1. Schedule A of By-law No. 79-200 is hereby amended by repealing and replacing the Key Map with the attached Key Map. "Key Map" is a part of this by-law.
2. That SECTION 1 amended by deleting section 1.4 and renumbering accordingly.
3. That SECTION 2 DEFINITIONS is amended by deleting "Lot area" and replacing with "Lot area: shall mean the total horizontal area within the lot lines of a lot, save and except for lands within the A1, A2, A3, RNP, RV, CH, IW, TCW, OSC and OSPP zone, where the lot area shall include the lands within the lot lines of a lot".
4. That SECTION 2 DEFINITIONS is amended by deleting "STOREY" and replacing with the following:

"STOREY" means the portion of a building, other than a cellar or attic, between the surface of one floor and the surface of the floor, ceiling or roof next above it".
5. That SECTION 2 DEFINITIONS "LOT" is amended by deleting section (b) and replacing it with the following:

"(b) which fronts a street or Niagara Parks Commission service road, and is a separate parcel of land without any adjoining lands being owned by the same owner or owners on the day of the passing of this By-law, or"
6. That Section 2 DEFINITIONS is amended by adding:

"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 the A1 or OSPP zone and shall not include the storage or parking of motor vehicles for hire or gain, display or for sale

"PLAYLOT" shall mean a lot used for the purpose 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.

That SECTION 2 DEFINITIONS is amended by deleting “STREET” and replacing with it with the following:

“STREET” means a common or public highway having a minimum width of 12 metres which affords a principal means of access to abutting lots and includes a highway, road, boulevard, Niagara Parks Commission service road, and parkway under the jurisdiction of the Niagara Parks Commission but does not include a lane, an unopened road allowance or a highway which is within a registered plan of subdivision by a by-law passed pursuant to section 29 of the Planning Act, R.S.O. 1970, as amended from time to time”.

7. That SECTION 3 – ZONES is amended by including the following:

ZONES	SHORT TITLES
Agricultural One	A1
Agricultural Two	A2
Agricultural Three	A3
Residential Niagara Parkway	RNP
Residential Village	RV
Commercial Highway	CH
Industrial Willoughby	IW
Tourist Commercial Willoughby	TCW
Open Space Conservation	OSC
Open Space Private and Public	OSPP

8. That SECTION 4 – GENERAL PROVISIONS is amended by deleting section 4.9 MUNICIPAL SERVICES and replacing with:

4.9 MUNICIPAL SERVICES REQUIRED: Unless otherwise provided for in this By-law no person shall in any residential zone (save and except the RNP or RV zone), commercial zone, or institutional zone, erect or use a dwelling or a building containing one or more dwelling units or locate or use a mobile home unless such dwelling or building or mobile home is served by a municipal water supply and sanitary sewage system.

9. That SECTION 4.11 – LOT REQUIREMENT is deleted and replaced with:

4.11 LOT REQUIREMENT: Except as otherwise specifically permitted in this By-law, no person shall erect a building or structure in any zone except upon a lot, as defined in this by-law which (i) fronts or abuts upon an improved street or a street being constructed in a plan of subdivision by the Corporation of the City of Niagara Falls pursuant to the subdivision agreement, or a service road of the Niagara Parks Commission, and (ii) has not less than such lot area, lot frontage and lot depth as are set out in the regulations for such zone as the minimum lot area, lot frontage and lot depth.

10. That SECTION 4 – GENERAL PROVISIONS is amended by adding the following after Section 4.12.1:

4.12.2 UNDERSIZED LOT REGULATIONS: Nothing in the by-law shall prevent the enlargement of or addition to existing dwellings in the A3, RNP, and RV zones, if these dwellings are located on existing lots – held in separate ownership from adjoining parcels on the date of passing of this by-law as shown by the records of the Land Registry or Land Title Office or where such lot is created by expropriation, provided:

- (a) That such dwelling is permitted in the zone in which said lot is located,
- (b) That the yard, height, coverage and all other relevant requirements of the zone are maintained.

11. That SECTION 4.13 – ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES is amended by adding “save and except for lands within the A1, A2, A3, RNP, RV, CH, IW, TCW, OSC, OSPP zones” after 4.13 ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES

12. That SECTION 4 – GENERAL PROVISIONS is amended by adding the following sections after Section 4.13

4.13.1 ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES for lands within the A3, RNP, RV, CH, IW, and TCW zones:

- (a) Accessory buildings are permitted in each zone where the principal use, building or structure is permitted but no accessory building including garages, carports or boathouses shall be
 - a. Used for human habitation
 - b. Erected closer to a principal building than 1.8 metres
 - c. Erected closer than 1.8 metres to a lot line

Notwithstanding the foregoing, boathouses, docks, wharves, boat landings or other similar structures may be erected on the shore line, where the said line abuts a navigable body of water, but shall not extend into or over the water more than 1.5 metres measured from the high water line.

4.13.2 ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES for the lands within the A2 and OSP zone:

The following accessory buildings and accessory structures provisions shall apply to properties located in the A2 and OSPP zone.

- (a) 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 0.9 metres from the nearest

lot line or main building and shall not occupy more than 10% of the area of the lot.

- i. Notwithstanding the provisions of 4.13.2 (a), on any existing residential parcel having a frontage of 13.7 metres or less, accessory buildings may be erected in the rear yard having not less than 0.45 metres of clearance from the nearest side lot line.
- (b) 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.
- (c) 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 purposes of storage.
- (d) Unless otherwise excepted in the By-law no accessory building shall exceed a height of 4.5 metres nor one storey.
- (e) 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.
- (f) The use of any accessory building for human habitation is not permitted.

4.13.3 ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES for the lands within the A1 zone:

The following accessory buildings and accessory structures provisions shall apply to properties located in the A1 zone:

- a) No land, building, or structure shall be used for any purpose other than the presently existing use of such land, building or structure on the date of the passing of this By-law with the exception of the uses permitted in the A1 zone.

13. That SECTION 4.14 YARDS is amended by adding “save and except for lands within the A1, A2, A3, RNP, RV, CH, IW, TCW, OSC and OSPP zones”

14. That SECTION 4.14 is amended by adding:

SECTION 4.14.A OBSTRUCTION OF YARDS for lands within the A2 and OSPP zone:

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 0.45

metres into any required yard.

- b) Uncovered steps, porches, or platforms not exceeding 1.2 metres in height above grade and not projecting more than 2.4 metres into any required front yard or more than 1.2 metres into any required side yard.
- c) Awnings, clothes poles, garden trellises or similar accessories.
- d) Fire escapes projecting not more than 1.5 metres into the side or rear yard.
- e) Fences in side and rear yards.
- f) Accessory buildings.

15. That SECTION 4.19.1 (a) REQUIREMENTS is amended by adding “save and except for lands located within the A1, A2, A3, RNP, RV, CH, IW, TCW, OSC, and OSPP zones.

16. That SECTION 4.19.2 BUS PARKING is amended by adding “save and except for lands within the A1, A2, A3, RNP, RV, CH, IW, TCW, OSC, and OSPP zones”

17. That SECTION 4 – GENERAL PROVISIONS is amended by including the following after Section 4.19.3

4.19.4 PARKING REQUIREMENTS WITHIN THE A3, RNP, TCW, RV, CH, IW, TCW and OSC zones.

- (a) One parking space of at least 3 m x 6 m together with adequate area for manoeuvring and access to a public street shall be provided for each:
 - i. Dwelling unit
 - ii. Guestroom of a hotel, motel or cabin
 - iii. Five seats in places of assembly, such as theatres, churches, public halls, etc.
 - iv. Four seats in restaurants
 - v. Five beds in hospitals, nursing homes
 - vi. 28 square metres of total floor area of retail store, service shops and other commercial buildings, clinics, municipal buildings and offices
 - vii. 28 square metres in industrial buildings
 - viii. Staff member of schools
- (b) Places of amusement such as community centres, swimming pools, golf courses, tennis courts and similar projects shall provide a parking area of

not less than three times the ground floor areas of the building or structure.

- (c) Except as provided for in Section 11.7, no off-street vehicle parking shall be permitted within the required front yard and access shall be provided by not more than two driveways not exceeding 9m each in width.
- (d) Driveways, loading parking areas provided in accordance with the provisions of this section shall be paved with all-weather dust-free materials.

4.19.5 PARKING REQUIREMENTS WITHIN THE A2 and OSPP zone:

- (a) One parking space of at least 3 m x 6 m together with adequate area for manoeuvring and access to a public street shall be provided for each:
 - i. Dwelling unit
 - ii. For each 37.2 square metres of floor area of a factory
 - iii. For each 12 seats in excess of 100 seats or where the seating is provided by open benches every 20 inches of bench space for a church hall or other place of assembly
 - iv. For each 27.8 square metres of floor area for a building or structure not specified above.

LOADING AREAS:

3.5 metres wide x 9 metres length:

418 square metres: None

From 418 square metres to 2322.6 square metres: 1

Over 2322.6 square metres: 2

- (b) Where parking facilities for more than 4 vehicles are required or permitted:
 - (i) The parking area shall be maintained with a stable surface that is treated to prevent the raising of dust or loose particles,
 - (ii) 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,
 - (iii) A shelter, not more than 15 feet in height and not more than 50 square feet in area may be erected in the parking area for the use of attendants in the area.
 - (iv) No gasoline pump or other service station equipment shall be located or maintained on a parking lot or parking station.

18. That SECTION 4.20.1 LOADING AREA REQUIREMENTS is amended by adding “save and except for lands within the A1, A2, A3, RNP, RV, HC, WI, TCW, OSC and OSPP zones”.
19. That SECTION 4.21 FLOODLIGHTING is amended by adding “save and except for lands within the HC, WI, and TCW zones”.
20. That SECTION 4.22 SUPPLEMENTARY REGULATIONS FOR CAR WASHES is amended by adding “save and except for lands within the TCW zone”.
21. That SECTION 4.23 SUPPLEMENTARY REGULATIONS FOR DRIVE-IN RESTAURANTS” is amended by adding “save and except for lands within the TCW zone”.
22. That SECTION 4.25 SUPPLEMENTARY REGULATIONS FOR MOTELS is amended by adding “save and except for lands within the HC and TCW zones”.
23. That SECTION 4.37 – BED AND BREAKFAST is amended by including “RNP, RV, A1, A2 and A3” as a listed zone to section 4.37 (b).
24. That SECTION 7 – RESIDENTIAL ZONES is amended by adding the following after Section 7.16:

7.17 RESIDENTIAL NIAGARA PARKWAY ZONE (RNP Zone)

7.17.1 PERMITTED USES: no person shall within any RNP Zone use any land or erect or use any building or structure for any purpose except one or more of the following uses:

- (a) A detached dwelling
- (b) A bed and breakfast in a detached dwelling, subject to the provisions of section 4.37

7.17.2 REGULATIONS: no person shall within any RNP Zone erect or use any building or structure except in accordance with the provisions of section 4 and the following regulations:

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| (a) Minimum Lot area | 0.4 hectares |
| (b) Minimum lot frontage | 50 metres |
| (c) Minimum front yard depth | |
| i. If a service road is already established | 23 metres plus any applicable distance specified in section 4.27.1 |
| ii. If no service road is | 32 metres plus any applicable |

established	distance specified in section 4.27.1
(d) Minimum side yard width, each side	3.5 metres plus any applicable distance specified in section 4.27.1
(e) Minimum rear yard depth	10 metres plus any applicable distance specified in section 4.27.1
(f) Maximum lot coverage	30%
(g) Maximum height of a building or structure	10 metres in accordance with section 4.7
(h) Parking and access requirements	In accordance with section 4.19.1
(i) Accessory buildings and accessory structures to a detached dwelling	In accordance with sections 4.13 and 4.14

7.18 RESIDENTIAL VILLAGE ZONE (RV Zone)

7.18.1 PERMITTED USES: no person shall within any RV Zone use any land or erect or use any building or structure for any purpose except one or more of the following uses:

- (a) A detached dwelling;
- (b) Schools, educational institutions;
- (c) Churches and places of worship;
- (d) Hospitals, homes for the aged, doctors and dentist' offices – maximum two practitioners and assistants per building;
- (e) Libraries;
- (f) Parks, athletic and sports field, skating and curling rinks and community
- (g) A bed and breakfast dwelling in a detached dwelling, subject to the provisions of section 4.37
- (h) Accessory dwelling unit(s), subject to the provisions of section 4.45

7.18.2 REGULATIONS: no person shall within any RV Zone erect or use any building or structure except in accordance with the provisions of section 4 and the following regulations:

- (a) Where no municipal services available minimum lot area – 0.18 hectares

	minimum lot frontage – 30 metres
(b) Where municipal water only available	minimum lot area –0.11 hectares minimum lot frontage – 30 metres
(c) Where both municipal water and sewers available	<u>interior lots</u> minimum lot area – 557 square metres minimum lot frontage – 15 metres <u>corner lots</u> minimum lot area –557 square metres minimum lot frontage – 18 metres
(d) Minimum front yard depth	all county and concession roads 10 metres
(e) Minimum side yard width	all other road: 7 metres 1.8 metres, except as provided for in paragraphs (i) and (ii) hereof: <ul style="list-style-type: none"> i. on a corner lot, the minimum side yard abutting the flanking street shall be 3 metres. ii. where no attached garage is provided for, the minimum side yard on one side shall be 3 metres.
(f) Minimum rear yard depth	7 metres
(g) Minimum floor area for a detached dwelling	111 square metres

25. That SECTION 8 – COMMERCIAL ZONES is amended by adding the following after Sections 8.9.

8.10 COMMERCIAL HIGHWAY ZONE (CH Zone)

8.10.1 PERMITTED USES: no person shall within any CH zone use any land or erect or use any building or structure for any purpose except one or more of the following uses:

- (a) Arenas
- (b) Automobile Service Stations

- (c) Automobile Garages (commercial)
- (d) Automobile Sales and Services
- (e) Banks
- (f) Churches and places of worship
- (g) Living accommodation being an integral part of stores – maximum 50% of total floor area
- (h) Exhibitions
- (i) Fraternal organizations or lodges
- (j) Libraries
- (k) Museums
- (l) Offices
- (m) Places of Commercial entertainment or recreation
- (n) Recreation clubs
- (o) Restaurants, premises licensed for the sale of beer, wine or liquor
- (p) Sightseeing and tours (all sightseeing and tours must be operated within and from the premises of an established business, e.g. hotel, motel, etc.)
- (q) Theatres
- (r) Tourist establishments as defined by the Tourist Establishment Act which includes a cabin establishment, a cottage establishment, a hotel or hotel establishment, a motel, a tourist home but excluding a tourist outfitters camp and a trailer establishment.

8.10. 2 REGULATIONS: No person shall within any CH Zone erect or use any building or structure except in accordance with the provisions of section 4 and the following regulations:

- (a) Maximum lot coverage 20 %
- (b) Minimum front yard depth no part of any building shall be constructed, altered, used or maintained at a distance of less than 12.1 m from a public highway, street or road, provided that on Queen Elizabeth Way, a setback of 76.2 metres shall be required from the centre line of the original right-of-way to the main front wall of the building.

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| (c) Minimum side yard width | <ul style="list-style-type: none"> (i) 3 metres required each side; Minimum side yard on corner lot, not less than minimum front yard required on flanking street. (ii) where a side lot line is a boundary between a Commercial Highway zone and a Residential zone, the said side lot line shall be not less than 9.1 metres within which a 1.5 metres treed buffer strip and/or a close boarded fence, or suitable alternative, to a height of not less than 1.2 metres nor more than 1.8 metres shall be provided. |
| (d) Minimum rear yard depth | <ul style="list-style-type: none"> (i) no part of any building shall be less than 7.6 metres from any rear boundary line of the lot or parcel on which the building is situated. (ii) where a rear lot line is a boundary between a Commercial Highway zone and a Residential zone, the said rear line shall be not less than 12.1 metres within which a 1.5 metres treed buffer strip and/or a close boarded fence, or suitable alternative, to a height of not less than 1.2 metres nor more than 1.8 metres shall be provided. |

8.11 TOURIST COMMERCIAL WILLOUGHBY ZONE (TCW Zone)

8.11.1 PERMITTED USES: No person shall within any TCW zone use any land or erect or use any building or structure for any purpose except one or more of the following uses:

- (a) Automobile service station
- (b) Bake shop
- (c) Bank, Trust Company, Credit Union
- (d) Beer, wine or liquor store
- (e) Car wash
- (f) Clothing store
- (g) Community building
- (h) Drive-in restaurant including a fast-food take-out service

- (i) Drug store
- (j) Food store
- (k) Gasoline bar
- (l) Handcraft store
- (m) Hotel
- (n) Motel
- (o) Office, provided that the total rentable floor area for all officers within the said area shall not exceed 2,750 square metres
- (p) Personal service shop
- (q) Post office
- (r) Premises licensed under The Liquor License Act
- (s) Private Club
- (t) Recreational uses
- (u) Restaurant
- (v) Souvenir store
- (w) Tobacco store
- (x) Trailer camp

8.11.2

REGULATIONS: No person shall within any TCW Zone erect or use any building or structure except in accordance with the provisions of section 4 and the following regulations:

- (a) Subject to clauses b and c, no part of any building or structure shall be located on such lot or parcel of land closer than:
 - i. 35 metres from the centre line of any highway under the jurisdiction of The Regional Municipality of Niagara,
 - ii. 25 metres from the centre line of any highway under the jurisdiction of The Corporation of the City of Niagara Falls,
 - iii. 10 metres from any other boundary of such lot or parcel of land;
- (b) No gasoline pump or pump island shall be located on such lot or parcel of land closer than 10 metres from the limit of any highway or any other boundary of the said land;
- (c) Canopies on any building or structure and any in-ground swimming pools which are not more than 0.3 metres above the average finished grade levels may be located closer to the

highways and boundaries than the distances specified in clause a above but no such canopy or swimming pool shall be located closer than 7 metres from the limit of any such highway or any other boundary of any such lot or parcel of land;

- (d) Landscaped open space shall be provided and maintained on such lot or parcel of land to the extent of at least of 20% of the area of such lot or parcel of land;
- (e) The percentage of area of each such lot or parcel of land covered by the ground level area of all buildings and structures thereon shall not exceed 40 percent;
- (f) The maximum height of any building or structure shall not exceed 12 metres;
- (g) No person shall erect or use any building or structure on any parcel of land within the TCW zone unless municipal services as set out below are available to service the said land, building or structure:
 - i. A sanitary sewerage system,
 - ii. A storm sewerage system,
 - iii. A water supply system.
- (h) The owner or occupant of every building or structure to be erected or used for any of the purposes listed in Table 1 of this clause shall provide and maintain a parking area which shall be located on the same lot or parcel of land occupied by such building or structure. The said parking area shall contain individual parking spaces of at least 27.87 square metres each inclusive of access area to the extent at least prescribed in said Table 1 for the respective classes of uses, buildings or structures set out therein. Where a building, structure or lot accommodates more than one use or purpose, the required parking spaces shall be the sum of the required parking spaces for each such use or purpose

Table 1

Class of Use, Building or Structure	Minimum Parking Space Requirements
Bank, office	1 parking space for each 25 square metres of gross leasable floor area
Barbershop or hairdressing establishment	3 parking spaces plus 1 additional parking space for each chair above 3
Car Wash	7 parking spaces continuous in-line per bay
Drive-in restaurant or fast-food takeout service	25 parking spaces plus 1 parking space for each 5 seats within the building or structure

Hotel	1 parking space for each two bedrooms plus 1 parking space for each 5.5 square metres of floor area used as a place of assembly
Motel	1 parking space for each 1.3 motel units
Premises licenced under The Liquor Licence Act if not part of a motel or hotel	1 parking space for each 5 seats
Premises licenced under The Liquor Licence Act if part of a motel or hotel	1 parking space for each 10 seats
Restaurant if not part of a motel or hotel	1 parking space for each 5 seats
Restaurant if part of a motel or hotel	1 parking space for each 10 seats
Retail establishment, laundromat and personal service shop up to and including a gross leasable floor area of 450 square metres	1 parking space for each 25 square metres of gross leasable floor area
Retail establishment exceeding gross leasable floor area of 450 square metres	1 parking space for each 18 square metres of gross leasable floor area on the main sales floor plus 1 parking space for each 45 square metres of gross leasable floor area on every other floor
Uses, Buildings and Structures permitted by this by-law other than those listed in this schedule	1 parking space for each 40 square metres of floor area

8.12.3 For the purposes of subsections 1 and 2 of this section,

- (a) “Landscaped Open Space” means a portion of the lot area which is not used for buildings, structures, parking areas or driveways and which consists of grass, flower beds, trees, shrubbery and other landscaping, including any surfaced walk, patio, pool or similar amenity or a combination thereof;
- (b) “Personal Service Shop” means a barber’s, hairdresser’s or hairstyling shop, a dressmaker’s shop, a shoe repair shop, a tailor’s shop, a self-service laundry or depot for the collection of dry cleaning and laundry;
- (c) “Pinball or electronic game machine establishment” means a building or part of a building in which 3 or more pinball or other mechanical or electronic game machines are kept for use in pursuance of a trade, calling, business or occupation;

26. That SECTION 11 – INDUSTRIAL ZONES is amended by adding the following after Section 11.6

11.7 INDUSTRIAL WILLOUGHBY ZONE (IW Zone)

11.7.1 No person shall within any IW zone use any land or erect or use any building or structure for any purpose except one or more of the following uses:

- (a) Industrial uses including those manufacturing, converting, altering, finishing, fabricating or assembling of products establishments which do not emit obnoxious sound, odour, dust, fumes, vibration or smoke and which are not hazardous to the surrounding uses.
- (b) A commercial undertaking or business office, necessary to serve the industrial area or incidental to an industrial operation, including storage warehouses and wholesale business.
- (c) A dwelling may be erected for a caretaker, watchman or other similar person employed on the premises concerned and such person's family provided that the requirements of Section VII are complied with.

11.7.2 Notwithstanding any provisions of this Section, the following uses are prohibited (By-law 439, 1967):

- (a) Abattoir
- (b) Acetylene gas manufacture
- (c) Asphalt manufacture or refining
- (d) Brick, pottery, tile, terra cotta or building block manufacture
- (e) Boiler works
- (f) Bronze, aluminum or other metal powder manufacture
- (g) Coke ovens
- (h) Crematory
- (i) Disinfectant, insecticide, or poison manufacture
- (j) Dye manufacture
- (k) Forge plant
- (l) Storage, cleaning, curing or tanning of fresh or green hides
- (m) Storage of gas, except for consumption on the premises
- (n) Grease, lard, fat or tallow rendering or refining
- (o) Metal foundry
- (p) Lime, cement, or plaster of paris manufacture
- (q) Match manufacture
- (r) Oilcloth or linoleum manufacture
- (s) Paint, oil, varnish, turpentine, lacquer, shellac or enamel manufacture

- (t) Storage of fuel or petroleum above ground
- (u) Caustic manufacture
- (v) Junk yards
- (w) Printing ink manufacture
- (x) Pyroxylin plastic manufacture or the manufacture of articles therefrom
- (y) Shoe backing or stove polish manufacture
- (z) Soap manufacture from animal fats
- (aa) Steel furnace, blooming or rolling mill
- (bb) Stockyards
- (cc) Structural steel or pipe works
- (dd) Sugar refining
- (ee) Tar distillation or manufacture
- (ff) Tobacco (chewing) manufacture or treatment,
- (gg) Tar roofing or waterproofing manufacture
- (hh) Vinegar manufacture
- (ii) Wool pulling or scouring
- (jj) Yeast plant
- (kk) Commercial dog kennels
- (ll) Bus, truck or railroad freight terminals
- (mm) Dry cleaning, rug cleaning and laundry plants
- (nn) Any use which is conducted so as to cause or result in the dissemination of noise, vibration, odor, dust, smoke, gas or fumes, or other pollutant beyond the lot on which such use is conducted
- (oo) Public uses including all public utilities and essential services excepting schools

11.7.3 REGULATIONS: No person shall within any IW Zone erect or use any building or structure except in accordance with the provisions of section 4 and the following regulations:

- (a) Maximum lot coverage 30 %
- (b) Minimum front yard depth no part of any building shall be constructed, altered, used or maintained at a distance of less than 12.1 metres from a public highway, street or road

boundary, provided that on the streets named below, the following setbacks shall apply:

Street: Required Distance Between Main Front Wall and Centre Line of the Original Road Allowance

Reixinger Road: 31.3 metres

Lyon's Creek Road: 31.3 metres

Queen Elizabeth Way: 62.4 metres

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| (c) Minimum side yard width | <ul style="list-style-type: none">(i) 3 metres required each side; Minimum side yard on corner lot, not less than minimum front yard required on flanking street.(ii) where a side lot line is a boundary between a Commercial Highway zone and a Residential zone, the said side lot line shall be not less than 9.1 metres within which a 1.5 metres treed buffer strip and/or a close boarded fence, or suitable alternative, to a height of not less than 1.2 metres nor more than 1.8 metres shall be provided. |
| (d) Minimum rear yard depth | <ul style="list-style-type: none">(i) no part of any building shall be less than 7.6 m from any rear boundary line of the lot or parcel on which the building is situated.(ii) where a rear lot line is a boundary between a Commercial Highway zone and a Residential zone, the said rear line shall be not less than 12.1 metres within which a 1.5 metres treed buffer strip and/or a close boarded fence, or suitable alternative, to a height of not less than 1.2 metres nor more than 1.8 metres shall be provided. |

27. That SECTION 12 – AGRICULTURAL ZONE is amended by adding the following:

12.1 AGRICULTURAL 1 Zone (A1 Zone)

12.1.1 PERMITTED USES: No person shall within any A1 zone use any land or erect or use any building or structure for any purpose except one or more of the following uses:

- (a) An existing use
- (b) Agricultural uses and residence associated with that use

12.1.2 REGULATIONS: No person shall within any A1 zone erect or use any building or structure except in accordance with the provisions of Section 4 and the following regulations:

- (a) Minimum lot area 10.1 hectares
- (b) Minimum front yard depth 7.6 metres
- (c) Minimum side yard width each side 7.6 metres
- (d) Minimum rear yard depth 7.6 metres
- (e) Where a side yard or rear yard abut a residential use 30 metres

12.2 AGRICULTURAL 2 ZONE (A2 ZONE).

12.2.1 PERMITTED USES: no person shall within any A2 zone use any land or erect or use any building or structure for any purpose except one or more of the following uses:

- (a) A detached dwelling
- (b) For lands north of Biggar Road, east of Crowland Avenue, and within the City's Urban Boundary:
 - (i) Accessory living quarters for staff employed on the premises,
 - (ii) Light manufacturing
 - (iii) Heavy industrial
 - (iv) Cemeteries
 - (v) A converted dwelling
- (c) Agricultural uses including crops, truck and market gardening, nurseries, greenhouses, breeding, raising animals
- (d) Animal hospitals

- (e) Veterinary establishments
- (f) Storing of farm machinery and vehicles used on the farm
- (g) A farm produce outlet in accordance with Section 4.36

12.2.2 REGULATIONS: No person shall within any A2 zone erect or use any building or structure except in accordance with the provisions of Section 4 and the following regulations:

- (f) Minimum lot area 1.2 hectares
- (g) Minimum lot frontage 30 metres
- (h) Minimum front yard depth 18 metres plus any applicable distance specified in section 4.27.1
- (i) Minimum side yard width 4.5 metres plus any applicable distance specified in section 4.27.1
- (j) Minimum rear yard depth 12 metres plus any applicable distance specified in section 4.27.1
- (k) Maximum lot coverage 15%
- (l) Parking and access requirements In accordance with section 4.19.4
- (m) Notwithstanding section 4.11, a farm building or farm structure may be erected upon a lot which fronts or abuts upon a street which is not an improved street

12.3 AGRICULTURAL 3 ZONE (A3 ZONE).

12.3.1 PERMITTED USES: no person shall within any A3 zone use any land or erect or use any building or structure for any purpose except one or more of the following uses:

- (a) Agricultural including field crops, dairy farming, hog and other animal raising,; poultry raising, ranching and grazing, tree nurseries, berry or bush crops, orchards, vineyards, truck gardening, aviaries, apiaries, dog kennels and other similar uses customarily carried on in the field of agriculture
- (b) A detached dwelling
- (c) Public utilities, including radio and television, railway
- (d) A farm produce outlet in accordance with Section 4.36

12.3.2 REGULATIONS: No person shall within any A3 zone erect or use any building or structure except in accordance with the provisions of Section 4 and the following regulations:

- | | |
|---|---|
| (a) Minimum lot area | 0.4 hectares |
| (b) Minimum lot frontage | 60 metres |
| (c) Minimum building setback from all roads | 20.7 metres |
| (d) Minimum side yard width each side | 4.5 metres plus any applicable distance specified in section 4.27.1 |
| (e) Minimum rear yard depth | 9.1 metres plus any applicable distance specified in section 4.27.1 |
| (f) Parking and access requirements | In accordance with section 4.19.5 |
| (g) Notwithstanding section 4.11, a farm building or farm structure may be erected upon a lot which fronts or abuts upon a street which is not an improved street | |
| (h) Maximum height | 10.6 metres, subject to section 4.7 |

28. That SECTION 14 – OPEN SPACE ZONE is hereby amended by adding the following sections:

SECTION 14.1.1 – OPEN SPACE CONSERVATION ZONE (OSC ZONE)

14.1.2 PERMITTED USES: no person shall within any OSC Zone use any land or erect or use any building or structure for any purpose except one or more of the following uses:

- (a) Agricultural uses as listed under Section 12.3.1 (a)
- (b) Athletic fields
- (c) Band stands
- (d) Bowling greens
- (e) Community centres
- (f) Golf courses
- (g) Public parks
- (h) Skating rinks
- (i) Swimming pools
- (j) Tennis courts

14.1.3 REGULATIONS: No person shall within any OSC zone erect or use any building or structure except in accordance with the provisions of section 4 and the following regulations:

- (a) Minimum lot area 0.81 hectares
- (b) Minimum lot frontage 121.9 metres
- (c) Minimum front yard depth 10.69 metres plus any applicable distance specified in section 4.27.1
- (d) Minimum side yard width each side 4.6 metres plus any applicable distance specified in section 4.27.1

Notwithstanding the foregoing, the area and frontage requirements shall not be applicable to bona fide public space uses.

29. That SECTION 14 – OPEN SPACE ZONE is hereby amended by adding the following section:

SECTION 14XXX – PUBLIC AND PRIVATE OPEN SPACE ZONE (OSPP ZONE)

14.xx PERMITTED USES: no person shall within any OSPP Zone use any land or erect or use any building or structure for any purpose except one or more of the following uses:

- (a) Recreational: parks, walks, statues, fountains, playlots, wading pools, shelters, play fields, playgrounds, athletic fields, field houses, community centre, bleachers, open or closed swimming pools, botanical gardens, zoological gardens, band stands, skating rinks, bowling greens, tennis courts, boat liveries, bathing stations, golf courses, parking stations, public parking lot, yacht club and cemetery.
- (b) Commercial: refreshment pavilion or booth

14.xx REGULATIONS: No person shall within any OSPP zone erect or use any building or structure except in accordance with the provisions of section 4 and the following regulations:

Yard requirements: Minimum distance of buildings or structures from all lot lines: 12 metres

30. that SECTION 19 is hereby amended by adding the following:

19.2. CONSOLIDATED SITE-SPECIFIC ZONES: The following site-specific by-laws

A1-1	Refer to by-law 1999-250
A1-2	Refer to by-law 1999-252
A1-3	Refer to by-law 1995-151
A1-4	Refer to by-law 2003-122

A1-5	Refer to by-law 2006-129
A1-6	Refer to by-law 2015-010
A1-7	Refer to by-law 2016-070
A1-8	Refer to by-law 2015-009
A1-9	Refer to by-law 2016-069
A2-1	Refer to by-law 2002-022
A2-2	Refer to by-law 1988-268
A2-3	Refer to by-law 1988-268
A2-4	Refer to by-law 1986-022
A2-5	Refer to by-law 2016-051
A2-6	Refer to by-law 2021-080
A3-1	Refer to by-law 2002-023
A3-2	Refer to by-law 1995-064
A3-3	Refer to by-law 1995-189
A3-4	Refer to by-law 1980-005
A3-5	Refer to by-law 1981-012
A3-6	Refer to by-law 1981-168
A3-7	Refer to by-law 2013-105
EPA-1	Refer to by-law 2002-022
EPA- 2	Refer to by-law 2011-117
RNP-1	Refer to by-law 2003-055

**Read a First, Second and Third time; passed, signed and sealed in open Council
this XXth day of MONTH, 2024.**

.....
WILLIAM G. MATSON, CITY CLERK

.....
JAMES M. DIODATI, MAYOR